**UKRAINE**

**PROGRAM-FOR-RESULTS**

**Ukraine Lifting Education Access and Resilience in times of Need (LEARN) Program (P504171)**

**Environmental and Social Systems Assessment**

**(ESSA)**

DRAFT

World Bank

June 2024

Acronyms and abbreviations

|  |  |
| --- | --- |
| AIE | Assessment of the Impact on the Environment  |
| AICOM | Automated Information Complex of Educational Management |
| BP | Bank Procedures  |
| CEB | Council of Europe Development Bank |
| CMU  | Cabinet of Ministers of Ukraine  |
| CP | Core Principles  |
| CSO | Civil Society Organization |
| COVID19 | Global pandemic of coronavirus disease 2019 |
| DBN | State Building Norms  |
| DLI | Disbursement-linked Indicator |
| DLR | Disbursement-linked result  |
| DBN | State Building Regulation |
| DREAM | Digital Restoration EcoSystem for Accountable Management |
| DSTU | National Standard of Ukraine |
| EBRD | European Bank for Reconstruction and Development |
| EDESSB | Unified State Electronic System in the Field of Construction |
| EIB | European Investment Bank |
| ERW | Explosive Remnants of War  |
| EU  | European Union  |
| EIA | Environmental Impact Assessment  |
| E&S  | Environmental and Social |
| ESS | Environmental and Social Standard  |
| ESF | Environmental and Social Framework |
| ESSA  | Environmental and Social Systems Assessment |
| ESCP | Environmental and Social Commitment Plan |
| ESMP  | Environmental and Social Management Plan  |
| FM  | Financial Management  |
| GBV | Gender Based Violence  |
| GHG | Greenhouse Gas  |
| GPE | The Global Partnership for Education |
| GRM | Grievances Redress Mechanism  |
| IDP | Internally Displaced Persons |
| IEA | Institute of Educational Analytics |
| ILO  | Intercultural Learning Online  |
| IOM | International Organization for Migration |
| IPF | Investment Project Financing |
| LEARN | Lifting Education Access and Resilience in times of Need  |
| MoES  | Ministry of Education and Science of Ukraine |
| MSP | Ministry of Social Policy of Ukraine |
| MoF | Ministry of Finance |
| NUS  | New Ukrainian School  |
| OHS | Occupational Health and Safety  |
| OVD  | Ukrainian abbreviation of equivalent of EIA  |
| OVNS  | Ukrainian abbreviation of equivalent of AIE |
| OP | Operational Policy p. 24 |
|  PAP | Program Action Plan |
| PforR  | Program for Results |
| POM | Program Operations Manual |
| PPE | Personal Protective Equipment |
| PIU | Project Implementation Unit |
| RA | Result Area  |
| SEA | Sexual Exploitation and Abuse  |
| SH | Sexual Harassment  |
| UNESCO | United Nations Educational, Scientific and Cultural Organization |
| UNICEF | United Nations International Children's Emergency Fund |
| UNOPS | United Nations Office for Project Services |
| UIHERP | Ukraine Improving Higher Education for Results Project |
| UCEQA | Ukrainian Center for Educational Quality Assessment |
| UXO |  Unexploded Ordnance |
| WB  | World Bank |

Contents

[Executive Summary 6](#_Toc169773673)

[1. Introduction 12](#_Toc169773674)

[1.1. Purpose and Scope of the ESSA 12](#_Toc169773675)

[1.2. Methodology and Consultations 12](#_Toc169773676)

[2. Program Description 13](#_Toc169773677)

[2.1. The current situation and development priorities 13](#_Toc169773678)

[2.2. State Program scope 14](#_Toc169773679)

[2.3. PforR Program Boundary and Scope 14](#_Toc169773680)

[3. Description of Expected Program Environmental and Social Effects 19](#_Toc169773681)

[3.1. PforR component ES risks overview 19](#_Toc169773682)

[3.2. Detailed Screening of Environmental and Social Effects 21](#_Toc169773683)

[3.3. Exclusion Criteria 25](#_Toc169773684)

[3.4. IPF component ES risks 25](#_Toc169773685)

[4. Assessment of Borrower’s Environmental and Social Management Systems 26](#_Toc169773686)

[4.1. Assessment of Borrower E&S Systems against Core Principal 1 (General Principle of Environmental and Social Management) 27](#_Toc169773687)

[4.1. (a) Avoid, minimize, or mitigate adverse impacts and (c) Promote informed decision-making relating to the Program’s environmental and social effects 29](#_Toc169773688)

[4.1. (b) Promote environmental and social sustainability in Program design 35](#_Toc169773689)

[4.2. Assessment of Borrower E&S Systems against Core Principle 2 (Natural Habitats and Physical Cultural Resources) 38](#_Toc169773690)

[4.3. Assessment of Borrower E&S Systems against Core Principal 3 (Public and Worker Safety) 39](#_Toc169773691)

[4.4. Assessment of Borrower E&S Systems against Core Principle 4 (Land Acquisition) 41](#_Toc169773692)

[4.5. Assessment of Borrower E&S Systems against Core Principle 5 (Indigenous Peoples and Vulnerable Groups) 41](#_Toc169773693)

[4.5.1 Inclusion in Education 42](#_Toc169773694)

[4.5.2 Gender 42](#_Toc169773695)

[4.5.3 Gender Based Violence (GBV) 43](#_Toc169773696)

[4.5.4 Children with special needs or disabilities 45](#_Toc169773697)

[4.5.5 Ethnic and Linguistic Groups 47](#_Toc169773698)

[4.5.6 Internally Displaced Persons 47](#_Toc169773699)

[4.6. Assessment of Borrower E&S Systems against Core Principle 6 (Avoid exacerbating social conflict.  Distributional Equity) 48](#_Toc169773700)

[4.7. Assessment of institutional systems 49](#_Toc169773701)

[5. Stakeholder Engagement and Information Disclosure 50](#_Toc169773702)

[5.1. Program Grievance Mechanism 51](#_Toc169773703)

[6. Conclusions and Recommendations 55](#_Toc169773704)

[Annexes 58](#_Toc169773705)

[Annex 1. Environmental and Social Checklist 58](#_Toc169773706)

[Annex 2: Program Stakeholder Mapping 67](#_Toc169773707)

[Annex 3. Scope of the capacity building and supervision program 71](#_Toc169773708)

# Executive Summary

The Environmental and Social Systems Assessment has been prepared for the PForR Program in accordance with paragraph 9 of Section III of the PforR Policy and the World Bank PforR Directive. The ESSA (a) examines the scope, context, and potential impacts of the Program from an E&S perspective; (b) assesses in detail the different E&S effects under the Program activities, including indirect and cumulative effects, contextual and political risks related to the E&S issues; (c) assesses the capacity of national bodies in addressing related E&S risks and identify any complex risks in implementing E&S measures; (d) compares the borrower’s systems (laws, regulations, standards, procedures, and implementation performance) against the PforR core E&S principles; and (e) formulates recommended measures to address capacity for and performance on policy issues and specific operational aspects relevant to managing program risks.

**Methodology**. To prepare the ESSA of the proposed operation, the World Bank assessed the Ministry of Education and Science (MoES) environmental and social systems by analyzing available documents and working sessions with the main stakeholders, as well as relevant national legislation and practices. The ESSA is completed based on: current knowledge and supplementary research of environmental and social systems that are relevant to the program, including regulatory frameworks governing environmental and social assessment; labor and health and safety; cultural heritage; construction standards; non-discrimination, gender and disability inclusion; information disclosure and grievance redress; as well as environmental and social performance of such regulatory frameworks based on experience from other World Bank operations, reviews of existing analytical and diagnostic products, published information, and reports, and site visits to schools that have constructed protective shelters in previous years. To further inform its development, the ESSA will be consulted with a wider range of relevant stakeholders and interested parties prior to appraisal. Due to the implications of martial law, limited in person consultations are possible; on-line consultations will be the consultation modality.

**Environmental risks are rated Substantial**. Environmental risks and impacts are mostly associated with project-related civil works (for rehabilitation/installation of infrastructure/equipment) and issues associated with school buses. Rehabilitation and construction-related risks include potential increased pollution due to improper care, handling and storage of construction material and waste; temporary impact on cross drainage; water/soil quality impacts in case of construction pollution as well as pressures on the environment caused by the material sourcing; generation of excessive noise and dust levels from trucks and other construction machinery; soil disturbance during earthworks; tree-cutting and loss of vegetation; negative impact on ecosystems (through disturbance); traffic safety issues; community and workers’ health and safety incidents. School buses operations-related risks include design and functional layout for new facilities (shelters) and equipment to ensure proper OHS conditions and community health and safety; and practices to manage household and organic waste. These risks are site-specific and temporary and can be mitigated by existing construction and healthcare management best practices. However, these risks may be exacerbated by potential aerial strikes and other military actions which add an element of extreme uncertainty and risk of fatality or serious injury that cannot be entirely mitigated by environmental and social management measures. Also, there is a risk that project sites may become a target for aerial strikes which will endanger nearby communities and site workers. Other war-related risks include possible site contaminations with hazardous compounds and ERWs.

**The social risks are rated Substantial.** The proposed operation will have positive social effects by increasing access to in-person learning and improving teaching and learning conditions in Ukraine. However, the operation takes place within a highly volatile context, and the community and worker health and safety and security risks in the education sector are high. These risks are highly contextual, beyond the immediate control of the borrower, and the operation is designed to help mitigate these impacts on the education system in Ukraine and build resilience against future shocks. The key potential adverse social effects are associated with the construction and rehabilitation of approximately 286 protective structures within existing schools that are supported under PforR Pillar 1; for example, if the structures are not constructed properly leading to collapse or injury during operation, or if health and safety of workers and community (including children at school sites) are affected by the works. Land acquisition will be excluded from the program. Other social risks of the program are related to ensuring that the benefits (e.g., school shelters, buses, textbooks, teacher training) are designed to be inclusive, and accessible to vulnerable individuals and groups, for example by reaching the poorest children, and children with disabilities.

**Environmental and social systems for shelters.** Robust environmental and social systems are in place for constructing shelters with gaps related to contractor management and monitoring at subnational and local levels. Ukraine has a well-set system for managing environmental and social impacts for civil works embedded in the primary legislation (on impact assessment, on labor conditions etc.), as well as construction, labor and sanitary norms and regulations. Some features such as disability access, material sourcing, climate adaptation and so on are not mandated by ES legislation but by the design regulations adding another separate layer of oversight/supervision. For construction/retrofitting of shelters, the EIA (Ukrainian abbreviation ‘OVD’) is not required by law, hence, all the requirements will be outlined in the general design documentation (with sections on the environmental protection measures (Ukrainian abbreviation ‘OVNS’) and OHS), with supervision role assigned to the authorized party. The MoES mandate is to disburse funds to local authorities. They receive financial reports on implementation but do not currently have a mandate to monitor construction and system gaps exist owing to capacity constraints at local level for contractor management and regulatory enforcement by the Ministry of Infrastructure and Ministry of Environmental Protection and Natural Resources. Also, very little monitoring role is given to the beneficiaries of the subvention (schools, local administrations) due to lack of technical knowledge, among other things. This results in sometimes subpar performance on account of community and occupational health and safety (absent site fencing, lack of PPE usage, incompliant working schedule, lack of adherence to safety protocols etc.), waste management (inappropriate storage of construction and hazardous waste), incident reporting etc. To address system gaps, MoES is planning to incorporate an Environmental and Social Management Plan Checklist (developed in compliance with World Bank Core Principles and Environmental Health and Safety Guidelines) into the resolution for school shelters subvention. The objectives of the ESMP Checklist are to inform a wider audience (contractors, workers, local administration representatives, school staff, parents) about applicable regulations and required ES mitigation measures. The ESMP Checklist provides guidance to the the project administrator on how to use it, and outlines measures to avoid and minimize the potential risks and negative impacts on the environment, as well as health and safety of the community and workers, including children at school sites, during construction works. Further dissemination and training of contractors and local authorities to employ the ESMP Checklist is necessary.

The program will support budget funds for shelter construction that will be accessed by application submitted by local authorities to the MoES. The application process and approval of budget subventions is governed by the Resolution of the Cabinet of Ministers of Ukraine on “Issues regarding the establishment of safe conditions in general secondary education institutions”. The Resolution sets out geographic areas where shelters can be constructed based on approved security and safety zones (i.e. proximity to areas with security concerns). The 2024 resolution introduces new sets out criteria for scoring and decision-making regarding applications based on financial sustainability, project readiness and where the funds are needed the most to restore or continue with in-person learning in areas close to the front lines or areas that are once again under the government’s control, and other factors. Communities with lower tax capacity will be given additional scoring points to help ensure distributional equity. The MoES will use the unified national Digital Integrated Information and Analytical System (DREAM) to rank applications and promote transparent decision making. The ESSA recommends that selection criteria for future shelter subventions be developed to consider socioeconomic factors.

**Environmental and Social Systems Assessment for school buses.** The program will also support budget subventions for general secondary schools to purchase school buses to support in-person learning by addressing transportation constraints. The Resolution of the Cabinet of Ministers of Ukraine on “Issues of providing subvention from the state budget to local budgets for the purchase of school buses” has been passed by the government and will be put into effect. The resolution on school buses references the requirements for such buses, and if the school has students with limited mobility and wishes to purchase a bus for transporting wheelchairs, it specifies the applicable Ukrainian standards. The ESSA recommends that the MoES conduct additional needs assessment for transportation for children with disabilities with relevant stakeholders, and issue additional instructions to oblast/district in this regard. The ESSA also recommends that all schools should develop safety protocols (Emergency Preparedness and Response Plans) for instances of war-hazards (for example, aerial strikes) that occur during transportation. Protocols for technical maintenance and driver’s qualification requirements are covered by existing national legislation for traffic safety and others.

**Environmental and Social Systems Assessment Teacher Training and Textbooks.** Teacher training and textbooks activities supported under the Program are being rolled out under a broader rollout of the New Ukrainian School (NUS) curriculum. As described in the technical assessment, NUS was designed and initiated in 2018 and is aligned with EU norms and underwent extensive public consultation. No environmental and social risks of serious concern have been noted. Regarding the program activities for teacher training and textbooks; Ukrainian regulatory framework contains a wide range of policies and legislation at various administrative levels, pertaining to gender and social inclusion within the education system and applicable to development of educational materials and inclusive access of program benefits for vulnerable groups. The MoES has developed a comprehensive operational plan of measures for 2022-2024 detailing a wide range of activities to increase staff qualifications and awareness in areas such as eliminating gender stereotypes, awareness about gender equality, and gender-based violence. The ESSA recommends that MoES establish a gender function or unit with adequate staffing to support the implementation of its operational plan. The ESSA also recommends that knowledge requirements (curriculum for teacher training, textbooks, etc.) are issued by the MoES to promote and implement feasible climate change adaptation/mitigation measures, sustainable development practices, etc.

**Stakeholder engagement and grievance mechanism.** There are several national policies and regulations that comprise cross-cutting systems for stakeholder engagement and information disclosure across all the program activities. In addition to obligations imposed to the MoES by the Laws of Ukraine which regulates citizen appeals, the Ministry has its own communication mechanisms. To meet the informational needs of citizens, the MoES actively utilizes social media platforms. The Ministry also operates a Hotline regarding educational issues for citizens from territories temporarily not under the government’s control. The Ministry actively conducts online consultations and has a dedicated webpage on the ministry's website providing summaries of active and archived consultations. The Ministry also has several grievance channels consistent with Ukrainian Law, and an Ombudsman dedicated to MoES responsible for mediating and addressing complaints. Ukrainian Law does not allow for anonymous complaints. Further recommendations for ensuring the program has an accessible, effective and confidential grievance mechanism, will be provided. To this end, the ESSA recommends that the MoES establishes a grievance mechanism for the program including a channel for anonymous complaints; prepares procedures for handling of GBV complaints in a confidential, survivor, and safety-centered manner consistent with good international practice, including referral protocols to qualified providers, and including guidance to schools.

**Conclusions and Recommendations**

The ESSA concludes that the environmental and social risks of the program are considered to be adequately mitigated, through committed actions in the Program Action Plan and Program Design. All recommendations will be supervised throughout bank implementation:

The list below represents a summary of the actions and measures related to the ESSA that MoES is required to take during implementation of LEARN Program to improve system performance.

| **Action** | **Incorporation into project design and pre-effectiveness delivery** |
| --- | --- |
| Develop knowledge requirements (curriculum for teacher training, textbooks etc.) to promote and implement feasible climate change adaptation/mitigation measures, sustainable development practices etc. | To be incorporated into project verification protocols and POM |
| Develop guidance for technical requirements (for shelters, school busses and IT infrastructure) to promote and implement feasible climate change adaptation/mitigation measures, sustainable development practices etc. | To be incorporated into project verification protocols and POM |
| Establish and operate a grievance mechanism for the program based on the ESSA, including a channel for anonymous complaints and equipped to handle SEA/SH complaints | Procedures established in the POM and regular reporting thereafter (quarterly) |

The following actions that will be incorporated into the Program Action Plan (PAP):

| **Action** | **Responsibility** | **Timeline** | **Indicators for completion of actions** |
| --- | --- | --- | --- |
| Project management unit should maintain requisite environmental and social staffing (1 social/stakeholder engagement specialist and 1 environmental/OHS specialist) | The MoES | ES staff should be hired 1 month after the Program effectiveness date and maintained throughout Program implementation | Regular ES reporting (quarterly) |
| Issue a ministerial recommendation in connection to subvention for shelters, annually, to adopt the Environmental and Social Checklist (Annex 1) for all shelter subvention beneficiaries, and ensure it is included in the civil works contracts.  | The MoES | 3 months after the Program effectiveness date | ES Checklist dissemination evidence |
| Create a comprehensive capacity building and supervision program in line with scope outlined in Annex 3 of the ESSA. | The MoES | 6 months from the Program effectiveness | Supervision Plan Capacity building and supervision program and regular reporting on its implementation |
| Develop safety protocols (Emergency Preparedness and Response Plans) for instances of war hazards | The MoES | 3 months from the Program effectiveness | Report on safety protocols preparation and implementation |
| Prepare guidance checklist for handling of GBV complaints in a confidential, sensitive and survivor and safety centered manner consistent with good international practice, including referral protocols to qualified providers, as well as including guidance to schools.  | The MoES | 3 months from Program Effectiveness | Completion of checklist and dissemination of guidance |
| Prepare a stakeholder engagement and communication plan for the program.  | The MoES | Within one month of Program effectiveness | Plan delivered and report implementation thereafter.  |
| Further to the resolution on buses, conduct needs assessment on transporting children with disabilities and issue instructions accordingly on purchasing buses with accessibility for children with limited mobility | The MoES | 1 month from program effectiveness | Instructions issued |
| Establish a gender function /unit with staffing to support implementation of the Operational Plan.  | The MoES | 6 months from program effectiveness | Unit established/staff recruited (supported under the IPF)  |

# Introduction

## Purpose and Scope of the ESSA

This ESSA has been prepared by the World Bank according to the requirements of the Bank’s Policy for PforR financing for adequately managing the environmental and social effects of the Program. The ESSA aims to assess at the Program level, the potential E&S effects of the PforR (including direct, indirect, induced, and cumulative effects as relevant); the Borrower’s capacity (legal framework, regulatory authority, organizational capacity, and performance) to manage those effects; and the determination if any measures would be required to strengthen them. The specific objectives are as follows:

* Identify potential environmental and social benefits, risks, and impacts applicable to the Program activities.
* Assess the borrower’s environmental and social management systems for managing the identified E&S effects relevant to these activities, including reviewing the policy and legal framework and the performance track record.
* Assess the extent to which the Borrower’s environmental and social management systems are consistent with the Bank’s core environmental and social principles spelled out in Bank policy and associated guidance materials (refer to Section 1.2 for further elaboration).
* Based on the identified gaps, recommend, and formulate measures for inclusion in the DLIs, if any, and the PAP to enhance both the E&S management systems and the E&S outcomes during implementation.
* Describe the consultation process for the ESSA, and for the preparation and implementation of the Program.

The findings and recommendations of the ESSA are subsequently factored into the operation’s overall Integrated Risk Assessment, Program Appraisal Document (PAD), and the Program Action Plan, which is used as an input for the decision-making by the World Bank regarding the Program activities that may be supported under the proposed PforR.

## Methodology and Consultations

To prepare the ESSA of the proposed operation, the World Bank assessed the Ministry of Education and Science (MoES) environmental and social systems by analyzing available documents and working sessions with the main stakeholders, as well as relevant national legislation and practices. The ESSA is completed based on: current knowledge and supplementary research of environmental and social systems that are relevant to the program, including regulatory frameworks governing environmental and social assessment; labor and health and safety; cultural heritage; construction standards; non-discrimination, gender and disability inclusion; information disclosure and grievance redress; as well as environmental and social performance of such regulatory frameworks based on experience from other World Bank operations in Ukraine including in the education sector; reviews of existing analytical and diagnostic products, published information, and reports; and site visits to schools that have constructed protective shelters in previous years.

The ESSA preparation also benefitted from broader consultations on the PforR Operation, its objectives and design, as well as its coordination with other donors and capacity building initiatives. The Program was consulted with key donors including UN agencies and key civil society organizations (CSO) and international non-governmental organizations (INGO) and the Education Sector Working Group organized by MoES, through a series of meetings in February and March 2024. In March 2024 World Bank attended presentations of the Ukraine Education Cluster (facilitated by MoES) and the Charitable Foundation "Rokada" about “the state of bomb shelters in education institutions in Ukraine” The research covered 24 regions and 101school principals took part in it. The issues and research findings indicate the significant on-going need for school subsidies to build and repair shelters to restore in-person learning. The research also highlighted the need to have shelters with sanitation facilities, ventilation, room zoning, additional exits, provision of seats and desks for studying, and internet connection. Recommendations of the findings include launching an information campaign preceding the announcement of Subvention applications, increasing the duration of Subvention applications, allowing, the transitional nature of the Subvention for shelters in the final construction stage, prioritization based on proximity to conflict as well as budgetary features of communities.

The ESSA will be further consulted with relevant stakeholders and interested parties prior to appraisal. Due to the implications of martial law, limited in person consultations are possible; on-line consultations will be the consultation modality.

# Program Description

## The current situation and development priorities

*Impact on students and teachers*

Since 2022, Russia’s invasion of Ukraine has critically disrupted education due to damage to educational institutions, population displacement, and trauma. As of December 2023, nearly 4,000 educational and research institutions (12 percent of the total) have been damaged or destroyed, totaling more than US$10 billion in reconstruction costs. Access to in-person schooling has been critically affected by insufficient safety infrastructure in schools and a lack of student transportation; at the same time, teaching and learning conditions in schools have deteriorated since February 2022, contributing to the accumulation of learning losses. The conditions of the teaching profession have also significantly deteriorated, prompting the government and the Bank to protect teachers’ salaries. The invasion has unequal geographical impacts and further exacerbates inequalities among children and the reliance on online learning does not ensure full access to quality education and limits caregivers’ labor market participation.

*Impact on educational reform*

The most relevant reform is the New Ukrainian School (NUS), introduced by the Framework Law on Education of 2017, which aims to modernize and radically enhance the quality of school education in Ukraine. However, the Ministry of Education and Science (MoES)’s reform plans, especially the NUS, have been severely impacted, putting in jeopardy the overall reform agenda in the education sector. The resumption of the educational reforms is essential not only to address immediate needs but also to effectively reverse the long-term impact of the current situation.

*Key priorities in short- and medium-term*

*Infrastructure and NUS:* the green transition is expected to shape Ukraine’s reconstruction and recovery, and the implementation of the NUS can help the country achieve these ambitious goals. The resumption of high-quality in-person education and the continued roll-out of the NUS reforms is the key priority of Ukrainian authorities in the short term.

*Capacity building:* since the February 2022, the MoES has had limited capacity and resources to effectively provide emergency responses and implement reforms. Ultimately, the lack of resources limits the effectiveness of the MoES’s response and prevents education authorities from providing the necessary guidance, oversight, and expertise required to effectively implement and pilot reforms that are key to the country's long-term development.

Meanwhile, it is important to note the key role played by municipalities to ensure the continuity of education services. Yet, given the current challenges and relatively recent introduction of the decentralization process, municipalities have important capacity capacity-building needs as well.

## State Program scope

The MoES presented in March 2024 its Strategic Action Plan for 2024-2027, which provides the policy framework for investments and reforms in the education sector to transform the education system. The Strategic Action Plan is organized into nine priorities, covering all sub-sectors of the education system. The Strategic Action Plan aims to comprehensively transform the education system, with investments and reforms planned at each level of education, each with 3-5 strategic goals and targets.

The Strategic Action Plan aims to build on the previous reform agenda across sub-sectors and further deepen it to transform the education system and address the impact of the invasion. Critically, this plan aims to take stock of previous reform implementation and address bottlenecks where required.

## PforR Program Boundary and Scope

**The Program will focus on Strategic Action Plan Priority 2: *School education and the NUS*** through a combination of emergency actions to restore in-person education with initiatives to promote the quality of education. The continuation of the NUS reform is a key priority of the MoES. By focusing on school education from grade 1 to 12, the Program supports the largest education subsector, currently serving 3.8 million students and close to 400,000 teachers, and pursues a strategic impact on students’ foundational skills, while also serving as a model for broader educational reforms. Priority 2 also represents 55 percent of the total financing of the Strategic Action Plan. The Program will have a nationwide scope (excluding territories temporarily no longer under the government’s control and territories close to the frontline[[1]](#footnote-2)) and will align with the implementation period of the Strategic Action Plan.

To contribute to restoring access to in-person education, the Program will support students' access to safety protective structures in their schools (decree #419-2023) and free school transportation (decree #100-2020). To improve teaching and learning conditions in basic education, the Program will support the development of teacher capacities and the equipment of basic education schools with textbooks and materials according to the NUS standards. The World Bank PforR will provide US$350 million of financing, supporting a broader counterpart financing of US$9.1 billion. The program scope also includes salaries of teachers and pedagogical staff who are part-time or full time under public service employment contracts.

**Table 1: Program boundary and projected costs**

|  |  |  |  |
| --- | --- | --- | --- |
| **Priority** | **Projected costs****2024 – 2027[[2]](#footnote-3)**(US$ million) | **Projected PforR Program 2024 – 2027[[3]](#footnote-4)**(US$ million) | **Reasons for non-alignment** |
| 1. Early childhood and preschool education
 | 0 |  | Supported by other partners |
| 1. NUS Reform
 | 11,023 | 10,875[[4]](#footnote-5) | Excludes budget lines per FM assessment |
| 1. Out-of-school education concept
 | 95 |  | Supported by other partners  |
| 1. Transformation of vocational education
 | 131 |  |
| 1. Quality higher education
 | 6,365 |  | Supported by WB UIHERP |
| 1. Development of science and innovation
 | 1,905 |  |
| 1. European integration of Ukraine in the fields of education and science
 | 80 |  | Supported by other partners |
| 1. Digital transformation of education and science
 | 0.2 |  | n/a |
| 1. Support and assistance for individuals with special needs
 | 75 |  | Supported by other partners |
| **Total 2024 – 2027** | **19,674** | **10,875** |  |

In alignment with the Strategic Action Plan goals, the Program will focus on:

* Strategic Goal 2.1: School students learn in a safe, modern, and inclusive educational environment.
* Strategic Goal 2.2: School students receive quality education following the NUS principles.
* Strategic Goal 2.4: Pedagogical teams of education institutions work based on partnership principles and implement the NUS principles.

*PforR Results Areas:*

1. ***Results Area 1: Improving teaching and learning conditions according to NUS principles* is focused on ensuring the provision of safe high-quality in-person education.** As a contribution to the quality of teaching and learning, this result area will focus on improving students’ safety and access to teaching practices and materials aligned to the NUS reform. The Results Area will support critical government subprograms aimed at improving teaching and learning conditions implemented through subventions from the state budget to local budgets, including (a) Students and teachers access to safe conditions for in-person teaching and learning trough climate-resilient shelters in selected schools and free and inclusive bus transportation to schools and, (b) Teachers and managers development to implement the NUS reform trough high quality training on NUS curriculum and standards, including climate and environmental awareness, skills for the green transition, and responding to climate-related disasters training. The program will also support (c) the access to updated textbooks and teaching materials aligned with NUS principles - including climate and environmental awareness and skills for the green transition - provided nationwide by the central state budget[[5]](#footnote-6). The combination of these interventions will enhance students’ academic and socio-emotional learning and psychosocial wellbeing, while promoting a positive and safe learning environment.

DLI 1 and DLI 2 focus on ensuring the basic safety and security of students and teachers attending selected schools that will benefit from climate-resilient shelters that will enable the schools to open and operate, as well as disability-inclusive buses that provide free transportation under the state subvention. DLI 3 and DLI 4 focus on the instructional aspects of the implementation of the NUS reform for grades 7, 8, and 9 in the classroom through the training of teachers according to an updated teacher development plan aligned with the NUS reform (DLR 3.1); and ensuring that all (DLI 4.1) students will benefit from  updated textbooks aligned with the NUS, including content related to climate and environmental awareness and green skills for the green transition, supported by the state budget.

1. ***Results Area 2: Improving management capacity*** **is focused on promoting a more efficient, transparent, and equitable management of sector funding programs.** This result area will focus on results that demonstrate a progressive improvement in the management of the state subventions. To this end, the RA will promote the continuation of subventions and budget lines key to ensure the Strategic Action Plan, while incentivizing changes in the regulations, budget allocations and management procedures. These changes will aim at i) continuity in the budget allocation, to ensure that the Program results are achieved; ii) improved efficiency, through a better use of the resources allocated to the subvention, ii) increased equity, ensuring that the students with higher needs are prioritized for the allocation of targeted state support and iii) greater transparency, through a clear communication and application of the allocation criteria. According to the nature of each program these changes will include i) improved methods on the selection of schools and municipalities to be supported by the state budget – including climate-risk associated risks considerations-, ii) enhanced use of data and evidence for the planning, targeting and monitoring of the subventions, and iii) the prioritization of vulnerable groups, targeting those students most affected by the current situation, schools exposed to natural hazards and students with disabilities. In the case of the subvention for school education teacher salaries, which is the largest investment in the sector, reforms will focus on enhancing the school network optimization process, by increasing the minimum number of students necessary for schools to receive state funding.

Result Area 2 focuses on increasing the efficiency, equity, and transparency of subvention management by (i) strengthening the shelter subvention (DLI 5) with improved management due to, inter alia, the use of the government's Digital Restoration Ecosystem for Accountable Management (DREAM) system to allocate resources, a prioritization of schools closed for in-person education located in municipalities with higher risks, and direct disbursement mechanisms from the State to municipalities and schools; (ii) strengthening the bus subvention (DLI 6), whose allocation will be improved trough, inter alia, the use of data to identify existing gaps in access to school transportation, prioritizing students with disabilities, and using an improved disbursement mechanism directly to the municipalities; and (iii) strengthening the education subvention (teachers' salaries, DLI 7), which, as a measure to optimize the education network, will change the formula for allocating resources through a gradual increase in the minimum number of students required to receive the state subsidy.

The two results areas would specifically rely on subventions from the state budget to local budgets, ensuring the targeted allocation of funds. Subventions for the establishment of bomb shelters, for the provision of school buses, and for the roll out of the NUS (learning materials and teacher training) are allocated based on a competitive selection, prioritizing the needs at the local level and capacity of implementation. As a result, these resources can be targeted to ensure impact and maximum benefit.

*IPF Component*

The IPF component will complement the PforR by supporting the implementation of the NUS reform in upper grades (8-12) and strengthening the MoES’ capacity for education system’s management (US$52 million). Given the current capacity challenges to ensure the rollout of the NUS in upper grades, the IPF will support MoES in the preparation and implementation of the pilots in grades 8 to 12 that will be implemented in the upcoming years, priori to be scaled up nationwide. The support will include the development of educational content and teacher’s and managers’ professional development, as well as the procurement of laboratory and IT equipment aligned with the NUS in pilot schools. Importantly, the IPF will also enhance the management capacity of the MoES related to the NUS, to specifically strengthen the relevant Directorates in planning and monitoring, data and evidence generation and financial planning. Thus, the IPF will cover technical assistance through consulting services (individual and firms) and goods (equipment and supplies) to ensure successful implementation of the NUS. The support would also include an impact evaluation of teachers’ practices. Also, the IPF will also support other MoES areas to ensure the delivery of key reforms planned in the Strategic Action Plan, such as preschool education, technical and vocational training, among others. Finally, the IPF will support Program management through a dedicated Project Implementation Unit (PIU) in the MoES.

*The implementation arrangements and organizational capacity*

The LEARN PforR would be implemented by the Ministry of Finance. As such, the Ministry of Finance will establish its own PIU to support the implementation of LEARN. In parallel, the MoES PIU would continue to be strengthened, including through the hiring of consultants, to support both the PforR and IPF components. Emphasis would be placed on ensuring the capacity to successfully implement and monitor the subventions. Both Ministry of Finance and Ministry of Education have on-going IBRD projects with adequately staffed PIUs with experience implementing projects under ESF, though both projects have limited application of ESF (rated Moderate).

Under the PforR component, the MoES will have the ultimate responsibility for the financial management and procurement of the activities, even when subvention funds are implemented by local (municipal) governments, in line with existing government arrangements and implementation systems. Inter alia, the local (municipal) governments will be responsible for the process of preparing technical design, obtaining necessary permits, and ensuring compliance with national legislation and building codes (including environmental legislation, Labor Code etc.).

The Ministry of Education and Science has an on-going World Bank supported project, with established PIU and experience implementing projects under ESF (Ukraine Improving Higher Education for Results Project). This Project is in the process of recruiting one Social/Stakeholder Engagement Specialist and one Environmental/OHS Specialist. The MoES PIU will also be responsible for implementation of the PforR Operation including the IPF component (including procurement, financial management, environmental and social aspects and monitoring and evaluation) The MoES PIU ES staff will be responsible for implementation of the ESF instruments (IPF) and environmental and social aspects of the PForR including the related activities under the Program Action Plan. For example, they will be tasked with capacity building measures (development of relevant guidance, templates etc.), as well as regular supervision and monitoring activities to support local governments and beneficiaries. The MoES PIU will be funded through the IPF component of the PforR.

There are no consistent reports on the implementation results of shelters/busses subsidies for the previous years, however, based on anecdotal evidence provided by the MoES on the ongoing shelter constructions in 2023, there are number of non-compliance issues in construction practices in waste management, OHS and community health and safety aspects.

# Description of Expected Program Environmental and Social Effects

## PforR component ES risks overview

*Environmental risks are rated Substantial.* The proposed Program will lead to some long-term environmental benefits: improving safety conditions; positive effect on air pollution from switching to low-emission public transportation; creating more sustainable approach to planning and executing transportation services; integrating sustainability education into the revised curriculum; fostering environmental literacy; reducing the environmental impact associated with paper usage.

At the same time, the program will result in number of environmental risks and impacts mostly associated with project-related civil works (for rehabilitation/installation of infrastructure/equipment) and operation of new/refurbished facilities and equipment. Rehabilitation and construction-related risks include potential increased pollution due to improper care, handling and storage of construction material and waste; temporary impact on cross drainage; water/soil quality impacts in case of construction pollution as well as pressures on the environment caused by the material sourcing; generation of excessive noise and dust levels from trucks and other construction machinery; soil disturbance during earthworks; tree-cutting and loss of vegetation; negative impact on ecosystems (through disturbance); management of household and construction waste; traffic safety issues; community and workers’ health and safety incidents. Potential operational risks for shelters include health and safety risk from shelter damage due to design or execution flaws due to the urgency associated with ongoing conflicts (structural collapse, malfunction of ventilation or sewage systems, fire safety etc.), as well as other operational risks (lack of adequate water supply and sanitary conditions; increase in energy consumption etc.).

School buses operations-related risks include potential negative effect if busses are not operated and maintained properly due to lack of funds and/or qualified staff/equipment; potential negative effect on the health and safety of the beneficiaries due to lack of emergency protocols (actions in case of traffic accident, air attack alarm etc.).

These risks are site-specific and temporary and can be mitigated by existing construction and healthcare management best practices. However, these risks may be exacerbated by potential aerial strikes and other military actions which add an element of extreme uncertainty and risk of fatality or serious injury that cannot be entirely mitigated by environmental and social management measures (these risks also apply to in person trainings if not considered in the training standard). Also, there is a risk that project sites may become a target for aerial strikes which will endanger nearby communities and site workers. Other war-related risks include possible site contaminations with hazardous compounds and explosive remnants of war (ERW).

*The social risks are rated Substantial.* The proposed operation will have positive social effects by increasing access to in-person learning and improving teaching and learning conditions in Ukraine. The Program activities are nationwide in scope but excluding territories temporarily no longer under the government’s control and territories close to the frontline. However the the overall community and worker health and safety and security risks in the education sector remain volatile and are also highly contextual, beyond the immediate control of the borrower. Further the operation is designed to help mitigate the impacts of war on the education system in Ukraine and build resilience against future shocks. The key potential direct adverse social effects are associated with the construction and rehabilitation of approximately 286 protective structures within existing schools that are supported under PforR Results Area 1; for example, if the structures are not constructed properly leading to collapse or injury during operation, or if health and safety of workers and community (including children at school sites) are affected by the works. The works are small to moderate in scale and the can be mitigated with good practices in contractor management and health and safety including considerations for child safety and war related emergency and hazards for workers. Land acquisition will be excluded from the program. Other social risks of the program are related to ensuring that the benefits (e.g., school shelters, buses, textbooks, teacher training) are designed to be inclusive, and accessible to vulnerable individuals and groups, for example by reaching the poorest children, and children with disabilities.

## Detailed Screening of Environmental and Social Effects

| **DLIs** | **Activities within PforR boundaries**  | **Environmental Effect** | **Social Effect** | **Relevance to ESSA Relevant Core Principles (CPs)** |
| --- | --- | --- | --- | --- |
| **Results Area 1: Improve teaching and learning conditions according to NUS principles** |
| **DLI 1:**   **Additional students, teachers, and school staff with access to constructed or rehabilitated shelters enabling in-person education**  | * Identification of schools without shelters;
* Development of a roadmap for investment, prioritization and sequencing of needs related to education infrastructure;
* Transfer of subvention;
* Shelter construction, reconstruction and renovation of schools.
 | * Benefit of improved safety conditions in refurbished or newly built shelters by providing a secure environment for students and staff during aerial attacks
* Potential short-term negative effects related to construction: noise, dust, vegetation clearance, storage and handling of construction and hazardous materials and waste, workers health and safety, community health and safety issues (including traffic safety) etc.
* Potential long-term health and safety risk from shelter damage due to design or execution flaws due to the urgency associated with ongoing conflicts (structural collapse, malfunction of ventilation or sewage systems, fire safety, etc.)
* Potential health risks from improper operation of shelters (lack of adequate drinking water supply, lack of proper sanitary conditions, etc.)
* Potential increase of energy consumption for heating/air conditioning of shelters
* Coordination complexities between ministries, local governments, school authorities, construction communities could impact implementation efficiency and effectiveness
* Capacity and resource constraints within the responsible institutions to operate and maintain shelters effectively over a long time.
 | * Benefit of increased access to in-person education, continuity of education during conflicts, minimizing disruption to student’s learning and improvement of teaching and learning conditions;
* Potential negative effect if shelters are not accessible for people with disabilities.
* Potential negative effects to historical heritage during construction of shelters in school basements
* Potential negative effects from not being able to use the shelter over the long term, or from injuries to shelter users in the case of shelter collapse as a result of low-quality construction.
* Potential negative effects from risks of gender-based violence in the shelters.
* Potential risks of social tensions/distributional inequity if shelters are not awarded to schools in a transparent and equitable manner.
 | CP1CP2CP3CP5CP6 |
| **DLI 2: Additional students with access to free bus transportation enabling in-person education** | * Identification of the regions with the highest number of students with limited access to in- person education.
* Transfer of subvention.
* Procurement.
* Providing school buses to municipalities.
 | * Minor positive effect on air pollution from switching to low-emission public transportation (as opposed to old school busses or using personal vehicles for transportation)
* Potential long-term effect from creating sustainable approach to planning and executing transportation services (i.e., change of mindset)
* Potential negative effect if busses are not operated and maintained properly due to lack of funds and/or qualified staff/equipment.
* Potential negative effect on the health and safety of the beneficiaries due to lack of emergency protocols (actions in case of traffic accident, air attack alarm etc.)
 | * Students, particularly in remote and rural communities, will benefit from safe transportation during extreme weather events and permanent access to in-person education.
* Potential negative effects if children with limited mobility or special needs do not have access to buses.
* Potential negative effects from risk of road accidents in areas where children are likely to be walking on or playing in the road, instead of off the road.
* Potential negative effects if buses can’t be used over the long term because there is insufficient budget for maintenance of buses.
* Potential risks of social tensions/distributional inequity if buses are not awarded to schools in a transparent and equitable manner
 | CP1CP2CP3CP5CP6 |
| **DLI 3. Teachers trained to implement the NUS reform** | * + - * Identification the number of teachers who must be trained.
			* Identification of main topics.
			* Development of trainings.
			* Training standard is approved.
 | * + - * Long-term down-the-line benefits from integrating sustainability education into the revised curriculum; fostering environmental literacy.
			* Potential safety risks from war hazards (air strikes etc.) for in person trainings (if not considered in the training standard)
 | * Expected benefits from improved learning outcomes and professional development for teachers who implement the New Ukrainian School (NUS).
* Potential exclusion risks for children with special educational needs if teacher training in this area is inadequate.
* Potential negative effects if gender is not adequately considered and addressed in teacher training.
* Potential risks of unequal access to training opportunities for teachers.
 | CP1CP5CP6 |
| **DLI 4. Students with access to NUS Teaching & Learning Materials** | * + - * Development of books
			* Procurement of books.
 | * + - * Long-term down-the-line benefits from integrating sustainability education into the revised curriculum; fostering environmental literacy.
 | * Benefits from new textbooks and educational process according to the principles and approaches of the “New Ukrainian School.”
* Gender and social inclusion risks associated with textbook content or formats.
 | CP1CP5CP6 |
| **Results Area 2. Improving management capacity** |
| **DLI 5. Improved management of the shelter subvention** | * + - * Increased efficiency, equity, and transparency in the allocation criteria of the 2024 shelter subvention to the regions
 | * + - * Paperless administrative processes (digitizing forms, reports, and communication channels) reduce the environmental impact associated with paper usage
 | * Socioeconomic benefits from more efficient use of financial resources to target hub schools
* More equitable distribution of funds to the regions with greatest challenges for continuity of education, as they border the frontline and/or have had some territories which came back under the government’s control, which require rehabilitation of learning spaces
* Positive benefits of increased transparency by using the DREAM system.
 | CP1CP5CP6 |
| **DLI 6. Improved management of the school bus subvention** | * + - * Increased efficiency, equity, and transparency in the allocation criteria of the 2024 bus subvention to the regions
 | * + - * Paperless administrative processes (digitizing forms, reports, and communication channels) reduce the environmental impact associated with paper usage
 | * + - * Positive socioeconomic benefits from increased efficiency and equity in the allocation criteria of 2024 school bus subvention to the regions that need it most depending on proximity to front line.
 | CP1CP5CP6 |
| **DLI 7. Improved management of the education subvention** | * + - * Increased efficiency in the allocation criteria of 2025 education (teacher salaries) subvention to the regions
 | * + - * Paperless administrative processes (digitizing forms, reports, and communication channels) reduce the environmental impact associated with paper usage
 | * + - * Overall positive socioeconomic benefits from optimizing use of resources (including towards teacher salaries) at consolidated schools
			* Potential social tensions if school consolidations are not sufficiently consulted or communicated.
 | CP1CP5CP6 |

## Exclusion Criteria

Consistent with World Bank PforR Policy requirements, the Program will exclude any activities or expenditures that are likely to have significant, sensitive, diverse or unprecedented impacts to the environment and/or affected people. Such activities include significant land acquisition, economic or physical displacement or changes in land use, and significant impacts to critical cultural heritage sites or natural habitats. Screening against the exclusion criteria have has been completed of program activities and expenditures required to meet the PDO and results areas, at time of ESSA preparation. The following exclusion criteria apply to the PforR:

1. Significant conversion or degradation of critical natural habitats or critical cultural heritage sites
2. Air, water, or soil contamination leading to significant adverse impacts on the health or safety of individuals, communities, or ecosystems.
3. Workplace conditions that expose workers to significant risks to health and personal safety, such as in areas under conflict (the program excludes activities in territories temporarily no longer under the government’s control and territories close to the frontline[[6]](#footnote-7))
4. Land acquisition and/or resettlement of a scale or nature that will have significant adverse impacts on affected people or the use of forced evictions.
5. Large-scale changes in land use or access to land and/or natural resources
6. Adverse E&S impacts covering large geographical areas, including trans-boundary impacts, or global impacts such as greenhouse gas (GHG) emissions.
7. Significant cumulative, induced, or indirect impacts
8. Activities that involve the use of forced or child labor.
9. Marginalization of, or conflict within or among, social groups; or Activities that would have adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation.

## IPF component ES risks

The IPF component of the operation is comprised of capacity building activities with minimal environmental and social impacts in themselves. Activities under the IPF support technical assistance for piloting and rollout of established educational curriculum, as well as purchase of classroom equipment. The ESF is applicable to the IPF component, and accordingly relevant and proportionate E&S instrument(s) will be prepared. At concept stage, the social and environmental risks of the IPF are rated moderate given the risks of delivering in-person training activities in the context of the conflict. An Environmental and Social Commitment Plan (ESCP) will be prepared and disclosed before appraisal, specifying any appropriate ESF requirements to be incorporated into training and consultant contracts (e.g. labor and working conditions consistent with ESS2, Sexual Exploitation and Abuse/ Sexual Harassment (SEA/SH) Code of Conduct) as well as for managing procurement, use and disposal of digital equipment. The ESCP will also specify any specific stakeholder engagement requirements for capacity building, as needed, and will make reference to the GRM for the operation as a whole; no standalone SEP will be prepared. The Ministry of Education and Science has an on-going World Bank supported project, with established PIU and experience implementing projects under ESF (Ukraine Improving Higher Education for Results Project). This Project is in the process of recruiting one Social Specialist and one Environmental Specialist.

# Assessment of Borrower’s Environmental and Social Management Systems

This section provides an assessment of the extent to which the applicable systems are consistent with the core principles and key planning elements expressed in the Bank’s policy on PforR. It also provides a review of the implementing agencies capacity and aspects where gaps exist between Bank policy requirements and the country systems.

The six core principles that guide the ESSA analysis are presented in the Bank Policy and Bank Directive Program-for-Results Financing and include:

* ***Core Principle 1:*** ***General Principle of Environmental and Social Management.*** This core principle aims to: (a) avoid, minimize, or mitigate adverse impacts; (b) promote environmental and social sustainability in Program design; and (c) promote informed decision-making relating to the Program’s environmental and social effects.
* ***Core Principle 2: Natural Habitats and Physical Cultural Resources.*** This core principle aims to avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources resulting from the Program.
* ***Core Principle 3:*** ***Public and Worker Safety.*** This core principles aims to protect public and worker safety against the potential risks associated with: (a) construction and/or operation of facilities or other operational practices developed or promoted under the Program; (b) exposure to toxic chemicals, hazardous wastes, and other dangerous materials under the Program; and (c) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.
* ***Core Principle 4:*** ***Land Acquisition.*** This core principle aims to manage land acquisition and loss of access to natural resources in a way that avoids or minimizes displacement, and assist affected people in improving, or at a minimum restoring, their livelihoods and living standards.
* ***Core Principle 5: Indigenous Peoples and Vulnerable Groups.*** This core principle aims to give due consideration to the cultural appropriateness of, and equitable access to, Program benefits, giving special attention to the rights and interests of the Indigenous Peoples and to the needs or concerns of vulnerable groups. The core principle also emphasizes the need of giving attention to groups vulnerable to hardship or disadvantage, including as relevant the poor, the disabled, women and children, the elderly, or marginalized ethnic groups. If necessary, special measures are taken to promote equitable access to program benefits.
* ***Core Principle 6: Social Conflict.*** This core principle aims to avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.

In analyzing a program for consistency with the sustainability principles of OP/BP 9.00, the ESSA is intended to ensure that programs supported by PforR financing are implemented in a manner that maximizes potential environmental and social benefits and avoids, minimizes or mitigates any and all adverse environmental and social impacts and risks. Essentially, the ESSA process seeks to improve institutional performance related to the program’s development objectives.

For this PforR operation, the ESSA examines Ukraine’s existing environmental and social management systems as applicable to the program’s activities in the education sector, and their ability to manage all adverse impacts and risks identified in the previous chapter.

The ESSA describes the potential environmental and social effects associated with the PforR supported activities. The ESSA also assesses institutional roles and responsibilities related to implementing the DLIs and describes current capacity and performance to carry out those roles and responsibilities in line with each of the six Core Principles outlined above. The ESSA also considers public participation, social inclusion, and grievance redress mechanisms in place and as applied to the PforR.

It is important to note that the ESSA will be updated based on the feedback received from stakeholders and implementation experiences of the PforR implementation.

## Assessment of Borrower E&S Systems against Core Principal 1 (General Principle of Environmental and Social Management)

Ukraine has formally aligned its legislation with the EU’s Environmental Impact Assessment (EIA) Directive and the Directive on Strategic Environmental Assessment. Also, after signing the Association Agreement with the EU, Ukraine became a signatory to environmental and sustainable development international conventions and adopted a wide range of legal acts and programs. The scope of Ukrainian environmental legislation is comprehensive (more than 300 legal acts) and covers most areas of environmental protection and natural resources management.

However, the country’s environmental legislation faces several weaknesses:

* The legislation is largely declarative in nature and does not have all the essential enforcement mechanisms for implementing legal acts and international agreements, especially due to limited capacity of responsible authorities due to ongoing war; and
* Many of the acts are not coherent with each other.

The remarks from the European Commission (*Commission Opinion on Ukraine’s application for membership of the European Union*) state that there’s still a significant level of non-compliance of national legislation pertaining more to cross-sectoral issues such as environmental impact assessment and environmental liability: “…legislation on environmental impact assessments and on strategic environmental assessment… needs addressing… procedural irregularities and uneven enforcement.”

Environmental matters that should be considered during the construction and operation of civil infrastructure are generally governed by the Law of Ukraine On Environmental Protection, On the Protection of Atmospheric Air, On the Protection of Land, and On the Environmental Impact Assessment. State Construction Norms and State Sanitary Norms set specific standards for the construction of buildings and, depending on the construction class and its complexity, the construction may require a notification on commencement of the construction work or a building permit.

**Environmental Impact Assessment**

Per Law of Ukraine ‘On Environmental Impact Assessment’ (adopted on 18.12.2017), Environmental Impact Assessment (EIA, Ukrainian abbreviation is ‘OVD’) is a procedure that implies:

1) the preparation of an EIA report by the business entity;

2) public consultations;

3) the examination by the competent authority of the information presented in the EIA report and any supplementary information, as well as the information received from the public through the public consultations;

4) the reasoned EIA conclusion by the competent authority, which takes into account the results of the examination referred to in subparagraph 3; and

5) consideration of the EIA conclusion in the decision to conduct the planned activities.

EIA Law provides lists of activities that require EIA (falling into first and second category, based on technology and scale of impact) depending on the screening results. Full-scale EIA is the only instrument applied to the planned investment projects.

Article 6 of the Law provides for the draft scope and scale of EIA:

* factors: human health, state of fauna, flora, biodiversity, land (including land take), soil, water, air, climate factors (including climate change and greenhouse gas emissions), material assets, including architectural, archaeological and cultural heritage, landscape, socio-economic conditions and the interaction among these factors;
* impacts: size and scale, type (where present – transboundary), intensity and complexity, probability, expected start, duration, frequency and irreversibility of effects (including the direct impacts and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative impacts).

When preparing the EIA report, the commercial entity takes into account the comments and proposals made by the public and authorized territorial authority, and a level of detail of information to be included in the EIA report, in their entirety, partially, or declines such comments and proposals stating a reason for its decision.

Resolution No.1010 of the Cabinet of Ministers of Ukraine dated December 13, 2017, provides Criteria for determining planned activities that are not subject to EIA. This resolution has been updated in October 2022 to include rehabilitation activities for assets damaged by war or other emergencies and necessary for livelihood and daily necessities of population (road, rail, district heating, water supply etc.), as well as construction of military and defense facilities, which are used exclusively to ensure the defense of the state.

**Assessment of Impacts on Environment**

As per State Building Norms DBN A.2.2.-1-2003, Assessment of the Impact on the Environment (AIE, Ukrainian abbreviation is ‘OVNS’) is a process of the determination of the scales and levels of environmental impacts of designed activity, development of anticipatory or mitigation measures for reducing of these impacts – an assessment of eligibility of projects’ decisions from the environmental point of view.

AIE plays the role of pollution control procedure and, in the first place, has to examine and provide for compliance and enforcement of ecological and environmental standards, norms and regulations as the consequence of planned activity. AIE is conducted according to strict regulations and is usually done by the environmental expert in the overall design team.

AIE is a part of the project design rather than planning process. Design process starts when a decision on implementation of economic activity has been already approved. In that way, AIE loses its decision-making relevance, since it is being carried out as a part of justification of already taken decision.

*Any project requiring design documentation will develop AIE as a part of their design except for those that require EIA: projects requiring EIA do not develop AIE as part of their design and only submit EIA conclusion in its stead.*

### 4.1. (a) Avoid, minimize, or mitigate adverse impacts and (c) Promote informed decision-making relating to the Program’s environmental and social effects

**DLI 1 foresees construction of new bomb shelters in schools or reconstruction/refurbishment of existing basements/underground facilities into bomb shelters in schools**.

The founder of an educational institution[[7]](#footnote-8) is obliged to ensure the maintenance and development of the material and technical base of the educational institution founded by him at a level sufficient to meet the requirements of educational standards and licensing conditions. If the founder of the educational institution is the local government, it is responsible for arranging a shelter (this applies to most educational institutions).

According to the Procedure for the creation, maintenance of the fund of protective structures of civil protection and its accounting, the balance keeper of the protective structure — the owner of the protective structure — must take care of the protective structures buildings or a legal entity that maintains it on the balance sheet, and these are the founders of educational institutions.

Requirements for the maintenance and operation of civil protection structures protection, criteria for the impossibility of further maintenance and operation protective structures of civil defense, drawing up documents confirming such impossibility, as well as defining sample documents paper accounting of the fund of protective structures, introduction of their system numbering was approved by the Ministry of Internal Affairs by order "On approval of requirements on issues use and accounting of the fund of protective structures of civil protection".

Construction of school shelters

The Law of Ukraine ‘On EIA’ does not list construction/reconstruction of bomb shelters as substantial or high risk activity, hence no separate environmental and social risk assessments need to be prepared for such projects and basic information relevant for environmental impacts would be covered under the AIE section of design document. Also, State Construction Norm DBN V.2.2-5:2023 ‘Protective buildings of civil defense’ (the main document outlining the design requirements for school shelters), CMU Resolutions of subventions for shelters constructions, other technical guides and requirements relevant to such projects do not specifically outline potential ES risks and impacts and applicable ES mitigation measures.

All the potential risks of such activity (including OHS, community health and safety, biodiversity impacts, waste management, etc.) should be mitigated by the existing construction practices mandated by the vast collection of construction standards and norms, sanitary norms and rules, labor Code of Ukraine, legislative and normative base of protection of natural resources etc.

However, past experience and practical information from similar construction sites show that some of the national legislation on OHS, community health and safety, waste management and resource efficiency are sometimes overlooked and/or neglected – partially, due to the lack of knowledge of the workforce, due to the lack of supervision and guidance, but also to speed up the process and save the budget (for mitigation measures).

|  |  |
| --- | --- |
| A construction site with a large excavator  Description automatically generated | A group of men working on a construction site  Description automatically generated |
| A foundation for a house  Description automatically generated | These photos were taken from different sites across the country where construction of bomb shelters is ongoing and show different incompliences with ES/OHS requirement of ukrainian legislation: lack of fencing of deep trenches/holes, lack of retaining walls, lack of PPE, improper storage of soils and construction waste, lack of dust prevention measures etc. |
| A construction site with wooden beams  Description automatically generated |

To provide the needed guidance to workforce and project beneficiaries of the applicable ES requirements and standards for work execution, the Ministry of Education and Science has prepared ‘The ES requirements for construction, reconstruction, restoration, major repair projects of the civil defense shelter objects within school’ in the form of a checklist (see Annex 1). These general Environmental & Social guidelines are presented in abbreviated form with the main objective to avoid and minimize the potential risks and negative impacts on health and safety of the community and workers, as well as the natural environment, during construction works. The checklist also considers that works will take place on school premises, and extra precautions are needed to protect children.

The ES Checklist was developed to ensure that good practice mitigation measures are recognized and considered during the project’s activities implementation. The ES Checklist was developed to provide “best practice examples” and is intended for the convenience of users and is compatible with the requirements of national law. The ES Checklist comprehensively addresses all potential impacts identified in the ESSA, along with appropriate mitigation measures.

This ES Checklist is intended to support the project administrator with the following tasks throughout project implementation:

1. Procuring Works: The E&S Checklist will be included in the works contract, as well as in the services contract with supervising entity for the execution of construction works under the project. If the project site has specific conditions or project activities envision risks not covered by this E&S Checklist, the project’s administrator will take an effort to expand and update this Checklist to cover all additional E&S risks and impacts and should incorporate these requirements into construction contracts.
2. Before Works begin: Project Administrator (as advised by the Supervising Entity if applicable) ensures the contractor has the requisite environmental and social risk management measures and/or plans, before start of works. No project’s implementation activities (no physical works including site preparation, offloading equipment and materials, civil works etc.) are allowed to start before the required environmental and social risk management measures are in place.
3. Monitoring Works: The project’s administrator directly or through a contracted supervising entity should receive regular reports on implementing the environmental and social mitigation measures and should inspect work sites and the work of personnel on a regular basis to identify issues or non-conformity and enforce necessary actions where unsafe acts or processes that seem dangerous or unhealthy are detected. The environmental and social performance of contractors at all times should meet the project’s environmental and social requirements.

**ESSA recommends:** the MoES Issue ministerial decree adopting the ES Checklist (Annex 1) for all the shelter subvention beneficiaries to be then included in the civil works contracts. The MoES should also issue guidance on the supervision/monitoring of civil works by beneficiaries (school and/or local government administrations).

Operation of school shelters

To determine whether the shelter available in the educational institution allows to start full-time training, at the level of local self-government bodies, the founder institution creates a special commission that examines buildings (buildings, premises) in order to establish the possibility of using them for shelter as dual-purpose structures and the simplest shelters.

Specialists from the structural subdivisions on issues of education and science, civil protection, and urban planning are included in the composition of the commission by agreement and architecture, health care of central and local executive bodies, local self-government bodies, as well as specialists of territorial bodies and local divisions of the State Emergency Service, the State Production and Consumer Service, etc.[[8]](#footnote-9)

The requirements for the maintenance and operation of civil protection facilities were approved by the Order of the Ministry of Internal Affairs in 2018 and regulate matters related to the maintenance and operation of civil protection facilities, dual-purpose structures, rapidly erected civil protection facilities, and the simple design protection structures, as well as their accounting.

According to the applicable technical standards, shelter facilities should be equipped so that participants in the educational process can stay there for up to 48 hours. For this, even the simplest shelters must be provided with[[9]](#footnote-10):

* places to sit
* drinking water at the rate of 2 liters per day per person
* non-drinking (technical) water for sanitary needs (in the absence of a centralized water supply);
* containers for storing products
* portable sewage tanks (if the building does not have sewage)
* backup lighting sources (electric lanterns, candles or kerosene lamps)
* primary fire extinguishing means
* means of providing medical assistance
* means of communication and notification (telephone, radio receiver)
* tools (bayonet and scoop shovels, crowbars, axes, hacksaws for wood, metal, etc.).

All shelters should be equipped with adequate water supply and sanitation facilities, and designed for structural stability, energy efficiency, and universal access.

In 2023, the Order of the Ministry of Internal Affairs of Ukraine and the Ministry of Education and Science of Ukraine, which approves the Procedure for early warning and evacuation of participants in the educational process in the event of an attack or risk of an attack on an educational institution, entered into force. The Procedure determines the response mechanism of the founders, managers and employees of educational institutions, as well as the police and emergency services regarding early warning and evacuation of participants in the educational process in the event of an attack or risk of an attack.

As per Procedure, the head of the educational institution in collaboration with its staff must[[10]](#footnote-11):

* organize, ensure and control the implementation of measures aimed at creating safe conditions for students to stay in an educational institution
* develop and approve the evacuation plan, the procedure for notifying students and educators, and algorithms for their actions
* create a response team, approve its composition (at least three employees) and distribute responsibilities among them
* take measures to prevent unauthorized access to the territory of the educational institution
* to provide a comprehensive survey of the state of the objects of the fund of civil defense protective structures, the route of movement to them, signs, the reliability of the protection of the educational institution (at least once every six months)
* ensure that the participants of the educational process are familiar with the evacuation plan and notification procedure
* ensure the proper functioning of the object's notification system (loudspeakers, school bells, sirens) and the fire protection system of the educational institution
* organize regular events regarding the actions of students and educators in the event of an attack or risk of an attack on an educational institution (at least four times during the academic year).

At the same time, there’s no centralized (MoES level) collection of data on shelter operation, servicing and any outstanding issues which would help with improvement of standards and guidance.

Also, the MoES in collaboration with different international support programs and national CSOs has created a number of educational resources aimed at improving war hazards awareness and resilience, as well as response preparedness of school children and staff, for example, war safety lessons[[11]](#footnote-12) and posters[[12]](#footnote-13), mine safety trainings[[13]](#footnote-14) - the mine safety lessons have become part of educational curriculum[[14]](#footnote-15) - as well as multiple resources on mental health support for children and adults[[15]](#footnote-16). These resources are not compiled in the same place (though most of them are available or referenced on the MoES website) making it harder for individual educational institutions to access them.

**ESSA recommends:** the MoES should create a comprehensive knowledge sharing and supervision program to ensure that:

* All the shelters are set up (including adequate water supply and sanitation facilities, requirements for structural stability, energy efficiency, and universal access), serviced and used in compliance with national legislation (including preparedness and response procedures and resources);
* The health and safety incidents are reported, investigated and followed through to completion;
* All supporting educational materials are known and available to all the beneficiary educational institutions.

The supervision program may entail involvement of third-party monitoring, capacity building for local staff etc.

**DLI 2 foresees financing governmental subvention for the procurement of inclusive school busses.**

The Law of Ukraine "On Education" regulates many aspects of the provision of educational services, including transportation. The Article 13 of the Law states that persons who obtain a full general secondary education, live in rural areas, and need a ride to the educational institution and in the opposite direction, are provided with such a ride at the expense of local budgets, including ensuring the availability of appropriate transport for persons with impaired vision, hearing, locomotor apparatus and other less mobile population groups. The organization of transportation of children by school buses is carried out in accordance with the current legal acts of Ukraine on ensuring road traffic safety, transportation of passengers by buses, in particular the Law of Ukraine "On Road Traffic", the Law of Ukraine "On Road Transport" and the Rules for the Provision of Passenger Road Transport Services.[[16]](#footnote-17)

Using your own school bus offers few advantages to schools. The school bus is specially equipped for students, it constantly travels along the set route specifically for the needs of children and teaching staff. It is always available and, in addition to regular daily transportation to and from school, it can also be used to transport children during extracurricular activities, festive events, sports competitions, for participation in student Olympiads, passing external examinations, etc.

However, it is worth noting that maintaining a school bus involves costs that must be borne by the owner. Among them are planned costs, since the operation of vehicles requires both current and periodic maintenance costs, including insurance premiums (for the vehicle, for the driver), fuel costs (which may change during the year), scheduled technical inspection, lubricants, wages the driver's fee (including during the holiday period or on days when there are fewer flights), as well as unplanned expenses (in the event of bus malfunctions or road accidents), replacement of the driver in case of illness, etc. It is also necessary to have a proper parking place for the bus, to ensure its maintenance and the necessary conditions for preparing the vehicle for flights and the daily medical examination of the driver, and these concerns and responsibilities rest with the balance keeper of the bus, and therefore with the local education authority or the school principal.

School buses must meet the requirements of the National Standard of Ukraine DSTU 7013:2009 "Buses specialized for the transportation of schoolchildren. Technical requirements", including for special school buses for the transportation of children with limited physical abilities who travel in wheelchairs. Buses must be new, technically sound, comply with environmental standards not lower than the Euro-5 level.

Control over the intended use of school buses, compliance with the requirements of the current legislation regarding the organization of transportation of children and teachers by school buses is carried out by the head of the education management body and the head of the general educational institution. The head of an educational institution or the head of the educational management body (the founder of the educational institution) has additional duties related to this, including:

* Determines the proper parking place for the bus, ensures its maintenance and creates the necessary conditions for passing the pre-trip technical inspection.
* Ensures that the bus driver passes a pre-drive and post-drive medical examination.
* Provides annual school bus driver training on road safety issues to the extent of the technical minimum.
* Ensures availability of appropriate required documentation, such as:
* route passport and school bus schedule
* instructions for the driver about the peculiarities of work in the spring-summer and autumn-winter periods; about safety measures during the transportation of students and teachers; on providing first aid to victims of a traffic accident
* instructions for the driver, teacher and accompanying persons on actions in the event of a traffic accident, etc. possible threats
* logbook of trainings for the driver, tutor and attendants; trainings for students
* record of violations by the driver of traffic rules and participation in traffic accidents, etc.

Pick-up is organized at predetermined stops. According to the norms of the ‘Sanitary Regulations for institutions of general secondary education’, the distance from the place of residence of students to the meeting place at the bus stop should not exceed 500 m. The founder and head of the educational institution are responsible for compliance with the requirements of the Sanitary Regulations.

However, in practice not all of these regulations are fully complied with – for example, number of reported cases[[17]](#footnote-18) confirm that sometimes bus stops are located too far away from children’s homes forcing them to walk for 1 km and more. Usually, such cases are related to bad road conditions and inability of the bus to reach all the homes.

One of the main reported reasons for irregular transportation of children is the lack of funds for the purchase of fuel, the failure of outdated vehicles and lack of funds for maintenance and repair, the unsatisfactory condition of the roads - destroyed surfaces and untimely clearing of snow. Other issues include incompliances with traffic rules by the drivers (speeding, making dangerous maneuvers etc.) and children (not using seatbelts).

**ESSA recommends:** the MoES should develop a capacity building program to support local educational departments and/or schools of in the following subjects:

* health and safety incident reporting, investigation and completion
* cooperation with local authorities on the road infrastructure needs to ensure proper condition of road surface
* budgeting for school transport infrastructure (for servicing and repairing the buses timely);
* information/training campaign on traffic rules for children and school staff.

The capacity building program should also facilitate supervision by the local authorities and MoES, as well as nation-wide grievance redress mechanism for reporting incompliances or proposals.

**ESSA recommends:** the MoES should ensure that all schools should develop safety protocols (Emergency Preparedness and Response Plans) for instances of war-hazards (for example, aerial strikes) that occur during transportation. Protocols for technical maintenance and driver’s qualification requirements are covered by existing national legislation for traffic safety and others.

### 4.1. (b) Promote environmental and social sustainability in Program design

The Program supports the Paris Agreement and strategies for climate change adaptation and mitigation, as well as national efforts for gender equality. The operation supports climate adaptation and mitigation in several ways: the use of shelters for climate-related emergencies, energy-efficient shelter designs, and reduced greenhouse gas (GHG) emissions from school transportation (see below an abbreviated table of Program co-benefits assessment):

| **Area** | **Adaptation** | **Mitigation** |
| --- | --- | --- |
| **Shelters** | * The construction of shelters in schools will be climate informed, avoiding new constructions in high-risk areas (particularly flooding), and incorporating resilience measures in existing constructions in high risk areas, such as flood embankments, wider drainage, heat resistant building materials, rain water harvesting systems, etc., thereby allowing educational institutions to count on multi-purpose safe spaces in case of extreme weather or natural disasters.
* School safety plans and evacuation protocols will consider local climate risks and exposure to floods, heat, water scarcity, and other context-relevant disasters.
 | * The energy-efficient design and materials used (energy-efficient design principles, sustainable and recycled building materials, materials with high thermal efficiency) will be in line with the latest available technology and highest EU efficiency standards, as well as the use of renewable energy sources, water conservation through rainwater harvesting and on site treatment systems where feasible, and management principles will limit GHG emissions during shelter construction by using energy efficient and low emissions building materials, design, and construction practices with locally sourced materials to the extent possible.
 |
| **Buses** | * School buses provide a means of safe transport for students during extreme weather events and support the adaptation of the education system to climatic emergencies.
* Climate-resilient fleet management strategies will ensure that school buses remain operational during extreme weather events and are accessible as climatic changes might require adjustments in school schedules.
* School buses support access to education in remote and rural communities that might be disproportionately affected by climate change thereby reducing their vulnerability to climate impacts and ensuring inclusion.
 | * Fuel-efficient modern buses, in line with the highest EU standards on efficiency, and electric where feasible, reduce GHG emissions associated with traditional fossil fuel-powered vehicles and limit exposure to air pollution for students.
* Optimized route planning leads to efficient use of resources and contributes to the reduction of overall traffic congestion, emissions, and pollution.
* The provision of school transportation encourages the take-up of public transportation reducing the plying of private single household vehicles and resulting emissions and pollution from private transport.
 |
| **Teacher training** | * Incorporating climate change awareness and technical education, including environmental skills, into the teacher training curriculum equips students with an understanding of the causes, impacts, and solutions to climate change.
* Training teachers in emergency preparedness and response specific to climatic threats ensures the safety of students during climate-induced emergencies.
 | * Teachers will introduce concepts of environmental stewardship and sustainability in classrooms, emissions reduction, energy efficiency, environmental protection, reducing waste, and conserving resources.
 |
| **Textbooks** **and** **curriculum** | * The updated curriculum covers the environment and the basics of climate change, the causes and impacts of climate change, laying the groundwork for understanding and responding to climatic threats, with a specific focus on enhancing awareness of local climate risk exposure.
* New textbooks integrate climate education across various subjects and provide comprehensive information on climate change causes, impacts, and adaptation measures, promoting sustainable practices, and addressing disaster preparedness and response.
 | * The curriculum incorporates activities that encourage conservation, such as recycling projects.
* Eco-friendly materials for textbook printing will be promoted, considering sustainable paper sources, environmentally friendly inks, and printing processes that minimize environmental impact.
* Longer and sustainable lifecycle management of textbooks will be emphasized, with textbook reuse, recycling, and responsible disposal.
 |
| **Digital equipment** | * Providing equipment for blended learning helps ensure learning continuity through online means in case of climate shocks.
* Digital resources enrich the curriculum with interactive and engaging content focused on climate change and environmental sustainability such as virtual labs, simulation software, and educational games for younger children.
 | * Digital equipment such as computers, tablets, and e-readers significantly reduce the need for printed materials. All equipment will be the latest available technology and of the highest energy efficiency standards in line with EU norms.
* Digital tools enable remote working and learning capabilities, which can significantly reduce GHG emissions related to transportation.
* Standards on e- and digital equipment usage, reuse, and especially recycling will be implemented to minimize ‘quick turnover’ of digital equipment and extend lifecycles.
 |
| **Education management information system (AIKOM)** | * Resilient data storage systems (with regular backups and cloud-based storage solutions) ensure the secure storage of educational data during and after climate-induced disasters, with minimal service outages and data loss.
* New modules within AIKOM will help collect and analyze data related to climate vulnerability in education infrastructure, including information on the susceptibility of schools to specific climate-related risks or on the resilience of education infrastructure to climate impacts.
 | * Paperless administrative processes (digitizing forms, reports, and communication channels) reduce the environmental impact associated with paper usage.
* The hardware infrastructure supporting AIKOM, such as servers and data centers, will be energy efficient.
 |

However, not all these features are clearly outlined in relevant standards and guidance, some of them are implied based on the current practices and EU standards that are being gradually implemented in Ukraine.

**ESSA recommends:** the MoES should provide relevant guidance for technical requirements (for shelters, school busses and IT infrastructure) and knowledge requirements (curriculum for teacher training, textbooks etc.) to promote and implement feasible climate change adaptation/mitigation measures, sustainable development practices etc.

## Assessment of Borrower E&S Systems against Core Principle 2 (Natural Habitats and Physical Cultural Resources)

It is not foreseen that construction/reconstruction of shelters or operation of shelters/busses will have any adverse impacts on natural habitats under normal circumstances.

Most of natural habitats in Ukraine either designated as Nature Protection Fund lands and are protected under relevant legislation, or (rarely) as forest lands with special use status. All civil works and operation of buses will be done within the lands allocated to school infrastructure and road infrastructure that do not intersect with natural habitats.

It is possible that some of the schools where work will be ongoing are considered cultural heritage due to their historical architectural significance or cultural significance (for example, school where famous historical figures either studied or taught).

Ukraine's cultural heritage sites are protected by regulations under the Law of Ukraine "On Protection of Cultural Heritage." The Law of Ukraine "On Protection of Cultural Heritage" provides the foundation for protecting cultural heritage objects, requiring developers to obtain necessary approvals and permits before commencing work that could affect these sites. National regulations mandate that developers take into account restrictions on economic activities in areas with cultural heritage objects. A Chance Find Procedure ensures that any unexpected discoveries of cultural artifacts during construction are handled appropriately, preserving the nation's cultural heritage while allowing for necessary development.

Steps for Obtaining Permission and Handling Chance Finds

Historical and Urban Planning Justification: before starting any project, developers must obtain a historical and urban planning justification, which includes a thorough investigation of the site for cultural heritage objects.

Project Documentation Approval: developers need to get their scientific and project documentation approved and obtain permits for construction works from cultural heritage protection authorities is carried out exclusively through the electronic office of the Unified State Electronic System in in the field of construction.

Chance Find Procedure – actions upon discovering cultural heritage objects:

* Stop Work Immediately: cease all construction activities in the vicinity of the discovery to prevent any damage.
* Secure the Site: protect the area to ensure the find remains undisturbed. This might involve fencing off the site and monitoring it to prevent unauthorized access.
* Notify Authorities: immediately inform the relevant cultural heritage protection authority about the find. Provide detailed information, including:
* Location of the discovery: provide description and, if possible, photographs of the find.
* Preliminary Report: document the discovery, including the date, time, and circumstances of the find, along with contact details of on-site personnel.
* Assessment by Experts: Wait for the cultural heritage protection authority to send experts to the site. Their assessment will determine the significance of the find and recommend further actions.
* Implementing Protective Measures. Based on expert recommendations, developers must implement measures to protect the discovered objects. This may include:
	+ Provision of physical fence /barriers
	+ Covering the objects to shield them from environmental factors.
	+ Other site-specific measures as advised by the experts.
* Detailed Reporting: submit detailed reports to the cultural heritage protection authority, documenting the find, protective measures taken, and any further risks identified.
* Electronic Submission: use the Unified State Electronic System in the field of construction (Єдина державна електронна система в сфері будівництва - EDESSB) to submit all documentation and reports, ensuring compliance with legal requirements.
* Resumption of Work: obtain written approval from the cultural heritage protection authority to resume construction activities. Ensure all protective measures are in place and that the work will not endanger the cultural heritage objects.
* Ongoing Monitoring: monitor the site continuously during further construction to ensure no additional cultural heritage objects are discovered or disturbed.

Adhering to the Chance Find Procedure is crucial for preserving Ukraine's cultural heritage while facilitating development projects. Immediate action upon discovering cultural artifacts, proper notification and documentation, and compliance with the Law of Ukraine "On Protection of Cultural Heritage" ensure that cultural heritage objects are safeguarded. The use of the EDESSB system streamlines the approval process, making it more efficient and transparent.

Chance Find Procedure is briefly outlined in the ES Guidance (Annex 1) under Core Principle 1.

## Assessment of Borrower E&S Systems against Core Principal 3 (Public and Worker Safety)

Ukrainian legislation on labor protection consists of the Law of Ukraine “On Labour Protection” and many bylaws (labor protection regulations, resolutions of the Ukrainian Government, sanitary standards, orders of ministries that clarify the provisions of this law). Recent EU-ILO Project ‘[Towards safe, healthy and declared work in Ukraine](https://www.ilo.org/projects-and-partnerships/projects/towards-safe-healthy-and-declared-work-ukraine)’ was aimed to improve the compliance of Ukraine’s occupational health and safety (OHS) legal framework with key international and European standards on OHS and labor relations, and, inter alia, to adequately and sustainably transpose into the national legal framework a set of EU Directives on OHS (such as Directive 89/391/EEC - OHS "Framework Directive" etc.), as foreseen in Article 424 and Annex XL to Chapter 21 of the EU-Ukraine Association Agreement. This work resulted in drafting the Law of Ukraine ‘On OHS’ which is now undergoing review by the Parliament.

In addition, EU OHS Directives 2009/104/EC, concerning the minimum safety and health requirements for the use of work equipment by workers at work and 89/656/EEC, on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace, have been transposed to national legislation, through orders of the Ministry of Social Policy of Ukraine (MSP).

The high incidence rates of work-related accidents and occupational diseases, however, indicate that a lot still remains to be done in Ukraine, when it comes to the prevention of occupational risks and the promotion of the safety, health and well-being of workers.

According to the Background paper for the EU-ILO Project “Towards safe, healthy and declared work in Ukraine” [[18]](#footnote-19), in order to improve working conditions in Ukraine and ensure the quality, sustainability and success of the process of approximation of national legislation with the International and EU Labour Standards, some important challenges still need to be properly addressed. They include, inter alia, the following:

* Downstream approach to OHS, focused on protection (rather than on prevention) and safety (instead of a more holistic approach, also including occupational health and hygiene).
* Too detailed, complex and outdated OHS legal framework, composed of an excessive number of laws/regulations, some of which are contradictory.
* Counterproductive legal provisions that set a threshold dollar value for OHS measures rather than ensuring safety and health of workers as an obligation of result.
* National OHS legal framework does not provide for the employers’ non-transferable responsibility for ensuring the safety and health of workers in every aspect of their work.
* National OHS legislation does not foresee the employers’ obligation to take, and continually adjust to changing circumstances, the necessary measures for ensuring the safety and health of workers, including assessment and prevention of occupational risks, consultation and participation of workers, health surveillance, provision of information, training and the necessary organization and means, with observance of the sequential and hierarchical General Principles of Prevention.
* National OHS legislation does not apply to all economic sectors nor to all employers and workers.
* The national statistics on occupational accidents and diseases are unreliable and present inconsistencies and high levels of underreporting.

These gaps and shortcomings are further exacerbated by the ongoing situation and related military hazards. For the OHS management system, hostilities become real external threats factors that significantly change the external and internal context of the enterprise and increase the risks of additional accidents at work, which are uncharacteristic for peacetime and have consequences of varying severity. In Ukraine as of April 2024, accidents with fatal consequences caused by hostilities constitute almost half of the total fatal injuries at work in the conditions of Russian aggression[[19]](#footnote-20).

To this end, State Labor Service of Ukraine has issued a series of recommendations o[n OHS practices](https://pratsia.in.ua/safe_work.php). Also, EU-ILO Project ‘[Towards safe, healthy and declared work in Ukraine](https://www.ilo.org/projects-and-partnerships/projects/towards-safe-healthy-and-declared-work-ukraine)’ has developed the guidance document "[Safety and Health at Work in Wartime and Post-War. Ukraine's Experience in the Context of Russian Aggression](https://www.ilo.org/uk/media/105911/download)" to identify the most effective OHS methods and approaches among the available best practices in the context of the invasion and its humanitarian consequences. This document is complimentary to the provisions of the ‘War-Hazard Emergency Preparedness and Response Guidance for Ukraine IBRD portfolio’. These documents outline hazards and their impact on business activities, proposed preparedness/response mitigation actions, necessary resources and capacity building.

Public and worker safety against the potential risks associated with construction and/or operation; exposure to toxic chemicals, hazardous wastes, and other dangerous materials; infrastructure located in areas prone to natural hazards will be ensured through ES management system covered under Core Principle 1 and Annex 1.

**ESSA recommends:** the MoES should, through guidance, capacity building and supervision of construction sites, ensure implementation of OHS and community safety measures outlined in the ES Checklist (Annex 1) and other relevant guidance (both national and international, including WB) mentioned above.

## Assessment of Borrower E&S Systems against Core Principle 4 (Land Acquisition)

The Program does not involve land acquisition or resettlement. Hence, there will be no direct adverse impacts related to land acquisition or loss of access to natural resources.    All shelters will be constructed within existing schools within the existing footprint. Thus government systems for land acquisition are not further assessed.

## Assessment of Borrower E&S Systems against Core Principle 5 (Indigenous Peoples and Vulnerable Groups)

Within the education sector and the context of the program, the crisis is quickly revealing the different needs of women and men, girls and boys.  The impact of the war is particularly disproportionate for marginalized groups, such as female-headed households, Internally Displaced Persons (IDPs), Roma people, LGBTQIA+ and people with disabilities. Mothers in particular are raising concerns over children’s schooling. Education has mostly moved online, with the burden of homeschooling falling mainly on mothers, who also must deal with air raids, evacuations, and continued displacement, all of which interfere with homeschooling[[20]](#footnote-21).

Ukraine has a robust regulatory framework and supporting policies and plans, for inclusive education providing access to program benefits for vulnerable and marginalized groups, as described in the section below, with some areas for strengthening at the level of MoES and program implementation. The government should also have a well-developed information sharing and awareness campaign on the program benefits, mechanisms to participation and other program related activities.

### 4.5.1 Inclusion in Education

Ukrainian regulatory framework contains a wide range of policies and legislation at various administrative levels, pertaining to gender and social inclusion within the education system, and relevant to inclusive access of program benefits for vulnerable groups[[21]](#footnote-22).  Firstly, Section 53 of the Constitution of Ukraine guarantees the right to education.  Section 3 of The Ukrainian Law on Education[[22]](#footnote-23) states that no one can be restricted in their right to obtain education.  The right to education is guaranteed regardless of the age, sex, race, health status, disability, nationality, ethnic origin, political, religious, or other views, color, place of residence, language, origin, social and material position, criminal record, as well as other circumstances and characteristics.   The 2017 Law on Education defines inclusive education as ‘a system of educational services guaranteed by the State which is based on the principle of non-discrimination, human diversities, effective involvement and engagement of all participants of the education process’ (Art.1.12).

The 2013 Law on Principles of Prevention and Combating Discrimination in Ukraine endorses a general definition of discrimination, promoting the rights and freedoms of individuals discriminated against on the basis of sex, among other characteristics.  Along these lines, the 2018–21 State Social Programme on Equal Rights and Opportunities of Women and Men intends to eliminate institutional and legal barriers to gender equality.

Under Result Area 1, the program will support development and rollout of Textbooks and Teacher Training for the NUS curriculum.  The MoES has a procedure that incorporates antidiscrimination and gender expertise into textbooks and training manuals.  "Methodical recommendations for carrying out anti-discrimination examination of objects of branding for further giving them the seal of the Ministry of Education and Science of Ukraine" is a detailed document and the procedure described in it is a mandatory. It contains expertise on race, skin color, religion and other beliefs, gender, stereotypes based on a specific feature, language, disabilities, ethnic, marital status, property conditions, and other issues. It is widely used by teachers. The NUS web resource [nus.org.ua](https://nus.org.ua/)  contain materials on a different antidiscrimination issue and focus on an importance of it.

### 4.5.2 Gender

As explicitly stated in the 1996 Constitution, amended in 2016, gender equality is assured by providing women with the same opportunities in areas including education and vocational training (Art. 24). The 2005 Law on Ensuring Equal Rights and Opportunities for Women and Men is entirely dedicated to the promotion of equal rights and opportunities in the education sphere in terms of access, assessment, grants and loan benefits (Art. 21).  In education, both the 2017 Law on Education and the 2014 Law on Higher Education guarantee the right to free education regardless of gender. The former does not explicitly cover discrimination based on sexual orientation, gender identity and expression in education, while the latter specifically prohibits any restrictions in the exercise of the right, except in cases established by the Constitution and laws of the country[[23]](#footnote-24).

Strategies for implementing gender equality in the field of education until 2030 have been approved by the Decree of Cabinet of Ministers of Ukraine[[24]](#footnote-25).  The Strategy targets all relevant stakeholders including students, parents, teachers, administration and staff. The Strategy aims to creates a regulatory basis for solving the problems of inequality and discrimination based on gender in Ukrainian society while acknowledging that domestic education as a social institution remains insufficiently sensitive to the problems of gender equality, inclusiveness, prevention and countering of discrimination on any grounds.

The Strategy sets goals for: 1) comprehensive implementation of principles, policies and measures to ensure equal rights and opportunities for women and men, respect for human dignity and non-discrimination in regulatory and legal documents in the field of education; 2) strengthening the role of educational institutions in coordinating and implementing state policy on ensuring equal rights and opportunities for women and men in the field of education, preventing and countering violence and discrimination, and improving the educational process on the basis of equal rights and opportunities for women and men, respect for human dignity , non-discrimination, inclusiveness and countering violence, particularly on the basis of gender; 3) strengthening the competence and capabilities of the professional community of specialists in ensuring equal rights and opportunities for women and men; and, 4) ensuring equal rights and opportunities for women and men, preventing and countering any discrimination, implementing inclusive practices in the field of education as a basis for overcoming the consequences of military actions and reconstruction of Ukraine.

The Strategy includes an approved, comprehensive operational plan of measures for 2022-2024 detailing a wide range of activities to increase staff qualifications and awareness in areas such as eliminating gender stereotypes, awareness about gender equality, and gender-based violence. Under the plan, MoES has developed a mechanism for gender audits in educational institutions[[25]](#footnote-26) to assess the state of ensuring equal rights and opportunities for women and men in educational institutions, to identify existing problems, determining ways to reduce the actual inequality between women and men. MoES is the lead agency for implementing most activities under the plan, although other ministries and agencies, and international organizations are involved. The implementation of the Operational Plan is tracked by established focal points and institutional ownership is with the Deputy Minister.

**ESSA recommends:** the MoES should establish a gender function /unit with adequate staffing to support implementation of the Operational Plan.

### 4.5.3 Gender Based Violence (GBV)

In 2020, Ukraine became a full member of the Biarritz Partnership aimed at prevention of gender-based violence (GBV), ensuring fair and quality education and health, promoting women’s economic empowerment, ensuring full equality between men and women in public policies. In June 2020, the Ukrainian Parliament approved The Istanbul Convention which is in times of peace and in situations of armed conflict and focus on protect women against all forms of violence, contribute to the elimination of all forms of discrimination against women. Ukraine closely works with international partners on the issues of gender equality, equity and prevention of gender base and domestic violence. Since 2012, in Ukraine acts “Council of Europe Convention on the Protection of Children from Sexual Exploitation and Sexual Violence”[[26]](#footnote-27).

The Code of Ukraine “On administrative offenses”[[27]](#footnote-28) identifies bullying in a process of education as the actions of participants of educational process, which consist of psychological, physical, economic, sexual violence and entails the imposition of a fine. Also, the law emphasizes failure by the principal of the educational institution to notify the police of cases of bullying of a participant of the educational process entails the imposition of a fine or corrective work. In 2019 MoES in the Order 1646[[28]](#footnote-29) determine what should be identified as bullying, the procedure for all the participants of the incident and outlined the direction for prevention measures.

Guidance on preventing all types of violence by the MoES was also developed in the “Methodology for teaching staff in prevention of violence in educational institutions”[[29]](#footnote-30), and “Preventing bullying in educational institutions: systematic approach”[[30]](#footnote-31) These documents provide systematic approach in identifying manifestation of bulling or violence, at the grassroot level provide clear understanding of further steps of interaction with other government bodies. According to the “Methodological recommendations for identifying and responding to cases of domestic violence and the interaction of teaching staff with other bodies and services”[[31]](#footnote-32) leading role in identifying manifestations of domestic violence responses to the teachers.

The Operational Plan of measures for 2022-2024 for the implementation of the Strategy for the implementation of gender equality in the field of education until 2030, outlines a number of measures to prevent and combat against GBV, and address consequences, including appointing a special advisor and providing training to increase awareness and professional competencies of staff, about GBV. The plan envisions some measures for expanding cooperation with law enforcement, and other special areas of work such as psychosocial, medical and other services.

Responding to GBV complaints is mainly handled at the school level, and MoES attests to the capacity and procedures to handle such sensitive GBV complaints. At the MoES level, the GRM does not appear to be equipped to handle such complaints. The legal framework requires mandatory reporting of instances of domestic violence; the authorized official of educational institution have to, within 24 hours, via telephone or email, inform the authorized division of the National Police and the Children's services (in cases if the victim and/or perpetrator is a child), ensure the provision of medical assistance (if needed), and record the necessary information in the Journal for the detection (reporting) of domestic violence and gender-based violence[[32]](#footnote-33).  Documented procedures and referral protocols to qualified service providers (e.g. pschycosocial, medical legal) for SEA/SH incidents that might incur in a school environment (involving students or staff), using a survivor-centered, and safety centered approach, and protecting the rights of children, are absent. There is no hotline or confidential, anonymous reporting channel for such complaints within the MoES GRM. There are no protocols for applicants giving their consent to report cases of complaints, especially sexual exploitation, violence and harassment. Issues of sexual exploitation, violence and harassment are not separated, in the case of such complaints, they are classified as a violation of individual rights.

**The ESSA recommends:** the MoES should prepare GBV/SEA/SH complaint handling and referral protocol/checklist, based on good international practice, including guidance to schools.

### 4.5.4 Children with special needs or disabilities

Regarding children with disabilities, Ukraine recognizes the action of Section 24 of Convention on the Rights of Persons with Disabilities[[33]](#footnote-34), which states the right of persons with disabilities to education without discrimination.  The 2030 National Strategy on creating a barrier-free space in Ukraine[[34]](#footnote-35) is focused on creating equal opportunities for each person to exercise their rights, to receive services on an equal basis with others by integrating physical, informational, digital, social and civic, economic and educational accessibility into all spheres of public policy. For practical implementation, MoES has adopted the Order “Concept of development of inclusive education”[[35]](#footnote-36). and “The procedure for organizing inclusive education in institutions of general secondary education”. The Concept envisages a comprehensive approach to addressing issues related to ensuring inclusive education, namely: Normative and legal support, and the development of individually tailored educational plans and programs; Development of criteria for assessing the achievements of students with special educational needs enrolled in educational institutions; Provision of educational institutions with inclusive education with special textbooks and didactic materials. The procedure for organizing inclusive education derailed questions of admission procedures, duration of education, student class allocation, teaching organization process, individual program development, assessment.

Within the overall secondary education reform, the 2016 NUS framework allows children with special needs to access schools at a different age, to extend the duration of their study at a primary school and to receive supplementary correctional assistance.  The official web site of MoES (provide REF) also contains hundreds of documents in a subsection “For children with special educational needs”.  These documents regulate different components of the educational process for children with disabilities.

Section 13 of the Law on Education guarantees transportation, including accessibility of transportation for visually impaired individuals, hearing-impaired persons, individuals with musculoskeletal disorders and other low mobility population groups, and individuals from rural areas.    The program will support budget subventions for general secondary schools to purchase school buses to support in-person learning by addressing transportation constraints. As for the 2023/2024 academic year, the Ukrainian statistic service identifies the total number of pupils as 3 867 801 individuals, of which 1 902 280 are girls.  1 370 403 girls studied in urban areas and 531 877 in rural ones[[36]](#footnote-37).  Based on the most current data in 2015/2016 academic year only 5,8% of people (2720) with disabilities had opportunity to study in classrooms.  Among the reasons for this situation were school environments that lack physical aids such as ramps or elevators or braille floor navigation and signs and the lack of special transport for picking up children with physical disabilities. The situation improved in recent years (19/20 academic year - 18643 individuals; 2020/2021 - 25,78; 2021/2022 - 32686; 2022/2023 - 33861) and at the beginning of the 2023/2024 academic year, the total number of students with special needs enrolled in schools increased to 40254[[37]](#footnote-38). There were 40,147 students enrolled in classes equipped in accordance with CMU Resolutions[[38]](#footnote-39) and MoES regulatory acts[[39]](#footnote-40). According to official statistics, in the 2022/2023 academic year, out of 12,976 total general secondary education institutions (including special ones) in Ukraine, 10,067 institutions (77.6%) were provided with barrier-free access for individuals with special educational needs to the 1st floor. Access to the 2nd floor was available in 102 institutions (0.8%), to the 3rd floor in 94 institutions (0.7%), and to the 4th floor in 32 institutions (0.2%)[[40]](#footnote-41).  In 2023/24 academic year 316,358 of 341,656 individuals who required transportation to school have it[[41]](#footnote-42). For this purpose, 6,175 buses are available, including 268 for transporting individuals in wheelchairs. Nevertheless, by the MoES assessment more than twenty-five thousand pupils have no opportunity to attend classes because of the lack of transportation. Additional requirements of buses are 1954 units (2687 for the end of 2023[[42]](#footnote-43)) and among them 194 units for pupils with disabilities.

Special legislative acts (State Building Regulation) are applicable requiring that such structures have access for people with physical disabilities, namely the “Inclusiveness of Building and Constructions” DBN V.2.2-40:2018; and “Protective Buildings of Civil Defense” DBN 2.2-5:2023.  As per the resolution on shelter subventions, local authorities will be required to construct shelters in accordance with these regulations ensuring that persons with limited mobility will have access to shelters.

School buses were an important component of providing access to quality secondary education for children from villages before the full-scale invasion. Now their role is becoming even more important: they can provide transportation not only to hub schools, but also to schools with shelters, from localities where the school was destroyed to those where it survived, etc.  Hromadas[[43]](#footnote-44) need not only to restore their vehicle fleet but also to expand it[[44]](#footnote-45).

The Program supports budget subventions to purchase buses.  The resolution of the Cabinet of Ministers of Ukraine on “Issues of providing subvention from the state budget to local budgets for the purchase of school buses” has been passed by the government and will be put into effect. The resolution on school buses references the requirements for such buses, and if the school has students with limited mobility and wishes to purchase a bus for transporting wheelchairs, it specifies the applicable Ukrainian standards.

**The ESSA recommends:** the MoES should conduct additional needs assessment for transportation for children with disabilities with relevant stakeholders, and issue additional instructions to oblasts/districts in this regard.

### 4.5.5 Ethnic and Linguistic Groups

There are no Indigenous Peoples in Ukraine.  According to the last recorded census (2001), the main minority groups include Russians, Belarusians, Moldovan, Crimean Tatars, and Bulgarians. Ukraine also has smaller populations of Poles, Jews, Romanians, Armenians, Hungarians, Roma and other nationalities. An updated census planned for 2020 wasn't carried out because of the COVID19 pandemic. MoES data in the 2020/21 academic year in Ukraine indicates that there were 874 schools which included instruction in national minorities languages. The article 21 of the Law On Supporting the Functioning of the Ukrainian Language as the State Language guarantee that persons from ethnic minority peoples of Ukraine shall be guaranteed the right to study at communal educational institutions, in order to receive preschool and secondary general education, in the language of the respective groups of Ukraine, along with the State language.  To protect rights of Crimean Tatars, the MoES has translated textbooks into native language of this minority.

Prior to the escalation, Roma women and men experienced discrimination in the labour market. There is a lack of civil status documentation and low education levels particularly among Roma women.   Roma girls and women, who were already disadvantaged in terms of access to schooling, will most likely face further challenges that will have long-term effects on their access to opportunities, including livelihoods and services.

### 4.5.6 Internally Displaced Persons

Other vulnerable groups are Internally Displaced Persons (IDPs). Though the right of education by IDPs is enshrined in the Law[[45]](#footnote-46), the real situation with accessing education in a new place of living can differ owing to lack of available space. In general, according to the IOM data[[46]](#footnote-47) for the end of March 2024, total number of IDPs equals 3,387,291 persons, among them 60% are female, 26% are individuals under 18 and 4% are individuals with disabilities.  The highest number of IDPs are registered in areas, such as Lvivska, Ivano-Frankivska, Zakarpatska and Kyivska oblasts.

## Assessment of Borrower E&S Systems against Core Principle 6 (Avoid exacerbating social conflict.  Distributional Equity)

The program is not expected to exacerbate social conflict.   However, the program supports subventions to local authorities who submit funding applications to MoES , and demand exceeds supply of funds.   This can create social tensions if the program lacks transparency and fails to deliver distributional equity.

The resolution of the Cabinet of Ministers of Ukraine on the procedure for granting and using subventions to local self-government bodies, which are founders of preschool and school education institutions, is adopted annually. For each type of project activity (New Ukrainian School, construction of shelters, procurement of school buses), there will be a separate resolution of the Cabinet of Ministers of Ukraine.   For 2024 **Shelters:** The adopted resolution describes the procedure and criteria of selection in all details and is available at <https://zakon.rada.gov.ua/laws/show/417-2024-%D0%BF#n2>.

The Resolution will set out geographic areas where shelters can be constructed based on approved security and safety zones (i.e. proximity to conflict areas).  The 2024 resolution introduces new criteria for scoring and decision-making regarding applications based on the following:

* Transparency –The national Unified Digital Integrated Information and Analytical System for managing the process of reconstruction of real estate objects, construction, and infrastructure (DREAM) electronic platform will be used for shelter application, selection, and monitoring. This system provides increased transparency and diminished human interference into the results of funding allocation and a single ‘window’ into all subvention works.   The scoring criteria are disclosed on the MoES and CMU official website . The information about the commencement of the selection procedure along with the selection criteria will be published on the websites, and a distribution will be made to the local self-government bodies, which will be the main stakeholders and beneficiaries.
* Efficiency - Enables funding the shelters whose works started last year and that are ready at minimum of 40% of their total cost, thus increasing the chances for high disbursement rate of the subvention.
* Equity - Focus on the regions that need subvention funds most: The subventions will be allocated among 8 regions[[47]](#footnote-48) only, selected primarily based on the development of the security situation (except for completion of the last year's works); continuity of the study process is the most challenging for those 8 regions, as they are outside conflict areas but border the frontline and/or have had some unoccupied territories, which require rehabilitation of learning spaces.
* Equity –
	+ Subvention funds will only be allocated for schools that work in distance/hybrid mode (study actually takes place there).
	+ The municipal co-financing requirement is adjusted for municipalities with low tax-capacity. The municipal tax capacity index is a measure of communities’ economic capacity to pay taxes, and thus is also utilized as a proxy for the socioeconomic status of the local community. In both 2023 and 2024, this tax capacity index has been incorporated into the subvention criteria to afford more lenience to lower-SES communities in terms of the expected share of co-financing for shelter project eligibility (i.e. lower-SES communities contribute smaller shares of co-financing). This means that community-level SES as a measure of equity has already been incorporated in the shelter subvention.
* Efficiency - Hub schools – This regulation refers to hub schools as being a priority criterion for funds allocation. The shelter resolution references this in Annex 6 '*Criteria determining the priority of the selection of projects related to the new construction of protective structures of civil protection and the reconstruction or major repair of other objects that constitute the fund of protective structures of civil protection in institutions of general secondary education*'.

The ESSA concludes that the program has a number of policies and underlying systems for transparent and equitable subventions, that are continuously improving, supported by the Program.

**ESSA recommends:** the MoES should continue to incorporate socioeconomic considerations in targeting criteria for future shelter subventions.

## Assessment of institutional systems

The Ministry of Education and Science has an on-going World Bank supported project, with established PIU and experience implementing projects under ESF (Ukraine Improving Higher Education for Results Project). However, as of recently, the ES staff has resigned from the PIU and the PIU is currently in the process of recruiting one Social/SE Specialist and one Environmental/OHS Specialist. The ToRs for these positions have been cleared with the Bank.

The MoES PIU ES staff will be responsible for implementation of the ESF instruments (IPF) and environmental and social aspects of the PForR including the related activities under the Program Action Plan. For example, they will be tasked with capacity building measures (development of relevant guidance, templates etc.), as well as regular supervision and monitoring activities to support local governments and beneficiaries. The MoES PIU will be funded through the IPF component of the PforR.

It is expected that further staffing needs will be assessed during implementation.

**ESSA recommends:** ES staff should be hired 1 month after the Program effectiveness date and maintained throughout Program implementation.

# Stakeholder Engagement and Information Disclosure

Regardless of the state of war or peace, one of the important components of state governance is communication and interaction with citizens. Openness, complete and timely information, involvement in discussions are important components of the successful implementation of state initiatives.

There are a number of national policies and regulations that comprise MoES cross cutting systems for stakeholder engagement and information disclosure across all the program activities.    The right to information is a fundamental and protected by a law. In accordance with the Law of Ukraine "On Information,"[[48]](#footnote-49) guarantees equal rights and opportunities for access to information to all subjects of information relations.

At the national level, information dissemination and communication channels include official websites of government bodies such as the Verkhovna Rada of Ukraine, the President, and the Cabinet of Ministers, where all official information is posted. All government websites allow for electronic submission of inquiries directly through the site.  Accessibility modes for citizens with visual and hearing impairments are available on all sites. The issue of digital accessibility of web resources is regulated by DSTU EN 301 549:2022[[49]](#footnote-50).

In addition to obligations imposed to the MoES by national laws, the Ministry has its own communication mechanisms at various levels.   For example, MoES actively utilizes social media platforms. The Ministry also operates a Hotline regarding educational issues for citizens from temporarily occupied territories.  The Ministry actively conducts online consultations and has a dedicated webpage on the ministry's website providing summaries of active and archived consultations.   The Ministry also has several grievance channels, and an Ombudsman responsible for mediating and addressing complaints (see sub-section on Grievance Mechanism).

Other general methods used by MoES to engage with the public and representatives from CSOs organizations include on-line public consultations. Announcement inviting participation in such consultations are posted on the Ministry's website along with information about how to submit written proposals and contact information[[50]](#footnote-51). The Ministry publishes report of such consultations on the official website detailing the proposals received and the resolution of applying or rejecting them, within two weeks.

At the regional level, where active engagement of program beneficiaries should take place, several entities responsible for organizing dialogue with the public.  These include Regional State Administrations and their units (regional, district, local), and departments or educational administrations. At the educational institution level, this responsibility falls upon the heads of education departments at all levels and school principals, who, according to the law, bear a range of duties related to organizing the school process.

Teacher training and textbooks activities supported under the Program are being rolled out under a broader rollout of the New Ukrainian School (NUS) curriculum. As described in the technical assessment, NUS was designed and initiated in 2018, is aligned with EU norms and underwent extensive public consultation.    A wide range of stakeholders were involved in the development of the New Ukrainian School strategy, including non-governmental organizations, parent committees, professional organizations, government agencies, and international donors.  As part of the reform, a communication campaign was organized, several round tables and forums were held, and a set of informational brochures was released.

Concerning outreach on the funding application process (shelters and buses), the Mininfra, which currently serves as the administrator of the DREAM system.  They are actively engaging all stakeholders in training on how to operate within the DREAM system. The MoES team has also been involved in seminars where the principles of the system's operation were explained, and its capabilities were demonstrated in practice.

The ESSA concludes that there are robust borrower systems to support stakeholder engagement and information disclosure for program activities. The MoES needs to pay special attention to working with representatives of CSOs. MoES works closely with many CSOs. However, communication mechanisms and timing of engagement with CSO’s are not systematized and require continued strengthening. There should be particular focus on issues of inclusivity and education for children with disabilities for CSOs and parents. For the component of procuring special transport vehicles, special attention should be paid to informing families raising children with disabilities. They should be informed about the possibility to request special transport and the obligation of the local community to procure such transport under the subsidy.

**The ESSA recommends:** MoES to prepare a stakeholder engagement and communication plan for the program. The stakeholder engagement and communication strategy should consider the accessibility and effectiveness of various communication channels for different beneficiary groups, and CSOs, including use of social media. Further the ESSA recommends that the PIU recruit a social/stakeholder engagement specialist to implement the plan.

## Program Grievance Mechanism

***National and Subnational Systems for Grievance Redress applicable to the Program***

The Law of Ukraine “On Information” declares that the main areas of the state information policy shall include ensuring that every person has access to the information. The Law of Ukraine "On Citizen Appeals" provides the right to file observations, complaints and proposals with the government authorities, local governments, citizens associations, enterprises, institutions, organizations. The Law on Citizens Appeals and the Law "On Access to Public Information," guarantees the citizens' right to address government bodies and define the duties and timelines for handling such appeals by government bodies.

The issues of record management and citizen appeals is also regulated by The Resolution of The Cabinet of Ministers. This document approves "Standard Instruction for Documentation of Management Information in Electronic Form and organization of work with electronic documents in record-keeping" and "Standard Instruction for Record-Keeping in Ministries, Other Central and Local Executive Bodies". Standard Instruction for Record-Keeping establishes requirements for documenting management information and organizing document work. The Resolution of The Cabinet of Ministers approves the “Classifier of Citizen Appeals” , This document establishes a typology for categorizing appeals according to the following criteria: by form of submission (via mail, in person, through government authorities, through the media, etc.); by submission characteristic (initial, repeated, multiple, mass); by type (suggestion, application, complaint); by gender (male, female); by subject (individual, collective, anonymous), and others.

The practical realization of citizens' rights to access on public information and submission of appeals and complaints, ensured through a 24/7 Government contact Centre “National hotline 1554” , which provides various options for submitting inquiries, including options for people with disabilities (hearing and visual impairments). The hotline website is also used for conducting national surveys on matters of general importance. For instance, surveys regarding the New Ukrainian School (NUSh) have been conducted on it. Each local self-government body must also ensure the availability of a channel for citizens to submit complaints.

All inquiries received by local executive authorities or state institutions of other levels will be registered and classified according to the established state standards and internal document circulation procedures. All inquiries and responses will be stored in the authority to which they were addressed, and which provided the response.

Appeals to the authorities do not deprive applicants of the right to address to appeal to the Ministry of Education or the Cabinet of Ministers of Ukraine. Appeals can be submitted to all authorities simultaneously and repeatedly.

Ukrainian legislation, relative to international good practice, is absent the possibility of anonymous grievances. Section 8 of the Law "On Citizens' Appeals" directly specifies that anonymous appeals are not considered. Based on this provision, Article 9 of the Instruction on Document Management for Citizens' Appeals in the Ministry of Education and Science of Ukraine also defines anonymous appeals as not subject to consideration.

Within MoES, handling of citizen appeals is regulated by a separate Order of the MoES, which defines the procedure of appeals registration, their consideration, review timelines, and monitoring of appeal consideration. Recording of citizen appeals is carried out in accordance with the procedure established by the Cabinet of Ministers of Ukraine (Instructions on recordkeeping of appeals from citizens in bodies of state power and local self-government, associations of citizens, at enterprises, in institutions, organizations regardless of the forms of ownership, in the media, approved by the resolution of the Cabinet of Ministers of Ukraine dated April 14, 1997 No. 348). All appeals are directed to the Department of Document Management, Control and Information Technologies of the Ministry of Education and Science, whose separate unit - the Department for Control and Citizen Appeals – deals with issues of registration, accounting of citizen appeals, reporting, and manually assigns the received appeals based on the subject matter of the letter. The Ministry uses an electronic document management system used by the majority of state bodies to log and track grievances.

All citizen appeals, including complaints received by the Ministry of Education and Science, are grouped according to the following possible categories:

1. Industrial policy
2. Agrarian policy and land relations
3. Transport and communication
4. Economic, price, investment, foreign-economic, regional politics and construction, entrepreneurship
5. Financial, tax, customs policy
6. Social policy. Social protection of the population
7. Work and wages
8. Labor protection and industrial safety
9. Health care
10. Communal economy
11. Housing policy
12. Ecology and natural resources
13. Ensuring compliance with legality and protection of law and order, realization of rights and freedoms of citizens
14. Family and gender policy. Protection of children's rights
15. Youth. Physical culture and sports
16. Culture and cultural heritage, tourism
17. Education, scientific, scientific and technical, innovative activity and intellectual property
18. Information policy, activity of mass media
19. Activities of citizens' associations, religion and interfaith relations
20. Activities of the Verkhovna Rada of Ukraine, the President of Ukraine and the Cabinet of Ministers of Ukraine
21. Activities of central bodies of executive power
22. Activities of local executive authorities
23. Activities of local self-government bodies
24. Activities of enterprises and institutions
25. Defense capability, sovereignty, interstate and international relations
26. State construction, administrative and territorial organization

In 2023, the Ministry of Education and Science of Ukraine received 586 appeals, in 2024, as of May 24, 2024 - 286 appeals. The received appeals are disaggregated by region, gender and categories of applicants, e.g., student, pedagogical worker, scientific and pedagogical worker, pensioner, or by status (internally displaced person, etc.). Disaggregation of appeals by age is not carried out, since not all applicants indicate their age.

Processing of appeals is carried out in the following way: In the Ministry of Education and Science, all appeals, including complaints, are considered within the limits of the mandate of the Ministry of Education and Science of Ukraine, as defined by its Regulation. In accordance with the Regulation, the Ministry of Education and Science is the main body in the system of central executive bodies, which ensures the formation and implementation of state policy in the fields of education and science, scientific, scientific and technical activities, innovative activities in the specified areas, transfer (transfer) of technologies, and also ensures formation and implementation of state policy in the field of state supervision (control) of the activities of educational institutions, enterprises, institutions and organizations that provide services in the field of education or conduct other activities related to the provision of such services, regardless of their subordination and form of ownership.

All appeals received by the Ministry of Education and Science are considered within the time limits set by the law. In case of grievances that belong to the mandate of the Ministry of Education and Science of Ukraine, the appeal is processed by staff of the Ministry of Education and Science. If the grievance raises issues that do not belong to the mandate of the Ministry of Education and Science, such appeal is re-directed to the appropriate body or institution for consideration.

The Department for Control and Citizen Appeals prepares and submits reports on review of citizen appeals, including complaints, to the Cabinet of Ministers of Ukraine (quarterly) and to the Office of the President of Ukraine (twice a year).

For the LEARN Program for Results operation, the grievance mechanism will operate in accordance with Ukrainian legislation regulating citizen appeals and access to public information, as well as subordinate acts that regulating the process of complaint submission and review timelines.    The program GRM will build on experience and procedures from the GRM established for the World Bank supported IPF Ukraine Improving Higher Education for Results Program, expanding to cover the activities under the LEARN PforR Operation and IPF.

Program beneficiaries and stakeholders will be able to submit enquiries and grievances to multiple uptake channels:

* by email mon@mon.gov.uaBy sending written grievance or request by address: 01135, Kyiv, Beresteiska Avenue, 10
* by telephone: (044) 481-47-57
* Each local self-government body must also ensure the availability of a channel for citizens to submit complaints.

**The ESSA recommends**: the Program should establish a GRM and detail procedures in the Operations Manual. The Program’s Social Specialist will coordinate resolution of any grievances related to the program working with the Department of Document Management, Control and Information Technologies of MoES. The Program will establish an additional uptake channel for anonymous grievances. The Program will establish a mechanism for regular reporting on grievance receipt and resolution covering the activities under the Program.

# Conclusions and Recommendations

Based on the above assessment, the ESSA concludes that the environmental and social risks of the program are considered to be adequately mitigated, through committed actions in the Program Action Plan. All recommendations will be supervised throughout bank implementation:

This section includes a summary of the actions and measures the MoES is required to take during implementation of LEARN Program to improve system performance.

| **Action** | **Incorporation into project design and pre-effectiveness delivery** |
| --- | --- |
| Develop knowledge requirements (curriculum for teacher training, textbooks etc.) to promote and implement feasible climate change adaptation/mitigation measures, sustainable development practices etc. | To be incorporated into project verification protocols and POM |
| Develop guidance for technical requirements (for shelters, school busses and IT infrastructure) to promote and implement feasible climate change adaptation/mitigation measures, sustainable development practices etc. | To be incorporated into project verification protocols and POM |
| Establish and operate a grievance mechanism for the program based on the ESSA, including a channel for anonymous complaints and equipped to handle SEA/SH complaints | Procedures established in the POM and regular reporting thereafter (quarterly) |

Actions will be incorporated into the Program Action Plan (PAP).

| **Action** | **Responsibility** | **Timeline** | **Indicators for completion of actions** |
| --- | --- | --- | --- |
| Project management unit should maintain requisite environmental and social staffing (1 social/stakeholder engagement specialist and 1 environmental/OHS specialist) | The MoES | ES staff should be hired 1 month after the Program effectiveness date and maintained throughout Program implementation | Regular ES reporting (quarterly) |
| Issue a ministerial recommendation in connection to subvention for shelters, annually, to adopt the Environmental and Social Checklist (Annex 1) for all shelter subvention beneficiaries, and ensure it is included in the civil works contracts.  | The MoES | 3 months after the Program effectiveness date | ES Checklist dissemination evidence |
| Create a comprehensive capacity building and supervision program in line with scope outlined in Annex 3 of the ESSA. | The MoES | 6 months after the Program effectiveness date | Supervision Plan Capacity building and supervision program and regular reporting on its implementation |
| Develop safety protocols (Emergency Preparedness and Response Plans) for instances of war hazards | The MoES | 3 months after the Program effectiveness date | Report on safety protocols preparation and implementation |
| Prepare guidance checklist for handling GBV complaints in a confidential, sensitive, survivor- and safety-centered manner consistent with good international practice, including referral protocols to qualified providers and guidance to schools.  | The MoES | 3 months after the Program Effectiveness date | Completion of procedures and dissemination of guidance |
| Prepare a stakeholder engagement and communication plan for the program.  | The MoES | 1 month after the Program effectiveness date | Plan delivered and report implementation thereafter.  |
| Further to the resolution on buses, conduct needs assessment on transporting children with disabilities and issue instructions accordingly on purchasing buses with accessibility for children with limited mobility | The MoES | 1 month after the program effectiveness date | Instructions issued |
| Confirm targeting criteria for shelter subventions includes socioeconomic factors (e.g. municipal tax capacity)  | The MoES | Prior to issuance of 2025 and 2026 subventions respectively  | To be integrated into 2025 and 2026 subvention |
| Establish a gender function /unit with staffing to support implementation of the Operational Plan.  | The MoES | 6 months after the program effectiveness date | Unit established/staff recruited as per organizational chart (supported under the IPF)  |

# Annexes

## Annex 1. Environmental and Social Checklist

Requirements for construction, reconstruction, restoration, major repair projects of the civil defense shelter objects within schools

|  |
| --- |
|  |
| These general Environmental & Social (E&S) guidelines are presented in abbreviated form with the main objective to avoid and minimize the potential risks and negative impacts on health and safety of the community and workers, as well as the natural environment, during construction works. The checklist also considers that works will take place on school premises, and extra precautions are needed to protect children.The E&S Checklist was developed to ensure that good practice mitigation measures are recognized and considered during the project’s activities implementation. The E&S Checklist was developed to provide “best practice examples” and is intended for the convenience of users and is compatible with the requirements of national law.This E&S Checklist is intended to support the project administrator with the following tasks throughout project implementation: 1. **Procuring Works**: The E&S Checklist will be included in the works contract, as well as in the services contract with supervising entity for the execution of construction works under the project. If the project site has specific conditions or project activities envision risks not covered by this E&S Checklist, the project’s administrator will take an effort to expand and update this Checklist to cover all additional E&S risks and impacts and should incorporate these requirements into construction contracts.
2. **Before Works begin**: Project Administrator (as advised by the Supervising Entity if applicable) ensures the contractor has the requisite environmental and social risk management measures and/or plans, before start of works. No project’s implementation activities (no physical works including site preparation, offloading equipment and materials, civil works etc.) are allowed to start before the required environmental and social risk management measures are in place.
3. **Monitoring Works**: The project’s administrator directly or through a contracted supervising entity should receive regular reports on implementing the environmental and social mitigation measures and should inspect work sites and the work of personnel on a regular basis to identify issues or non-conformity and enforce necessary actions where unsafe acts or processes that seem dangerous or unhealthy are detected. The environmental and social performance of contractors at all times should meet the project’s environmental and social requirements.
 |

| **POTENTIAL NEGATIVE EFFECTS ON THE SURROUNDING NATURAL ENVIRONMENT AND HUMAN HEALTH** | **MEASURES** **TO MINIMIZE THE NEGATIVE IMPACT ON THE NATURAL ENVIRONMENT AND HUMAN HEALTH** |
| --- | --- |
| Air pollution and dust generation | * Ensure low emission and well-maintained equipment will only be used.
* All machinery should have timely technical inspections at maintenance stations regarding CO emissions and smoke, idle construction equipment with engines turned on at the sites is not allowed.
* During excavation works the methods of dust control are applied, e.g. water spraying or land wetting.
* During pneumatic drilling or removal of the surface layer of the pavement and foundation, dust should be suppressed by constant irrigation and / or protective screens should be installed at the facility.
* Avoid combustion and disposal or destruction of materials/products which generate air quality issues associated with emissions of carbon dioxide (CO2), sulfur dioxide (SO2), nitrogen oxide (NOx), and particulate matter (PM).
* The wet scrubbers, cyclonic particle collectors or even exhausts with dust bags can be installed to prevent any particulate matter being sent out of premises. These dust traps need to be cleaned or replaced periodically for efficiency.
* Keep outdoor stockpile of aggregate/sand materials covered to avoid suspension or dispersal of fine soil particles during windy days or disturbance from stray animals.
* Workers who carry out the work must wear protective clothing and breathing masks.
 |
| Water quality/water use and pollution | * Consider measures for resource efficiency.
* Activities should not affect the availability of water for drinking and hygienic purposes.
* No soiled materials, solid wastes, toxic or hazardous materials should be poured or thrown into water bodies for dilution or disposal.
* Ensure the organization of the collection and removal of surface wastewater at the construction site (if available).
* Ensure the organization of storage places for construction products (materials, products or kits) in such a way as to avoid pollution of surface and underground waters.
 |
| Surface Drainage and Possible Water Stagnation | * Carry out overall storm water management in the premises during construction using temporary ditches, sandbag barriers etc.
* Avoid temporary flooding due to excavation.
* Proper drainage arrangements to be made, to avoid the overflowing of existing drains due to excavation during the laying of pipes, cables, cutting activities.
 |
| Waste generation and management | * Waste collection and disposal pathways and sites will be identified for all major waste types expected from demolition activities
* Mineral/solid demolition wastes will be separated from general refuse, organic, liquid and chemical wastes by on-site sorting and stored in appropriate places
* Promote reuse, recycling, or energy recovery.
* Debris generated due to the dismantling of the existing structures shall be suitably reused, to the extent feasible, in the proposed construction.
* Waste that cannot be reused / recycled / recovery will be disposed of at the ecological landfill.
* Provide separate collection of waste from construction and demolition (dismantling) by main component (brick and concrete, glass, plastic, metal)[[51]](#footnote-52).
* Ensure no solid waste gets into any water body.
* During site clearance activities, demolition and debris removal must be carried out swiftly and in well-planned manner.
* Consider large container and/or bulk systems for fuels, oils, chemicals to reduce the volume of waste containers.
* The organization of storage places for building materials (products) should be carried out in such a way as to avoid soil, surface and underground water pollution.
* Observe during the handling of waste from construction and demolition (dismantling) measures to protect soils from clogging and pollution.
* Construction waste will be collected and transferred to facilities for use, neutralization in accordance with the Register of objects for use, neutralization, storage and disposal of waste in Ukraine.
* Ensure that the transportation of demolition waste is carried out properly.
* Cover the transportation vehicles for demolition or excavation materials.
* Clean wheels of vehicles at the exit from working site.
 |
| Hazardous waste – asbestos containing materials (ACM) | * Store hazardous waste, such as paint cans, in separate skips/waste containers.
* The containers of hazardous substances shall be placed in a leak-proof container to prevent spillage and leaching.
* Paints with toxic ingredients or solvents or lead-based paints will not be used.
* Any contaminated soil must be immediately removed, placed in plastic bags and disposed of as hazardous waste.
* If asbestos is located on the project site (i.e. heating pipes with ACM insulation), it shall be marked clearly as hazardous material.
* When possible, the asbestos will be appropriately contained and sealed to minimize exposure.
* The asbestos prior to removal (if removal is necessary) will be treated with a wetting agent to minimize asbestos dust.
* Asbestos will be handled and disposed by skilled & experienced professionals.
* If asbestos material is stored temporarily, the hazardous waste should be securely enclosed inside closed containments and marked appropriately. Security measures will be taken against unauthorized removal from the site.
* The removed asbestos/ACM will not be reused.
* Transportation and disposal of hazardous wastes should be done through licensed contractors and in close coordination with the relevant local authority and in compliance with the legal requirements and instructions.
 |
| Noise and vibration | * Noise generating work should be limited to daytime (8:00 to 21:00). Other type of construction work which will not disturb the environment by noise or vibration could be carried out during the nighttime.
* During operations the engine covers of generators, air compressors and other powered mechanical equipment shall be closed, and equipment placed as far away from residential areas as possible.
* All equipment and machinery should be operated at noise levels that do not exceed the permissible level of 75 dB (during construction) for the daytime. For all construction activities undertaken during the nighttime, it is necessary to maintain the noise level at below 50 dB as per the noise control regulations.
* Temporary sound barriers also should be erected around buildings or premises as appropriate to shield residents if there are complaints from them.
* Providing appropriate Personal Protective Equipment (PPE) for all workers.
 |
| Soil pollution from fuel and lubricants | * Ensure that all construction vehicle parking location, fuel/lubricants storage sites, vehicle, machinery and equipment maintenance and refueling sites shall be located away from rivers and irrigation canal/ponds.
* Arrange for collection, storing and disposal of oily wastes to the pre-identified disposal sites.
* The machine equipment and mechanisms will be checked regularly regarding possible leak of fuel.
* In case of carrying out repair works involving the removal of a fertile layer of soil, ensuring its storage, preservation and use during land reclamation, improvement of unproductive lands and landscaping.
 |
| Vegetation, green spaces | * Protect all trees and vegetation from damage by construction operations and equipment, except where clearing is required for permanent works, approved construction roads, or excavation operations.
* Revegetate damaged areas on completion of the works, and for areas that cannot be revegetated, scarifying the work area to a condition that will facilitate natural revegetation.
* Use, as much as possible, local species for replanting and species that are not listed as a noxious weed or invasive species.
* Repair, replant, reseed or otherwise correct, at the Contractor’s own expense, all unnecessary destruction, scarring, damage, or defacing of the landscape resulting from the Contractors operations.
 |
| Interruptions, damages to local utilities facilities | * Coordinate with local authorities and locating service utilities before starting works.
* Provide timely information about construction and work schedules and related interruption of services. With few days in advance of any service interruption (including water, electricity, telephone, bus routes), advice community through postings at the work site, at bus stops, and in affected homes/businesses.
* Carefully remove the utilities that are connected to any structures.
* Alternative temporary sources of water, electricity or other critical resources should be provided, if possible.
 |
| Historical buildings/cultural heritage | * Ensure compliance with national and local legislation in the field of cultural heritage protection during construction works.
* Ensure that provisions are put in place so that artifacts or other possible “chance finds” encountered in excavation or construction are noted and registered, responsible officials contacted, and works activities delayed or modified to account for such finds.
 |
| Social awareness and risk management | * Ensure that all works activities will be carried out in a safe and disciplined manner designed to minimize impacts on neighboring residents and environment.
* Ensure that timing of works is established to avoid children interacting with construction sites.
* Ensure that extra precautions for child safety are taken near excavations and vehicle movements, for example, by isolating the site with fencing.
* Ensure presence of notice boards at the construction sites with the information about the type (reinforced concrete shelter) and objective of works (protection of school’s pupils and personnel), and about the schedule of construction and installation works.
* Provide timely information about construction and work schedules, about interruption of services, traffic detour routes, blasting and demolition.
* Inform the community adjacent to the construction area about the compliance with environmental protection and safety measures.
* When necessary, ensure that night work is carefully scheduled, and the community is properly informed, so they can take necessary measures.
* Ensure that contractor has a channel to accept grievances from the public and to report to the project’s administrator about grievance processing.
 |
| Human health, occupational safety, and non-disturbance of communities  | * Comply with the rules of labor protection, safety equipment and fire safety during the performance of works.
* Ensure appropriate safety equipment, tools and protective clothing are provided to workers and that safe working methods are applied.
* Adhere established occupational safety requirements as well as simple rules, e.g.:

a) water spaying twice a day during construction to avoid dustb) permanent ventilation of internal areasc) timing of work* Workers should wear reflective vests to avoid being hit by moving vehicular traffic.
* Welder’s protective eye-shields shall be provided to workers who are engaged in welding works.
* Earplugs shall be provided to workers exposed to loud noise, and workers working in crushing, compaction, or concrete mixing operation.
* Ensure rehabilitation of trenches progressively once work is completed.
* Ensure/supply all necessary safety appliances such as safety goggles, helmets, safety belts, ear plugs, mask etc. to workers and staffs.
* Safety signboards should be displayed at all necessary locations.
* Contractor should put in place requirements for workers prohibiting contact with children and all forms of sexual exploitation and abuse/sexual harassment.
 |
| Traffic management and pedestrians’ safety | * Ensure proper fencing of construction site, barriers and clear warning signs displayed for the public and workers about all potentially hazardous works.
* Install signaling of routes, of restricted access of unauthorized persons onto the construction site and of speed limits on site.
* Organize the transport related to the construction works as to avoid the hours with high pedestrian traffic next to school (early morning/afternoon).
* Separate pedestrian access to the school from construction vehicles accessing the site.
* Ensure that truck drivers are accompanied by a flagman or watchman while reversing, unloading and loading.
* Ensure safe walkways and passages for pedestrians in places of transport traffic and construction vehicles; traffic should be controlled on site to ensure safe passage of people.
* Safe and continuing access of the population to all nearby offices, commercial and residential buildings during construction works should be provided.
* Keep access roads in good condition and free from deposits, waste, construction material.
 |
| Fire prevention and control, accidental explosions during construction works | * Take all reasonable and precautionary steps to ensure that fires are not started as a consequence of construction activities.
* Ensure strict compliance with the storage conditions for fuels and lubricants, as well as compliance with the rules of operation using open flames, explosives, etc.
* Ensure storage of flammable materials under conditions that will limit the potential for ignition and the spread of fires.
* Ensure fire-safe operation of heating devices, heat generating units, power grids and electrical installations.
* Ensure that all premises have been equipped with fire extinguishers and the required number of firefighting equipment boards has been installed on the territory.
* Ensure before the start of any excavation works that the construction site has been preliminarily inspected for unexploded ordnance.
* Develop an emergency procedure in order to keep under control potential related risks.
* Emergency equipment will be present on site and ready to be used.
* Ensure a no smoking policy throughout the site with the exception of designated areas where smoking may be allowed. These areas should be established as far as reasonably practical from any building or structure and be provided with metal ashtrays and a fire extinguisher.
 |
| Child labor  | * All workers should be more than 18 years old.
* Verifying age of workers by checking IDs and official documents should be mandatory.
 |
| Incidents management and reporting | * Immediately inform appropriate authorities in compliance with local regulations about any major injuries or fatalities; secure the safety of workers, public, and provide immediate care.
* Immediately investigate any serious or fatal injury or disease caused by the progress of works by the Contractor and submit a comprehensive report to appropriate authorities in compliance with local regulations.
 |
| **Emergency preparedness and response**The Russian military invasion in February 2022 and numerous attacks have caused significant and often irreparable damages, but also generated huge risks due to the landmines and unexploded ordinances on agricultural land. Education infrastructure is also affected by mines and pollution caused by the invasion. | **Actions on threat of missile attack*** **An evacuation plan for workers and visitors to bomb shelters in the event of an air raid, artillery shelling and bombing must be in place to apply**.
* All workers/personnel who are planned to be allowed to work at the subproject site, should be instructed on the action plan in case of an air raid alert.
* **Consult with local administration for the list of available shelters for personnel and check the closest to make sure they are operational**.
* Facilities or construction sites should provide visible places schemes that indicate the path to bomb shelters/shelters.
* Facilities or construction sites should provide in visible locations a list of emergency and support services contact numbers (see below).
* In the event of an air raid, it is necessary to make an organized transition to shelter, without leaving tools, equipment and machinery in working condition, and to help those who find it difficult to get to a safe place on their own.
* **For the timely evacuation of workers, all workers should install an air alarm application on their smartphone (Повітряна тривога or similar) and strictly follow evacuation instructions in the event of a corresponding alert.**
* All workers should study the Guide for Personal Preparedness in Case of Emergency developed by the Centre for Strategic Communication and Cybersecurity. The Guide is regularly updated on a website **Dovidka.info** and can also be downloaded on a smartphone as a chatbot.

**Actions in case of detection of unexploded shells or missiles** – Explosive Remnants of Was (ERW)In case of detection of explosive objects, it is prohibited to:* Touch them (do not do this in any case);
* Move, roll over from one place to another;
* Collect and store, heat and hit;
* Try to discharge and disassemble;
* Use charges for making fire and lighting;
* Bring indoors, bury in the ground, throw into a well or river.
* Stop all activities on site/field, to evacuate all other workers/personnel at a minimum 50 m from the hazard area and position them behind available cover (vehicles, equipment, etc.)
* Territorial authorities of the State Emergency Service and the Ministry of Internal Affairs should be informed immediately by calling '101' and '102'.
* Secure the area and keep personnel/workers out until response personnel arrive. At a minimum, secure the area within approximately 50 m around the suspect explosive item.

**Actions in case of detection of Unexploded Ordnance (UXO)** - are items used (fired, thrown, dropped) for their intended purpose but failed to function as designed* The whole personnel of education facility, as well as all workers who are planned to be allowed to work at the construction site or in the adjacent field, must be instructed in the provision of first aid.
* Education facility and/or construction site should be equipped with first-aid kits with all appropriate first-aid equipment.
* All employees (staff) should know the location of first-aid kits, personal protective equipment and fire extinguishers.

**Contact numbers of emergency and rescue services and support services*** 112 – Universal call number of all emergency services. By calling this number, the dispatcher will call the team of the required service.
* 101 — Fire service.
* 102 or 0 800 500 202 — Police (can be used to report war crimes, including crimes such as sexual exploitation and sexual harassment).
* 103 — Ambulance.
* 104 — Emergency service of gas network.
* 1547 – Government Hotline (can be used to report war crimes, including crimes such as sexual exploitation and sexual harassment).
* 0 800 501 482 — Ukrainian Security Service Hotline.
 |

## Annex 2: Program Stakeholder Mapping

|  |  |  |  |
| --- | --- | --- | --- |
| **Group/Entity** | **Internal/ External** | **Role in Project** | **Interest in Project E&S Issues** |
| **Ministry of Education (MoES)** |
| Directorate of International Cooperation  | Internal | Implementation/ Regulatory | Ensuring complementarity with other MoES partners.  |
| Department of record service, supervision and IT | Internal | Implementation | GRM management and supervision. |
| Directorate of Preschool and Inclusive Education | Internal | Implementation/ Regulatory for DLI5  | Regulatory development under DLI5 (development of new standards);Supervision of the Project activities under IPF Component 2, activity 2.4 (development of infrastructure plans). |
| Department for Financing of Public Expenditures | Internal | General information provision | Timely and accurate communication of MoES financial needs for the NUS reform to MoF. |
| Directorate for School Education | Internal | Implementation/ Regulatory | **General duties:** Evaluation of participant applications;Procedures development;Supervision of the Project activities;Supervision of development of new programs/materials/standards. **E&S issues:** Empowerment of procedures for students with special learning needs;GRM management and supervision. |
| Department of record service, supervision and IT. | Internal | Implementation | GRM management |
| Institute of Education Content Modernization: * Department of Scientific and Educational-Methodological Support for Content of Preschool and Primary Education in the New Ukrainian School;
* Department of Scientific-Methodological Support for Publication of Educational Literature;
* Department of Scientific-Methodological Support for Integration into the European Educational Area;
* Department of Accounting and Financial Reporting;
* Legal Department;

Department of Competitive Bidding and Procurement.  | External  | Implementation  | Coordination of the selection process, printing, and delivery of NUS textbooks; Ensuring anti discrimination approach to education content produced as part of the NUS reform.  |
| Institute of Educational Analytics:* IEA Director;
* IEA Deputy Director for IT;
* Department of Administration of Educational Information Systems;
* Department of Educational Information Support;

Sector of Analysis of Educational Financing of the Department of Educational Statistics and Analytics. | External  | Implementation  | Coordination of AIKOM modernization;Ensuring availability and retrieval of information from AIKOM on students and teachers for project monitoring. |
| Ukrainian Center for Educational Quality Assessment:* UCEQA Deputy Directors;
* Department of Evaluations Content in Primary Education;

Department of Research and Analytics. | External  | Implementation  | Coordination of the first stage of voluntary teacher certification process (independent testing) under PforR Component;Coordination of the software development for testing under IPF Component. |
| State Service of Education Quality of Ukraine:Department on Certification and Study Programs | External  | Implementation  | Coordination of the second stage of the voluntary teacher certification process. |
| In-Service Teacher Training Institutes | External  | Implementation  | Organization and delivery of the teacher training according to the NUS programs. |
| Regional state administrations:* Departments of Education and Science of Amalgamated Territorial Communities;

Departments of Education and Science of Regional State Administrations.  | External  | Implementation  | Implementation of all state subventions on the local level (budgeting, co-financing, procurement, supervision of works and/or goods delivery, oversight of ESF). |
| **Ministry of Finance (MoF)** |
| * + International Financial Projects Department;
	+ Humanitarian Expenditures Department;
	+ Documents Flow and Execution Control Department;
	+ Legal Department.

 \*More detail will be determined after consultations with IA and MoF | Internal | Implementation/ Regulatory | **Interest:*** Transactions of subventions from the Central to local budgets.

 **E&C Issues*** GRM supervision.
 |
| **Direct Beneficiaries**  |
| * + Principals;
	+ Teachers;
	+ Students (pupils);
	+ School Staff;
	+ Families of mention above groups;
	+ Locals.

  | Internal | Implementation/Regulatory | **Interest:** All these direct beneficiaries will be directly benefiting from projects’ interventions in different areas: * Inclusive, attractive and comfortable for learning and academic career HEIs;
* Safe, modern and inclusive educational environment;
* Continuous of professional development (CPD);
* EU standards in education;
* Access to safe in-personal education;
* Access to free transportation;
* Access to textbooks and equipment;
* Equality.

**E&S issues or E&S concerns*** Protection from climate change hazards affecting their livelihoods;
* Unequal access to training programs;
* Unequal access to participation of the government program.
 |
| **Other interested Parties**  |
| * + Authors of school textbooks;
	+ Manufacturers of textbooks;
	+ Manufacturers of buses;
	+ Manufacturers of other equipment.
 | External | Indirect beneficiaries  | **Interest:** * Access to financial resources;
* Access to high standards and requirements which helps to improve the quality of their goods and business.
 |
| * + Government;
	+ Local Governments and Municipalities.
 | External | Implementation/Coordination  | **Interest:** * Increase scientific stuff capacity;
* State policies and legislation in harmonized with EU acquis;
* Increase territory attractiveness for IDPs and labor force;
* improve local milieu for immigrants and be ready to get them back in safe environment.

**E&S issues** * Climate change and disaster risks;
* GRM supervision.
 |
| **Development Partners and UA Agencies**  |
| * + (TBC) European Commission, UNICEF, UNESCO, UNOPS, The Global Partnership for Education (GPE), EBRD, EIB, Council of Europe Development Bank (CEB).
 | External | Consultation and coordination  | **Interest:** * Increase efficiency in the educational sector;
* Building on experience/coordination with on-going projects;
* Protect vulnerable groups;
* Holistic approach and synergy in development and project realization;
* Improvement of legislation.
 |
| **Vulnerable Groups and CSO’s that represents them**  |
| * + Students with disabilities;
	+ Teachers with disabilities.
 | External | Beneficiaries  | **Interest:*** Access inclusive and safe in-person education.

**E&S issues** * Unequal access to career opportunities and professional education.
 |
| **Civil Society Organizations (CSOs) representing the Private Sector**  |
| * + Foundation “savED”;
	+ Ukrainian Education platform;
	+ Ukrainian Child Rights Network;
	+ Social Synergy;
	+ Fight for Right;
	+ Barrier-Free.
 | External | Consultation and outreach  | **Interest:** * Protection of vulnerable groups;
* Improvement of safe and security conditions for in-person education.

**E&S issues or E&S concerns*** Lack of information and time about discussions and impossibility, to take part in.
* Concerns about equitable access to funding shelters (co-financing)
 |

## Annex 3. Scope of the capacity building and supervision program

MoES’s comprehensive capacity building and supervision program should ensure that:

* All the shelters are set up (including adequate water supply and sanitation facilities, requirements for structural stability, energy efficiency, and universal access), serviced and used in compliance with national legislation (including preparedness and response procedures and resources);
* The health and safety incidents are reported, investigated and followed through to completion;
* All supporting educational materials are known and available to all the beneficiary educational institutions.
* Local educational departments and/or schools have necessary methodological guidance and sufficient practical knowledge of the following subjects:
	+ supervision/monitoring of civil works on site;
	+ health and safety incidents reporting, investigation and completion;
	+ cooperation with local authorities on the road infrastructure needs to ensure proper condition of road surface;
	+ budgeting for school transport infrastructure (for servicing and repairing the buses timely);
	+ information/training campaign on traffic rules for children and school staff.

The capacity building and supervision program should provide clear guidance on the supervision/ monitoring of civil works by beneficiaries (school and/or local government administrations). The capacity building and supervision program should also facilitate supervision by the local authorities and MoES, as well as nation-wide grievance redress mechanism for reporting incompliances or proposals.

The capacity building and supervision program should include third-party monitoring/spot checks during shelter construction and capacity building for local staff.

The capacity building and supervision program should include budget for program implementation, as well as templates for regular reporting on program implementation.

1. Zone is determined by Order of the MoES (Decree of the Cabinet of Ministers of Ukraine) based on security and risk across territories. [↑](#footnote-ref-2)
2. These investments represent the amount of central budget projected to be dedicated to education within the next years. A large share is dedicated to the payment of salaries, especially of school teachers, but it also includes key investments for the provision of in-person learning and high-quality education. [↑](#footnote-ref-3)
3. Corresponding to the World Bank’s FY25-27 [↑](#footnote-ref-4)
4. The counterpart financing estimated at US$10.3 billion and World Bank financing of US$222 million [↑](#footnote-ref-5)
5. While most of the financing is provided by the subvention itself, municipalities are required to provide contributions ranging between 5 and 30 percent of the total funding, depending on their number of inhabitants (the smaller municipalities have a lower co-financing coefficient). [↑](#footnote-ref-6)
6. Zone is determined by Order of the MoES (Decree of the Cabinet of Ministers of Ukraine) based on security and risk across territories. [↑](#footnote-ref-7)
7. The founder of an educational institution can be: a state authority on behalf of the state; the relevant council on behalf of the territorial community (communities); natural and/or legal entity, by whose decision and at the expense of whose property the educational institution was founded. The founders of the prevailing number of communal educational institutions: preschool, after-school and general secondary education - are village, settlement or city councils of the respective territorial community. Usually, the founder creates an authorized body (the education management body of a separate community - department, administration or department of education) and delegates to it part of the powers granted to them by law. (source: <https://eo.gov.ua/obov-iazky-y-vidpovidalnist-zasnovnykiv-zakladiv-osvity-ta-upovnovazhenykh-nymy-orhaniv/2023/07/14/?fbclid=IwAR0TC7_hDTFAIBavoPG4t0_gdsqTBGhId6MayhNNtKXCEYTC8JSf3jc77EY>) [↑](#footnote-ref-8)
8. Source: <https://decentralization.ua/uploads/library/file/891/pdf.pdf> [↑](#footnote-ref-9)
9. Source: <https://finance.ua/ua/goodtoknow/ukryttia-dlia-szkil> [↑](#footnote-ref-10)
10. Source: <https://nus.org.ua/news/rannye-poperedzhennya-ta-evakuatsiya-iz-zakladu-osvity-v-razi-napadu-abo-ryzyku-napadu-nabuv-chynnosti-nakaz-mvs-i-mon/> [↑](#footnote-ref-11)
11. Source: <https://nus.org.ua/news/bezpeka-pid-chas-vijny-dlya-uchniv-stvoryly-uroky/> [↑](#footnote-ref-12)
12. Source: <https://nus.org.ua/news/minna-bezpeka-aktyvnist-v-ukrytti-pravyla-evakuatsiyi-shkoly-mozhut-otrymaty-bezplatni-plakaty/> [↑](#footnote-ref-13)
13. Source: <https://bezpeka.info/> [↑](#footnote-ref-14)
14. Source: <https://nus.org.ua/news/kurs-iz-minnoyi-bezpeky-uvijde-do-shkilnoyi-navchalnoyi-programy/> [↑](#footnote-ref-15)
15. Source: [https://courses.zrozumilo.in.ua/courses/course-v1:EEF+EEF-029+sept2022/about](https://courses.zrozumilo.in.ua/courses/course-v1%3AEEF%2BEEF-029%2Bsept2022/about) and [https://courses.zrozumilo.in.ua/courses/course-v1:eef+EEF-024+May2022/about](https://courses.zrozumilo.in.ua/courses/course-v1%3Aeef%2BEEF-024%2BMay2022/about) and <https://spilnoteka.org/broshura-mentalne-zdorovya-ditej-pid-chas-vijny-porady-batkam-ta-opikunam/> [↑](#footnote-ref-16)
16. Source: <https://decentralization.ua/uploads/library/file/328/law.pdf> [↑](#footnote-ref-17)
17. Source: <https://nus.org.ua/articles/shkilni-avtobusy-skilky-potribno-zakupyty-yaki-ye-problemy-z-pidvezennyam-ditej-ta-yak-yih-vyrishuvaty/> [↑](#footnote-ref-18)
18. Source: <https://www.ilo.org/media/77226/download> [↑](#footnote-ref-19)
19. Source: <https://dsp.gov.ua/main-news/ukraina-vidznachaie-vsesvitnii-den-okhorony-pratsi-v-umovakh-viiny/> [↑](#footnote-ref-20)
20. UNWOMEN and CARE International “Rapid gender analysis of Ukraine” (2022) <https://www.unwomen.org/en/digital-library/publications/2022/05/rapid-gender-analysis-of-ukraine>  [↑](#footnote-ref-21)
21. <https://education-profiles.org/europe-and-northern-america/ukraine/~inclusion>  [↑](#footnote-ref-22)
22. The Law of Ukraine “On Education”, # 2866-IV. Official webpage of Verkhovna Rada of Ukraine § 3 (2017) <https://zakon.rada.gov.ua/laws/show/en/2145-19> [↑](#footnote-ref-23)
23. UNWOMEN and CARE International “Rapid gender analysis of Ukraine” (2022) <https://www.unwomen.org/en/digital-library/publications/2022/05/rapid-gender-analysis-of-ukraine> [↑](#footnote-ref-24)
24. Resolution of the Cabinet of Ministers of Ukraine from 20.12.2022 No. 1163-p <https://zakon.rada.gov.ua/laws/show/1163-2022-%D1%80#Text> ). [↑](#footnote-ref-25)
25. Order of the Ministry of Education and Science of Ukraine #1182 ”On the approval of the methodology and criteria for gender audit of educational institutions” (2021) <https://mon.gov.ua/ua/npa/pro-zatverdzhennya-metodologiyi-ta-kriteriyiv-provedennya-gendernogo-auditu-zakladiv-osviti>  [↑](#footnote-ref-26)
26. Law of Ukraine # 4988-VI "On Ratification of the Council of Europe Convention on the Protection of Children from Sexual Exploitation and Sexual Violence" (2012) <https://zakon.rada.gov.ua/laws/show/4988-17#n2> [↑](#footnote-ref-27)
27. Code of Ukraine # 80731-X “On administrative offenses”  § 173 (1984) Official webpage of Verkhovna Rada of Ukraine.  <https://zakon.rada.gov.ua/laws/show/80731-10#Text> [↑](#footnote-ref-28)
28. Order of The Ministry of the Education and Science of Ukraine #1646 “Some issues of response to cases of bullying (harassment) and the application of measures of educational influence in educational institutions” (2019) <https://zakon.rada.gov.ua/laws/show/z0111-20#n16>  [↑](#footnote-ref-29)
29. Order of The Ministry of Education and Science of Ukraine. “Methodology for teaching staff in prevention of violence in educational institutions” #1047 (2018) <https://mon.gov.ua/ua/npa/pro-zatverdzhennya-metodichnih-rekomendacij-shodo-viyavlennya-reaguvannya-na-vipadki-domashnogo-nasilstva-i-vzayemodiyi-pedagogichnih-pracivnikiv-iz-inshimi-organami-ta-sluzhbami>  [↑](#footnote-ref-30)
30. The Ministry of Education and Science of Ukraine  “Preventing bullying in educational institutions: systematic approach” (2019) https://mon.gov.ua/storage/app/media/zagalna%20serednya/protidia-bulingu/2019-11-25-protydiy-bullingy.pdf [↑](#footnote-ref-31)
31. Order of The Ministry of Education and Science of Ukraine #1047 “Methodological recommendations for identifying and responding to cases of domestic violence and the interaction of teaching staff with other bodies and services” (2018) <https://mon.gov.ua/ua/npa/pro-zatverdzhennya-metodichnih-rekomendacij-shodo-viyavlennya-reaguvannya-na-vipadki-domashnogo-nasilstva-i-vzayemodiyi-pedagogichnih-pracivnikiv-iz-inshimi-organami-ta-sluzhbami>  [↑](#footnote-ref-32)
32. Resolution of the Cabinet of the Ministers of Ukraine #658, Section 39 “The Procedure for the Interaction of Subjects Carrying out Measures in the Field of Prevention and Counteraction of Domestic and Gender-based Violence” (2018) [https://www.kmu.gov.ua/npas/pro-zatverdzhennya-poryadku-vzayemodiyi-subyektiv-shcho-zdijsnyuyut-zahodi-u-sferi-zapobigannya-ta-protidiyi-domashnomu-nasilstvu-i-nasilstvu-za-oznakoyu-stati#:~:text=Кабінет%20Міністрів%20України%20Постанова%20від%2022%20серпня%202018,протидії%20домашньому%20насильству%20і%20насильству%20за%20ознакою%20статі](https://www.kmu.gov.ua/npas/pro-zatverdzhennya-poryadku-vzayemodiyi-subyektiv-shcho-zdijsnyuyut-zahodi-u-sferi-zapobigannya-ta-protidiyi-domashnomu-nasilstvu-i-nasilstvu-za-oznakoyu-stati#:~:text=%D0%9A%D0%B0%D0%B1%D1%96%D0%BD%D0%B5%D1%82%20%D0%9C%D1%96%D0%BD%D1%96%D1%81%D1%82%D1%80%D1%96%D0%B2%20%D0%A3%D0%BA%D1%80%D0%B0%D1%97%D0%BD%D0%B8%20%D0%9F%D0%BE%D1%81%D1%82%D0%B0%D0%BD%D0%BE%D0%B2%D0%B0%20%D0%B2%D1%96%D0%B4%2022%20%D1%81%D0%B5%D1%80%D0%BF%D0%BD%D1%8F%202018,%D0%BF%D1%80%D0%BE%D1%82%D0%B8%D0%B4%D1%96%D1%97%20%D0%B4%D0%BE%D0%BC%D0%B0%D1%88%D0%BD%D1%8C%D0%BE%D0%BC%D1%83%20%D0%BD%D0%B0%D1%81%D0%B8%D0%BB%D1%8C%D1%81%D1%82%D0%B2%D1%83%20%D1%96%20%D0%BD%D0%B0%D1%81%D0%B8%D0%BB%D1%8C%D1%81%D1%82%D0%B2%D1%83%20%D0%B7%D0%B0%20%D0%BE%D0%B7%D0%BD%D0%B0%D0%BA%D0%BE%D1%8E%20%D1%81%D1%82%D0%B0%D1%82%D1%96)  [↑](#footnote-ref-33)
33. UN Convention on the Rights of Persons with Disabilities (2006). <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities> [↑](#footnote-ref-34)
34. Resolution of The Cabinet of Ministers of Ukraine # 336-р “The 2030 National Strategy on creating a barrier-free space in Ukraine” (2021). [https://zakon.rada.gov.ua/laws/show/366-2021-р#Text](https://zakon.rada.gov.ua/laws/show/366-2021-%D1%80#Text) [↑](#footnote-ref-35)
35. Order of The Ministry of Education and Science of Ukraine. “Concept of development of inclusive education” # 912 (2010) <https://mon.gov.ua/ua/npa/pro-zatverdzhennya-kontseptsii-rozvitku-inklyuzivnogo-navchannya> [↑](#footnote-ref-36)
36. State Statistic Service of Ukraine “Nuber of students in 2023/2024 academic year“. Data are relevant as for the May 2024 [ukrstat.gov.ua/operativ/operativ2020/m\_w/zspto.htm](https://www.ukrstat.gov.ua/operativ/operativ2020/m_w/zspto.htm)  [↑](#footnote-ref-37)
37. Ministry of Education of Ukraine. Statistic data <https://mon.gov.ua/ua/osvita/inklyuzivne-navchannya/statistichni-dani>  [↑](#footnote-ref-38)
38. Resolution of the Cabinet of Ministers of Ukraine #957 ”On the approval of the Procedure for the organization of inclusive education in institutions of general secondary education” (2021) [https://zakon.rada.gov.ua/laws/show/957-2021-п#Text](https://zakon.rada.gov.ua/laws/show/957-2021-%D0%BF#Text)  [↑](#footnote-ref-39)
39. Order of The Ministry of Ukraine #912 “Concept of development of inclusive education” (2010) <https://mon.gov.ua/ua/npa/pro-zatverdzhennya-kontseptsii-rozvitku-inklyuzivnogo-navchannya> [↑](#footnote-ref-40)
40. Statistic information from official MoES web page <https://mon.gov.ua/ua/osvita/inklyuzivne-navchannya/statistichni-dani>  [↑](#footnote-ref-41)
41. SavED “War and Education” (2023) [yearofwar\_report\_en.pdf (saved.foundation)](https://saved.foundation/reports/en/yearofwar_report_en.pdf) [↑](#footnote-ref-42)
42. Same source page 98 [yearofwar\_report\_en.pdf (saved.foundation)](https://saved.foundation/reports/en/yearofwar_report_en.pdf) [↑](#footnote-ref-43)
43. A hromada is a basic unit of administrative division in Ukraine, similar to a municipality. It was established by the Government of Ukraine on 12 June 2020. [↑](#footnote-ref-44)
44. SavED “War and Education” page 105 (2023) [yearofwar\_report\_en.pdf (saved.foundation)](https://saved.foundation/reports/en/yearofwar_report_en.pdf) [↑](#footnote-ref-45)
45. The Law of Ukraine #1706-VII “On ensuring the rights and freedom of internally displaced persons” § 7 (2014) <https://zakon.rada.gov.ua/laws/show/1706-18#Text> [↑](#footnote-ref-46)
46. International Organization for Migration. “Registered IDP area baseline assessment”. Ukraine. Round 34.  (March 2024) <https://dtm.iom.int/reports/ukraina-bazova-teritorialna-ocinka-zareestrovanikh-vpo-raund-33-lyutiy-2024>  [↑](#footnote-ref-47)
47. Kharkiv, Dnipropetrovsk, Zaporizhzhia, Mykolaiv, Kherson, Odesa, Sumy, Chernihiv regions [↑](#footnote-ref-48)
48. The Law of Ukraine  #2657-XII  ”On Information” (1992) <https://zakon.rada.gov.ua/laws/show/en/2657-12#Text>  [↑](#footnote-ref-49)
49. State Standard of Ukraine 301 549:2022 ”Information Technology. Requirements for the availability of products and services“ (2022) <https://online.budstandart.com/ua/catalog/doc-page?id_doc=97742>   [↑](#footnote-ref-50)
50. Announcement ”MoES Proposes for Public Discussion the Draft Procedure for Establishment and Conditions of Functioning of Special Classes in General Secondary Education Institutions” <https://mon.gov.ua/ua/news/mon-proponuye-dlya-gromadskogo-obgovorennya-proyekt-poryadku-utvorennya-ta-umov-funkcionuvannya-specialnih-klasiv-u-zakladah-zagalnoyi-serednoyi-osviti> [↑](#footnote-ref-51)
51. Management of waste from destruction, in particular the organization of places for their temporary storage, is carried out in accordance with the “*Procedure for handling waste generated in connection with damage (destruction) of buildings and structures as a result of hostilities, acts of terrorism, sabotage or carrying out work on their liquidation consequences*”, approved by the resolution of the Cabinet of Ministers of Ukraine dated September 27, 2022 No. 1073 (Official Gazette of Ukraine, 2022, No. 80, Article 4841). [↑](#footnote-ref-52)