

**State of Espírito Santo
Secretaria de Economia e Planejamento**

**Espírito Santo Digital Acceleration Project
(P180462)**

Draft

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

September 18, 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The State of Espírito Santo (the Borrower) will implement the Espírito Santo Digital Acceleration Project (the Project), with the involvement of the Secretaria de Economia e Planejamento (SEP), the Secretaria da Ciência, Tecnologia, Inovação e Educação Profissional (SECTI), the Instituto de Tecnologia da Informação e Comunicação do Estado do Espírito Santo (Prodest), the Secretaria de Governo (SEG) and the Secretaria de Segurança Pública e Defesa Social (SESP), as set out in the Loan Agreement. The International Bank for Reconstruction and Development (the Bank) has agreed to provide financing for the Project, as set out in the referred agreement(s).
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(s).
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, grievance management, and the environmental and social (E&S) instruments to be prepared or updated, consulted, adopted, disclosed, and implemented in accordance with the ESSs. 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 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 SEP and the Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank and the Borrower's Secretary of SEP. 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, stakeholder engagement activities, and functioning of the grievance mechanism(s).</p>	<p>Submit six-monthly reports to the Bank throughout Project implementation, commencing after the Effective Date. Submit each report to the Bank no later than 45 days after the end of each reporting period.</p>	<p><i>SECTI (Project Implementing Unit - PIU) with the support of Prodest (Project Executing Unit - PEU), SEG (PEU) and SESP (PEU)</i></p>
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 Prodest, SESP, any contractor and/or supervising firm, as appropriate. 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.</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><i>SECTI (PIU) with the support of Prodest (PEU), SEG (PEU) and SESP (PEU)</i></p>
C	<p>CONTRACTORS' MONTHLY REPORTS</p> <p>Require contractors and supervising firms to provide monthly monitoring reports on ESHS performance in accordance with the ESHS metrics specified in the respective bidding documents and contracts. and submit a summary of such reports to the Bank as part of the Semiannual Progress Reports.</p>	<p>Submit the monthly reports to SECTI, or to the Bank upon request or, ordinarily, in the form of attachments to the reports to be submitted under action A above.</p>	<p><i>SECTI (PIU)</i></p>
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE SECTI</p> <p>Establish and maintain a Project Implementing Unit (PIU, or <i>Unidade de Implementação do Projeto</i>, UIP, in Portuguese) with qualified staff and resources to support management of ESHS risks and impacts of the Project including an environmental specialist and a social specialist.</p>	<p>Issuing a Decree establishing the PIU as one of the conditions of effectiveness. Having the technical staff for environmental and social risk management as set out in the Loan Agreement no later than 60 days after the Effective Date, and subsequently maintain these positions during Project implementation.</p>	<p><i>SECTI (PIU)</i></p>
1.2	<p>ORGANIZATIONAL STRUCTURE PRODEST, SEG AND SESP</p>	<p>Assign focal points in the partner executing agencies no later than 60 days after the Effective Date, and subsequently hold these positions during Project implementation.</p>	<p><i>SECTI (PIU) Prodest (PEU) SEG (PEU) SESP (PEU)</i></p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Designate in each of the partner implementing agencies (Prodest, SEG and SESP) a focal point to oversee the management of environmental and social risks and a focal point for the management of the grievance mechanism, under the coordination of the PIU environmental and social risk management team.		
1.3	ENVIRONMENTAL AND SOCIAL ASSESSMENT Prepare, disclose, consult, adopt, and implement the Project's Environmental and Social Assessment (ESA) - developed in a manner consistent with the relevant ESSs - to guide the management of environmental and social risks during Project implementation.	Disclose and adopt the final ESA no later than 60 days after the Effective Date. Thereafter implement the measures established in the ESA throughout Project implementation.	<i>SECTI (PIU) with the support of Prodest (PEU), SEG (PEU) and SESP (PEU)</i>
1.4	ENVIRONMENTAL AND SOCIAL TECHNICAL SPECIFICATIONS Ensure that the entities/contractors responsible for implementing the civil works supported by the Project include the Environmental and Social Technical Specifications (ESTS) in the bidding documents for civil works as well as other guidelines and procedures comprised in the ESA for the adequate management of environmental and social risks and impacts, during their activities, when applicable, and as established in the ESA.	ESTS shall be part of the ESA. Include the ESTS in bidding documents for design and construction as part of the preparation of procurement documents and respective contracts. Supervise contractors throughout Project implementation.	<i>SECTI (PIU) with the support of Prodest (PEU), SEG (PEU) and SESP (PEU)</i>
1.5	MANAGEMENT OF CONTRACTORS Require the contractors to develop C-ESMPs for the civil works based on the ESTS and incorporating the relevant aspects of the ESCP, including, inter alia, the ESA, The SEP, the Labor Management Procedures, and code of conduct. Thereafter ensure that the contractors and supervising firms comply and cause subcontractors to comply with the ESTS of their respective contracts by implementing the C-ESMPs.	As part of the preparation of procurement documents and respective contracts. Contractors shall adopt the C-ESMPs before starting and as a condition for starting the implementation of the respective interventions related to construction works. Once adopted, supervise and ensure the execution of the respective C-ESMPs throughout the implementation of the Project.	<i>SECTI (PIU) Prodest (PEU) SEG (PEU) SESP (PEU)</i>
1.6	TECHNICAL ASSISTANCE Ensure that the consultancies, studies (including technical and feasibility studies), capacity building, training, and any other technical assistance activities under the Project are carried out in accordance with terms of reference acceptable to the Bank that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference and are consistent with the ESSs.	Throughout Project implementation.	<i>SECTI (PIU) Prodest (PEU) SEG (PEU) SESP (PEU)</i>
1.7	CONTINGENT EMERGENCY RESPONSE FINANCING	a) The adoption of the CERC manual and, if applicable, other instruments, as relevant in form and substance acceptable to the Bank is a	<i>SECTI (PIU)</i>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>a) Ensure that the CERC Manual includes a description of the ESHS assessment and management arrangements including, if applicable, CERC-ESMF for the implementation of CERC component, in accordance with the ESSs.</p> <p>b) Prepare, consult, adopt, and disclose any environmental and social (E&S) instruments which may be required for activities under CERC component of the Project, in accordance with the CERC Manual and, if applicable, CERC-ESMF and the ESSs, and thereafter implement the measures and actions required under said E&S instruments, within the timeframes specified in said E&S instruments.</p>	<p>withdrawal condition under Section [XXX] of Schedule 2 of the Loan Agreement for the Project.</p> <p>b) Submit the respective E&S instrument for the Bank’s prior review and approval, and include it as part of the respective bidding process, 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.</p>	
1.8	<p>ACTIVITIES SUBJECT TO RETROACTIVE FINANCING Carry out an ESHS due diligence of the activities subject to retroactive financing using the methodology described in the ESA, reflect such due diligence in a report, which shall also include any corrective action plans or measures that are identified pursuant to such due diligence, in accordance with the ESSs. Subsequently, implement any corrective action plans or measures, as applicable.</p>	Submit a due diligence report whenever there is a request for reimbursement of expenses for activities subject to retroactive financing. Any corrective action plans or measures identified in such report shall be implemented in a manner and timeframe acceptable to the Bank.	<i>SECTI (PIU) with the support of Prodest (PEU), SEG (PEU) and SESP (PEU)</i>
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES Prepare, adopt and implement 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.</p>	Submit the LMP for the Bank’s prior review and no objection, adopt and disclose the LMP no later than 60 days after the Effective Date and subsequently implement it throughout Project implementation.	<i>SECTI (PIU) with the support of Prodest (PEU), SEG (PEU) and SESP (PEU)</i>
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2.</p>	Establish grievance mechanism before hiring Project workers and thereafter maintain and operate it throughout Project implementation.	<i>SECTI (PIU) with the support of Prodest (PEU), SEG (PEU) and SESP (PEU)</i>
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>WASTE MANAGEMENT PLAN Prepare, and implement a Waste Management Plan (WMP), to manage hazardous and non-hazardous wastes, consistent with ESS3.</p>	As part of C-ESMP under action 1.5, and thereafter implement the WMP throughout Project implementation.	<i>SECTI (PIU)</i>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
3.2	RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT Incorporate energy efficiency measures in the building designs under action 1.4 above.	Same timeframe as for the action 1.4	SECTI (PIU)
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	COMMUNITY HEALTH AND SAFETY Incorporate life and fire safety requirements into the project designs as specified in the Environmental and Social Technical Specifications (ESTS) under action 1.4 above.	Same timeframe as for actions 1.4 and 1.5.	SECTI (PIU) with the support of Prodest (PEU) and SESP (PEU)
4.2	TRAFFIC AND ROAD SAFETY Ensure the contractors incorporate measures to manage traffic and road safety risks as required in the ESTS as part of the C-ESMPs to be adopted and implemented under action 1.4 above.	Same timeframe as actions 1.4 and 1.5.	SECTI (PIU) with the support of Prodest (PEU) and SESP (PEU)
4.3	SEA AND SH RISKS Establish in the Code of Conduct for Project workers (to be developed as part of the Labor Management Procedures provided for in Action 2.1, above) measures to prevent, control and penalize sexual harassment, exploitation and abuse. Disseminate, adopt and implement the Code of Conduct and Labor Management Procedures among all Project workers.	Same timeframe as action 2.1.	SECTI (PIU) with the support of Prodest (PEU), SEG (PEU) and SESP (PEU)
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
This standard is not relevant for the Project.			
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL			
This standard is not relevant for the Project.			
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.1	SOCIAL ASSESSMENT Prepare, consult, adopt, disclose, the Social Assessment of impacts on Indigenous Peoples as part of the ESA for the Project, consistent with ESS7.	Same timeframe than action 1.3.	SECTI (PIU) with the support of SEG (PEU)
7.2	CONSULTATION AND ENGAGEMENT Prepare, consult, adopt, disclose, and implement a specific consultation and engagement strategy for Indigenous Peoples Plan as set out in the SEP and consistent with ESS7.	Draft SEP disclosed before appraisal. Submit the final SEP for the Bank's prior review and no objection, adopt, and disclose the SEP no later than 60 days of the Effective Date, and thereafter implement the SEP throughout Project implementation.	SECTI (PIU) with the support of SEG (PEU)
ESS 8: CULTURAL HERITAGE			
8.1	CHANCE FINDS	Same timeframe as actions 1.3, 1.4 and 1.5.	SECTI (PIU) Prodest (PEU)

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Ensure that the chance find procedures are incorporated as part of C-ESMPs of construction works, which may involve excavation and earthwork, in accordance with the principles and requirements set out in the ESA and in a manner consistent with ESS 8.		SEG (PEU) SESP (PEU)
ESS 9: FINANCIAL INTERMEDIARIES [This standard is only relevant for Projects involving Financial Intermediaries (FIs).]			
This standard is not relevant for the Project.			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION Prepare, consult, adopt, disclose, and implement a Stakeholder Engagement Plan (SEP) for the Project, consistent with ESS10, which shall include measures to, inter alia, provide stakeholders with timely, relevant, understandable and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation. This shall include measures to consult the E&S instruments for the Project.	Draft SEP disclosed before appraisal. Submit the final SEP for the Bank’s prior review and no objection, adopt, and disclose the SEP no later than 60 days of the Effective Date, and thereafter implement the SEP throughout Project implementation.	SECTI (PIU) with the support of Prodest (PEU), SEG (PEU), SESP (PEU) and the General State Ombudsman (GSO)
10.2	PROJECT GRIEVANCE MECHANISM Establish, publicize, maintain, and operate an accessible grievance mechanism, to receive and facilitate resolution of concerns and grievances in relation to the Project, promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all Project-affected parties, at no cost and without retribution, including concerns and grievances filed anonymously, in a manner consistent with ESS10. The 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.	Establish the grievance mechanism no later than 60 days after the Effective Date, and subsequently maintain and operate the mechanism throughout Project implementation.	GSO with the support of the SECTI (PIU), Prodest (PEU), SEG (PEU), SESP (PEU)
CAPACITY SUPPORT			
CS1	Provide training to the environmental and social staff of the PIU and the PEUs focal points in the partner implementing agencies on: i) aspects to be considered in the environmental and social assessment of construction works and other Project activities of relevant environmental and social risk; ii) environmental and social management and supervision according to the Environmental and Social Technical Specifications, iii) aspects to be considered in the implementation of the activities foreseen in the Stakeholder Engagement Plan.	Periodically, throughout the implementation of the Project, holding the first session no later than 90 days of the Effective Date.	SECTI (PIU)
CS2	Provide Project Workers guidance on: Occupational Health and Safety; measures to prevent SEA/SH; and the proper code of conduct for	Periodically, throughout the implementation of the Project as workers are hired.	SECTI (PIU) Prodest (PEU)

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
relationships with the population of local communities in the area of intervention of the Project.		<i>SEG (PEU)</i> <i>SESP (PEU)</i>