

Public Disclosure Authorized

**The Republic of El Salvador
Ministry of Public Works and Transport**

**El Salvador Transport and Resilience
Infrastructure Project (P178720)**

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

-Negotiated version-

September 21, 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of El Salvador (the **Borrower**) will implement the El Salvador Transport and Resilience Infrastructure Project (the **Project**), with the involvement of the Ministry of Public Works and Transport (MOPT), as set out in the Loan Agreement. The International Bank for Reconstruction and Development (the **Bank**) has agreed to provide financing (P178720) for the Project, as set out in the referred agreement.
2. The Borrower shall ensure that the Project is carried out in accordance with the Environmental and Social Standards (ESSs) and this Environmental and Social Commitment Plan (ESCP), in a manner acceptable to the Bank. The ESCP is a part of the Loan Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the referred agreement.
3. Without limitation to the foregoing, this ESCP sets out material measures and actions that the Borrower shall carry out or cause to be carried out, including, as applicable, the timeframes of the actions and measures, institutional, staffing, training, monitoring and reporting arrangements, and grievance management. The ESCP also sets out the environmental and social (E&S) instruments that shall be adopted and implemented under the Project, all of which shall be subject to prior consultation and disclosure, consistent with the ESS, and in form and substance, and in a manner acceptable to the Bank. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the Bank.
4. As agreed by the Bank and the Borrower, this ESCP will be revised from time to time if necessary, during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to Project performance. In such circumstances, the Borrower through MOPT and the Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank and the Minister of Public Works and Transport (MOPT). The Borrower shall promptly disclose the updated ESCP.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
MONITORING AND REPORTING			
A	<p>REGULAR REPORTING</p> <p>Prepare and submit to the Bank regular monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including but not limited to the implementation of the ESCP, status of preparation and implementation of E&S instruments required under the ESCP, implementation of the Apopa Bypass RAP, stakeholder engagement activities, and functioning of the grievance mechanism(s).</p> <p>The Project Operations Manual (POM) shall include an annex describing the minimum requirements and format of said reports.</p>	<p>Submit six-monthly reports to the Bank throughout Project implementation, commencing after the Effective Date. Submit each report to the Bank jointly with Project Reports required under the Loan Agreement, no later than 45 days after the end of the corresponding reporting period.</p>	MOPT
B	<p>INCIDENTS AND ACCIDENTS</p> <p>Promptly notify the Bank of any incident or accident related to the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, including, inter alia, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury. Provide sufficient detail regarding the scope, severity, and possible causes of the incident or accident, indicating immediate measures taken or that are planned to be taken to address it, and any information provided by any contractor and/or supervising firm, as appropriate.</p> <p>Subsequently, at the Bank's request, prepare a report on the incident or accident and propose any measures to address it and prevent its recurrence. The POM will include an annex with a Borrower's Guide to Response to Environmental, Social and Occupational Health and Safety Incidents for World Bank Financed Projects.</p> <p>Establish and maintain a registry of incidents and accidents in each work site or project activity as relevant. The Project Implementation Unit (PIU) within MOPT shall maintain a consolidated registry for the Project.</p>	<p>Notify the Bank no later than 48 hours after learning of the incident or accident.</p> <p>Provide subsequent report to the Bank within a timeframe acceptable to the Bank.</p> <p>The registry of incidents and accidents for each respective work site or project activity, as relevant, and the consolidated registry of incidents and accidents shall be maintained throughout Project implementation.</p>	MOPT
C	<p>CONTRACTORS' MONTHLY REPORTS</p> <p>Require contractors and supervising firms to provide monthly monitoring reports on ESHS performance in accordance with the metrics specified in the respective bidding documents and contracts and submit such reports to the Bank as requested. The monitoring reports shall include, inter alia: i) the implementation status of the</p>	<p>During Project implementation, monthly reports shall be submitted to the Project Implementation Unit (PIU) as specified in the procurement contracts. The reports will be sent to the Bank upon request.</p>	MOPT

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Environmental and Social Management Plans (ESMPs) of each proposed works; (ii) occupational health and safety incidents; (iii) supervision of occupational health and safety aspects; iv) the use of personal protective equipment (PPE), including measures needed to prevent communicable diseases; (v) training activities and worker participation; and (vi) workers' grievances.		
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	ORGANIZATIONAL STRUCTURE Establish and maintain a PIU with qualified staff and resources to support management of ESHS risks and impacts of the Project, including a dedicated environmental specialist (1), a dedicated social specialist (1), and a dedicated occupational health and safety specialist (1).	Establish and maintain a PIU, as set out in the Loan Agreement. Hire or appoint the E&S specialists no later than 60 days after the Effective Date, and as a disbursement condition under Section III of Schedule 2 of the Loan Agreement, thereafter, maintain these positions throughout Project implementation.	MOPT
1.2	ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA), AND ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN (ESMP) FOR THE APOPA BYPASS Prepare, consult, adopt and implement an ESIA, and its corresponding ESMP for activities under Project Part 1.1 in accordance with the Terms of Reference previously approved by the Bank, and consistent with the relevant ESSs.	Adopt and disclose the ESIA and its corresponding ESMP prior to launching the bidding process of the Apopa Bypass, and thereafter implement the ESIA and ESMP throughout Project implementation.	MOPT
1.3	ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK (ESMF) Prepare, consult, adopt and implement an ESMF for activities under Project Parts 1.b, 1.c; and activities under Parts 2 and 3. The ESMF shall be carried out in accordance with terms of reference acceptable to the Bank, that are consistent with the ESSs.	Adopt the ESMF no later than 90 days after the Effective Date, and thereafter implement the ESMF throughout Project implementation. Project activities under Parts 1.b, 1.c; 2 and 3 shall not start until the adoption and disclosure of the ESMF.	MOPT
1.4	ENVIRONMENTAL AND SOCIAL INSTRUMENTS 1. Update and disclose a Preliminary E&S Risk Assessment for activities under Project Parts 1.b, 1.c; and activities under Parts 2 and 3. This Assessment will inform the preparation of the ESMF under Action 1.3 above.	1. Disclose the updated Preliminary E&S Risk Assessment no later than 90 days after the Effective Date.	MOPT

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>2. Prepare, consult, adopt and implement proposed works or site-specific Environmental and Social Management Plans (ESMPs), as set out in the ESMF. The ESMPs shall be disclosed as part of the respective works or activities bidding process.</p> <p>3. The proposed activities described in the exclusion list set out in the ESMF shall be ineligible to receive financing under the Project.</p>	<p>2. Adopt the ESMPs prior to the carrying out of proposed works or activities bidding process that require the adoption of such ESMP. Once adopted, implement the respective ESMP throughout Project implementation.</p> <p>3. Throughout Project implementation.</p>	
1.5	<p>CONTRACTORS MANAGEMENT</p> <p>1. Incorporate relevant aspects of this ESCP, the ESMF, ESIA, or ESMPs and LMP, into the environmental, social, health and safety (ESHS) specifications of bidding documents and contracts with contractors and supervisors.</p> <p>2. Ensure that contractors and supervising companies comply with the ESHS specifications of their contracts, and that they require subcontractors to do so, and that they have the necessary personnel, capacity and budget to meet those specifications.</p> <p>3. Require contractors to prepare and implement the contractor's ESMP (ESMP-C) for the construction stage to be approved by the PIU, which shall be consistent with the works' ESMP. Together with the supervising companies, the PIU will monitor their compliance with each stage: before the start of the works, during the execution of the works, and their closure.</p>	<p>1. The relevant aspects of this ESCP shall be incorporated into the bidding documents prior to the initiation of bidding processes for works or activities.</p> <p>2. Throughout the implementation of the respective works or activities.</p> <p>3. The PIU shall approve all relevant ESMP-C before the start of civil works, which will subsequently be implemented during the execution time of the relevant works.</p>	MOPT
1.6	<p>PERMITS, LICENCES, CONSENT AND AUTHORIZATIONS</p> <p>Obtain or arrange to obtain, as appropriate, permits, licenses and authorizations from the relevant national and municipal authorities required for Project activities, including Technical Assistance activities when sampling and prospecting, among others, are required. Comply with or ensure compliance, as appropriate, with the conditions established in these permits, consents and authorizations during the execution of the Project.</p>	<p>Any permits, consents and authorizations that are applicable must be obtained before the start of the activities for which they are required. Maintain current permits in good standing until construction work or activities are completed.</p>	MOPT
1.7	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that the consultancies, studies (including feasibility studies, if applicable), capacity building, training, and any other technical assistance activities under Part 2 of the Project, including those related to environmental and social instruments to be</p>	<p>Submit TORs for any TA activities for Bank approval before the bidding process of said activities.</p> <p>Throughout Project implementation.</p>	MOPT

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	supported under the TA, are carried out in accordance with terms of reference acceptable to the Bank, that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.		
1.8	CONTINGENT EMERGENCY EARLY RESPONSE FINANCING a) Ensure that the CERC Manual includes a description of the ESHS assessment and management for the implementation of Part 3, in accordance with the ESSs. b) Adopt any environmental and social (E&S) instruments which may be required for activities under Part 3 of the Project, in accordance with the CERC Manual and the ESSs, and thereafter implement the measures and actions required under said E&S instruments, within the timeframes specified in said E&S instruments.	a) The adoption of the CERC Manual in form and substance acceptable to the Bank is a withdrawal condition under Section III.B.1.(d) of Schedule 2 of the Loan Agreement for the Project. b) Adopt any required E&S instrument and include it as part of the respective bidding process, if applicable, and in any case, before the carrying out of the relevant Project activities for which the E&S instrument is required. Implement the E&S instruments in accordance with their terms, throughout Project implementation.	<i>Borrower</i>
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	LABOR MANAGEMENT PROCEDURES Adopt and implement the Labor Management Procedures (LMP) for the Project, including, inter alia, provisions on working conditions, management of workers relationships, occupational health and safety (including personal protective equipment, and emergency preparedness and response), code of conduct (including relating to SEA and SH), forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, subcontractors, and supervising firms.	Adopt the LMP no later than 90 days after the Effective Date, and thereafter implement the LMP throughout Project implementation.	<i>MOPT</i>
2.2	GRIEVANCE MECHANISM FOR PROJECT WORKERS Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2.	Establish grievance mechanism prior engaging Project workers and thereafter maintain and operate it throughout Project implementation.	<i>MOPT</i>
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
3.1	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT AND RESILIENCE AGAINST CLIMATE CHANGE</p> <p>Incorporate resource efficiency, pollution prevention management measures, and resilience against climate change in the ESMPs and ESMF and consistent with the relevant ESSs.</p>	Same timeframe as for the adoption and implementation of actions 1.3 and 1.4 above, and throughout Project implementation.	MOPT
3.2	<p>CONSTRUCTION MATERIALS</p> <p>Include measures into the ESMF and specific ESMPs to ensure that raw materials and building materials (e.g., sand, stone, wood, etc.) are sourced from licensed suppliers and, if possible, certified suppliers and quarries.</p>	Same timeframe as for the adoption and implementation of actions 1.3 and 1.4 above, and throughout Project implementation.	MOPT
3.3	<p>CHEMICAL PRODUCTS AND HAZARDOUS MATERIALS MANAGEMENT</p> <p>Comply with World Bank Group’s Environmental, Health and Safety Guidelines (EHSGs), applicable national legislation, guidelines or codes to be specified in the ESMF, ESIA and ESMPs of the project works in relation to the following:</p> <ul style="list-style-type: none"> • hazardous materials management • hazardous and non-hazardous solid waste management • wastewater management • sludge management 	Same timeframe as for the adoption and implementation of actions 1.3 and 1.4 above, and throughout Project implementation.	MOPT
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>TRAFFIC AND ROAD SAFETY</p> <p>Incorporate measures to manage traffic and road safety risks in the ESMF and as required in specific ESMPs, including any necessary Traffic Management Plan to be prepared under action 1.3 above.</p>	Same timeframe as for the adoption and implementation of actions 1.3 and 1.4 above, and throughout Project implementation.	MOPT
4.2	<p>COMMUNITY HEALTH AND SAFETY</p> <p>Develop, adopt, and implement measures and actions to assess and manage specific risks and impacts to the community arising from Project activities and include mitigation measures in the ESIA or specific ESMPs to be prepared in accordance with the ESMF. Some of these measures include:</p> <ul style="list-style-type: none"> • risks related to the flow and inflow of external labor; including code of conduct, management of workers' camps, among others; 	Same timeframe as for the adoption and implementation of actions 1.3 and 1.4 above, and throughout Project implementation.	MOPT

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<ul style="list-style-type: none"> • evaluation and prevention measures in the ESMF and the specific ESMPs, and referral network for cases of gender-based violence or sexual exploitation and abuse and sexual harassment; • development and implementation of mitigation measures in the ESMF and the specific ESMPs, addressing the risk of conflict, violence and crime; • emergency response; • assessment of the risk of community exposure to communicable diseases, including COVID-19. 		
4.3	<p>UNIVERSAL ACCESS</p> <p>Proposed civil works shall include the concept of universal access as part of their design, as described in the ESMF and specific ESMPs. These include, but are not limited to, the construction/restoration/replacement of ramps for persons with disabilities and the incorporation of new or additional universal access provisions.</p>	Same timeframe as for the adoption and implementation of actions 1.3 and 1.4 above, and throughout Project implementation.	MOPT
4.4	<p>SECURITY MANAGEMENT</p> <p>Assess and implement measures to manage the security risks of the Project, including the risks of engaging security personnel to safeguard project workers, sites, assets, and activities, as set out in the ESMP, guided by the principles of proportionality and Good International Industry Practice, and by applicable law, in relation to hiring, rules of conduct, training, equipping, and monitoring of such personnel.</p>	Same timeframe as for the adoption and implementation of actions 1.3 and 1.4 above, and throughout Project implementation.	MOPT
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	<p>RESETTLEMENT ACTION PLAN (RAP) FOR APOPA BYPASS</p> <p>Adopt and implement a resettlement action plan (RAP) for activities under Part 1 and consistent with ESS5.</p>	<p>a) Adopt the RAP, approved by the Bank, before the start of the bidding process for the Apopa Bypass, and thereafter implement the respective RAP.</p> <p>b) Taking possession of land and fixed property can only take place once the land acquisition aspects of the Bank approved RAP have been implemented.</p>	MOPT

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
		c) Apopa Bypass works under Part 1, can only start for those segments where full compensation has been provided and, as applicable, displaced people have been resettled and moving allowances and assistance has been provided in accordance with the approved RAP.	
5.2	<p>RESETTLEMENT FOR OTHER PROJECT ACTIVITIES</p> <p>The ESMF shall include and exclusion list for those activities outside of the Apopa Bypass, specifying that if such activities require physical or economic displacement, or land acquisition, they would not be eligible for financing under the Project.</p>	Throughout Project implementation.	MOPT
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	<p>BIODIVERSITY RISKS AND IMPACTS</p> <p>1. Adopt and implement measures and actions to avoid, reduce or mitigate the impacts of project activities on biodiversity and the sustainable management of living natural resources. Activities will not be allowed inside legally protected areas or their buffer zone, according to the exclusion list established in the ESMF. These measures and actions shall be included in the specific ESMPs, as appropriate, and prepared in accordance with the ESMF.</p> <p>2. Apply the ESMF pre-assessment tool to identify and confirm the presence of, or proximity to, areas of importance for biodiversity, and respect the exclusion list of activities that could result in the degradation of critical or sensitive natural habitats in the assessment of all Project activities.</p> <p>3. If the ESMF or specific ESMPs identify the need to develop, approve and implement a Biodiversity Management Plan (BMP) or a compensation and management plan due to potential impacts to natural habitat, such plans shall be prepared in accordance with ESS6 and in a manner acceptable to the Bank.</p>	<p>1. Same timeframe as for the adoption and implementation of actions 1.3 and 1.4 above, and throughout Project implementation.</p> <p>2. Same timeframe as for the adoption and implementation of actions 1.3 and 1.4 above, and throughout Project implementation.</p> <p>3. Where relevant, submit BMP for Bank approval. Thereafter, adopt and implement BMP before the start of relevant activities.</p>	MOPT
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.1	<p>INDIGENOUS PEOPLES</p>	1. Throughout Project implementation.	MOPT

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>1. Ensure that IPs are consulted, for Project Parts 2 and 3, as appropriate, and corresponding E&S instruments, including the adoption of methodologies and measures regarding communication, consultation, participation, attention to complaints and claims that are socio-culturally adapted to the needs and forms of governance of IPs.</p> <p>2. Ensure that, in the processes of prioritization of roads in economic and rural corridors for the preparation of design studies and other TA activities under Part 2, there is (i) participation of and consultation with IP representatives and (ii) consideration of criteria that benefit and serve the interests of IPs as a means to access project benefits.</p>	2. Throughout implementation of activities under Part 2 and 3.	
ESS 8: CULTURAL HERITAGE			
8.1	<p>CULTURAL HERITAGE RISKS AND IMPACTS</p> <p>1. As part of the specific ESIA or ESMPs, identify the possible presence of cultural heritage, tangible and intangible, in areas that could be affected, and propose and adopt mitigation measures as appropriate.</p> <p>2. If a significant impact on cultural heritage is identified in the ESIA or a specific ESMPs, adopt and implement an independent Cultural Heritage Management Plan (CHMP) in accordance with the requirements of ESS8 in a manner acceptable to the Bank.</p>	<p>1. Same timeframe as for the adoption and implementation of actions 1.3 and 1.4 above, and throughout Project implementation.</p> <p>2. Where relevant, submit CHMP for Bank approval. Thereafter, adopt and implement CHMP before the start of relevant activities.</p>	MOPT
8.2	<p>CHANCE FINDS</p> <p>1. Develop and implement the chance finds procedures, as part of the ESMF or ESMPs of the Project.</p> <p>2. Require contractors and third parties involved in civil works to adopt and implement the CHMP under client supervision.</p>	<p>1. Same timeframe as for the adoption and implementation of actions 1.3 and 1.4 above, and throughout project implementation.</p> <p>2. As part of bidding documents and thereafter throughout Project implementation.</p>	MOPT
ESS 9: FINANCIAL INTERMEDIARIES [Not relevant]			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</p> <p>Update, disclose, adopt and implement the Project SEP, which shall include measures to, inter alia, provide stakeholders with timely, relevant, understandable and accessible information, and consult them in a culturally appropriate manner, free from manipulation, interference, coercion, discrimination or intimidation. The SEP shall describe the consultation process for the Project activities and the corresponding E&S</p>	Adopt the updated SEP no later than 90 days after the Effective Date and thereafter implement the SEP throughout Project implementation.	MOPT

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	instruments, with differentiated strategies to promote participation and access to benefits for vulnerable groups and Indigenous Peoples, as well as details of the Project's grievance mechanism (including complaints related to gender-based violence).		
10.2	<p>PROJECT GRIEVANCE MECHANISM</p> <p>1. Establish, publicize, maintain, and operate an accessible grievance mechanism, to receive and facilitate resolution of concerns and grievances in relation to the Project, promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all Project-affected parties, at no cost and without retribution, including concerns and grievances filed anonymously, in a manner consistent with ESS10. The grievance mechanism shall be equipped to receive, register, and facilitate the resolution of SEA/SH complaints, including through the referral of survivors to relevant gender-based violence service providers, all in a safe, confidential, and survivor-centered manner.</p> <p>2. Report on the functioning of the grievance mechanism describing, at least, the number and type of complaints received, the average time of resolution, whether there are complaints pending resolution, and other pertinent data to be discussed and agreed upon with the Bank.</p>	<p>1. Same timeframe as action 10.1 above</p> <p>2. Same timeframe as action A above</p>	MOPT
CAPACITY SUPPORT			
CS1	<p>1. Prepare an Environmental and Social Capacity Support Plan, as described in the ESMF, for Project personnel to include training on environmental and social instruments and monitoring of the requirements and Environmental and Social Standards of the Project.</p> <p>2. Conduct regular training activities for project workers and relevant government officials, contractors, supervision companies, and other actors, as appropriate. Training issues will be agreed with the Bank and could include, among others:</p> <ul style="list-style-type: none"> • environmental and social management instruments • risks of gender-based violence, sexual exploitation and abuse, and sexual harassment • emergency preparedness and response legislation • hazardous and non-hazardous waste management • occupational health and safety • prevention response to infectious diseases, including COVID-19 • non-discrimination of vulnerable groups • inclusion of indigenous peoples 	<p>1. Six (6) months after receiving Bank clearance for the ESMF.</p> <p>1. Once approved, implement the Environmental and Social Capacity Support Plan throughout project implementation and update it annually according to the emerging needs of the Project.</p> <p>2. Training measures for the Apopa Bypass shall be implemented throughout execution of works.</p>	MOPT

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<ul style="list-style-type: none"> • code of conduct • grievance mechanisms • road safety • chance find procedures <p>2. Ensure that training measures described in the Apopa Bypass ESIA, ESMP and RAP are planned and implemented throughout the execution of works.</p>		