

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP)

Republic of Ecuador

**Implementation of the Extractive Industries
Transparency Initiative (P176221)**

**Ministry of Energy and Non-Renewable Natural
Resources**

Final Version

January 25, 2022

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of Ecuador (hereinafter, the **Recipient**) will execute the "Implementation of the Extractive Industries Transparency Initiative [*Implementación de la Iniciativa de Transparencia de las Industrias Extractivas*]" Project (hereinafter, the **Project**), through the Vice-Ministry of Mines of the Ministry of Energy and Non-Renewable Resources [*Viceministerio de Minas del Ministerio de Energía y Recursos Naturales No Renovables* (MERNNR)]. The International Bank for Reconstruction and Development (hereinafter, the **Bank**) has agreed to provide financing for the Project.
2. The Recipient, through the Vice-Ministry of Mines of the MERNNR, shall implement material measures and actions so that the Project can be implemented in accordance with the Environmental and Social Standards (**ESSs**) and Environmental and Social Framework (**ESF**). This Environmental and Social Commitment Plan (**ESCP**) sets out the material measures and actions that the Recipient shall carry out, as well as the specific environmental and social instruments, and timeframes for each of the measures and actions.
3. The Recipient, through the Vice-Ministry of Mines of the MERNNR, shall also comply with the provisions of all the environmental and social instruments required under the ESSs and mentioned in this ESCP.
4. The Recipient is responsible ensuring compliance with all the requirements of the ESCP, even when the implementation of the specific measures and actions is responsibility of the Vice-Ministry of Mines in the MERNNR.
5. The Recipient, through the Vice-Ministry of Mines of the MERNNR, shall supervise the implementation of the significant measures and actions set forth in this ESCP, and shall report to the Bank, in accordance with the ESCP and the conditions of the Donation Agreement.
6. As agreed by the Bank and the Recipient, this ESCP may be revised during Project implementation to reflect the adaptive management of Project changes and unforeseen circumstances or in response to the assessment of Project performance conducted under the ESCP itself. In these circumstances, the Recipient, through the Vice-Ministry of Mines of the MERNNR, shall agree on the changes with the Bank and shall update the ESCP to reflect these changes. The agreement on the changes made to the ESCP shall be documented through an exchange of letters signed between the Bank and the Vice-Minister of Mines. The Recipient shall immediately circulate 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, as part of the semi-annual Project implementation progress reports, regular monitoring reports on the environmental, social, and occupational health and safety (ESHS) performance of the Project, including, but not limited to, the implementation of the ESCP, the occurrence of incidents and accidents, stakeholder engagement activities, and the functioning of the grievance redress mechanism (GRM), in a form and with content acceptable to the Bank.</p> <p>The reports shall include:</p> <ul style="list-style-type: none"> • Progress made in the execution of the Ecuador EITI Work Plan, disaggregated by Project components. • Execution of the ESCP and the ESHS performance of the Project. • Summary of activities to be carried out during the next period. • Report on the record of grievances and complaints received and addressed during the period, through the GRM, for the Project's stakeholders. 	<p>Submit semi-annual reports during the implementation of the entire Project, submitted no later than 45 days after the end of the corresponding semester.</p>	<p>Vice-Ministry of Mines/ National EITI Secretariat of Ecuador (ETS)</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
B	<p>INCIDENTS AND ACCIDENTS</p> <ol style="list-style-type: none"> Flash Report: Promptly notify the Bank about any Project-related incident or accident that has or may have a significant adverse effect on the environment, the affected communities, the public, or the workers, including, inter alia, labor accidents that result in serious injuries or death, cases of sexual exploitation and abuse (SEA), or sexual harassment (SH). This immediate communication shall provide sufficient detail about the incident or accident (stating clearly if it involves a fatality), indicating the immediate measures taken or to be taken to address it and any information provided by the contractor and supervising entity, as appropriate. Detailed Report: Subsequently, at the request of the Bank, prepare a detailed report on the incident or accident and propose measures to prevent its recurrence. <p>The Recipient's Guide for Environmental, Social, and Occupational Health and Safety Incident Response for Projects Financed by the World Bank, which provides more details on how to address any incident or accident, will be included as an annex to the Operations Manual (POM).</p>	<ol style="list-style-type: none"> Notify the Bank by email no later than 48 hours after of learning of the incident/accident. Send the detailed report to the Bank of the incident/accident within ten working days after initial notification. 	Vice-Ministry of Mines/ ETS
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Establish and maintain a Project Implementation Unit (PIU) with qualified personnel and resources to support the management of the Project's environmental and social risks.</p> <p>The PIU shall be staffed by a Manager/ Coordinator (National EITI Coordinator) and a specialist.</p>	The PIU shall be established no later than 30 days after the Effectiveness Date and shall be maintained throughout Project implementation.	Vice-Ministry of Mines/ ETS

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
1.2	<p>MANAGEMENT TOOLS AND INSTRUMENTS</p> <p>Include in the Project Operations Manual (POM), the processes and procedures for environmental and social risk management that shall be undertaken during Project implementation, in accordance with the relevant requirements of the ESSs, in a manner acceptable to the Bank.</p>	The POM shall be submitted to the Bank for its no objection, and it is a Condition of Effectiveness. Once approved, the POM shall be executed throughout the Project implementation.	Vice-Ministry of Mines/ ETS
1.3	<p>MANAGEMENT OF CONTRACTORS</p> <ol style="list-style-type: none"> 1. Ensure that contractors comply with the actions indicated in the POM and the Labor Management Procedures (LMP). 2. Conduct a review of the relevance of the requirements of all ESSs as part of the preparation of the documents related to the hiring of contractors during Project implementation. 	Throughout the Project implementation.	Vice-Ministry of Mines/ ETS
1.4	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that all consultancies, studies, capacity building activities, trainings, and any other form of technical assistance implemented under the Project is executed in accordance with Terms of Reference (ToRs) acceptable to the Bank and incorporate the relevant requirements about the ESHS aspects.</p>	The MOP shall describe the processes for ToRs review and the corresponding issuance of the Bank's no objection.	Vice-Ministry of Mines/ ETS
ESS 2: WORK AND LABOR CONDITIONS			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>Prepare, consult, adopt, and implement the Labor Management Procedures (LMP) in a manner acceptable to the Bank and in accordance with ESS2, considering the hiring procedures and the management of job posts under the Project, the transparency of contracting and dismissal, labor laws, social security, and the safety of employees. These procedures will also set out each organization’s internal protocols about the management of the risks of exploitation, abuse, and sexual harassment in the workplace. The LMP shall include a code of conduct for workers.</p>	<ol style="list-style-type: none"> 1. The LMP shall be submitted for the Bank’s no objection and is a Condition of Effectiveness. 2. The LMP shall be executed throughout the Project implementation and will be subject to review and update if necessary. 	Vice-Ministry of Mines/ ETS
2.2	<p>GRIEVANCE REDRESS MECHANISM FOR PROJECT WORKERS</p> <p>Establish, maintain, and implement a GRM for Project workers, as described in the LMP.</p> <p>The workers’ GRM shall address any work or employment-related matter in the context of the Project, in an accessible manner and in accordance with ESS2.</p>	Establish, maintain, and implement a GRM for workers before Project Effectiveness Date. The GRM shall be implemented throughout Project implementation (design, implementation, and closure).	Vice-Ministry of Mines/ ETS
ESS 3: EFFICIENCY IN THE USE OF RESOURCES AND PREVENTION AND MANAGEMENT OF POLLUTION			
Relevant aspects of this standard shall be considered through action 1.4.			
ESS 4: COMMUNITY HEALTH AND SAFETY			
Relevant aspects of this standard shall be considered through action 1.4.			
ESS 5: ACQUISITION OF LANDS, RESTRICTIONS ON THE USE OF LAND AND INVOLUNTARY RESETTLEMENT			
It is not relevant for the Project. No land acquisition, land use restriction or involuntary resettlement will take place. None of the Project’s components will carry out actions that involve land acquisition or land use restrictions.			
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF NATURAL RESOURCES			
Relevant aspects of this standard shall be considered through action 1.4.			
ESS 7: INDIGENOUS PEOPLES			
7.1	Align activities and knowledge generated by the Project with the criteria of ESS7. The processes and procedures for the management of the relevant E&S risks, including aspects of ESS7, shall be included in the Project Operations Manual (POM).	Throughout Project implementation.	Vice-Ministry of Mines/ ETS

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
7.2	Develop a strategy for engagement and relationship with indigenous peoples (PPII), prioritizing the inclusion and engagement of indigenous peoples and nationalities in the implementation process for the EITI standard, and in and the Multiparticipant Group (GMP), with special emphasis on those PPII that could possibly be affected by mining activities.	The strategy shall be submitted to the Bank before Project Effectiveness Date, for Bank's no objection. This strategy shall be executed throughout Project implementation, with special emphasis on field activities.	Vice-Ministry of Mines/ ETS
7.3	Promote, specific measures to encourage the inclusion of representative PPII organizations in the GMP, with emphasis on PPII groups in areas where extractive activities are conducted. The following must be borne in mind: (i) any linguistic or communication problem that can limit the full participation of indigenous peoples; (ii) indigenous peoples' traditional decision-making mechanisms; and (iii) traditional conflict resolution mechanisms.	Throughout Project implementation, with special emphasis on field activities.	Vice-Ministry of Mines/ ETS
ESS 8: CULTURAL HERITAGE			
Relevant aspects of this standard shall be considered through action 1.4.			
ESS 9: FINANCIAL INTERMEDIARIES			
It is not relevant for this Project as no financial intermediaries will be involved in the Project.			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN</p> <p>a) Conduct consultations with relevant stakeholders on Project activities. Prepare a report on the consultations held, which includes: (i) stakeholder mapping; (ii) inputs submitted by stakeholders; (iii) evidence of effective participation; (iv) strategy for engagement with groups vulnerable to exclusion and potentially affected by future mining projects, such as indigenous populations, Afro-Ecuadorians, artisanal miners, among others, identified in the consultations. The report shall be reviewed and subject to Bank’s no objection, prior to its dissemination to stakeholders.</p> <p>b) Conduct an annual public consultation with stakeholders on Project implementation, including social inclusion aspects. For these consultations, relevant information will be distributed to interested parties in advance.</p> <p>c) Produce and publish an annual Project progress report in an accessible manner, including the E&S aspects and social inclusion measures (with an annex detailing the public consultation processes).</p>	<p>a) Conduct consultations and submit reports to the Bank for its no objection and disseminate before the start of Project implementation activities.</p> <p>b) Once per year during Project implementation.</p> <p>c) Once per year during Project implementation.</p>	Vice-Ministry of Mines/ ETS

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>10.2 GRIEVANCE REDRESS MECHANISM</p> <p>Adopt, maintain, operate, and implement an accessible GRM throughout Project implementation, to address any complaint or request for information. The GRM will feature, among other things, the following:</p> <ul style="list-style-type: none"> a) An organizational structure and assignment of responsibilities for complaints management. b) Established times for response and management. c) Various access channels, including websites, dedicated telephone numbers, an email address, and social network platforms, when available. The submission of complaints orally or in writing will also form part of the mechanism. d) The option of submitting complaints anonymously. e) Information on how to take the grievance or complaint beyond the mechanism if there is no resolution. <p>The operational details and organizational roles of the mechanism will be described in the Project’s POM and will be published on the websites of the MERNNR and the National EITI Secretariat of Ecuador.</p>	<ol style="list-style-type: none"> 1. The operation of the GRM is a condition of effectiveness. The GRM shall operate throughout Project implementation. 2. Submit semi-annual reports on the operation of the GRM including an analysis of management of complaints received management. 	<p>Vice-Ministry of Mines/ ETS</p>
CAPACITY SUPPORT (TRAINING)		

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
CS1	<p>Train the MERNNR and the GMP staff on how to comply with the ESSs, especially those about: stakeholder mapping and engagement, the GRM, and labor management procedures.</p> <p>Provide Project workers with training and documentation about labor management procedures, including the complaints mechanisms required by ESS2.</p> <p>Conduct sensitization and risk prevention activities with Project workers on gender-based violence, violence against women, LGBTQI, and the rights of persons with disabilities.</p> <p>Conduct ongoing awareness-raising on COVID-19 protective measures (social distancing and provision of personal protective equipment when necessary).</p> <p>Train, through training workshops, the PIU staff on the principles and requirements of the standards of the Environmental and Social Framework, which are currently considered not relevant.</p>	<ol style="list-style-type: none"> 1. Staff training shall be done once the PIU is established and hence during Project implementation, as necessary. 2. Training for Project workers shall be provided after the signing of contracts, but before implementation of the service. Training will be prerequisite for the implementation of the service. 	Vice-Ministry of Mines/ ETS