



# Concept Environmental and Social Review Summary

## Concept Stage

### **(ESRS Concept Stage)**

Date Prepared/Updated: 10/10/2019 | Report No: ESRSC00868



**BASIC INFORMATION**

**A. Basic Project Data**

Country	Region	Project ID	Parent Project ID (if any)
Peru	LATIN AMERICA AND CARIBBEAN	P170478	
Project Name	Supporting investments in education for human capital development in Peru		
Practice Area (Lead)	Financing Instrument	Estimated Appraisal Date	Estimated Board Date
Education	Investment Project Financing	4/1/2020	7/30/2020
Borrower(s)	Implementing Agency(ies)		
Ministerio de Economía y Finanzas del Perú	Ministerio de Educación del Perú		

Proposed Development Objective(s)

The Project Development Objective (PDO) is to improve teaching practices through investments in teacher preparation, development, and support.

Financing (in USD Million)	Amount
<b>Total Project Cost</b>	<b>200.00</b>

**B. Is the project being prepared in a Situation of Urgent Need of Assistance or Capacity Constraints, as per Bank IPF Policy, para. 12?**

No

**C. Summary Description of Proposed Project [including overview of Country, Sectoral & Institutional Contexts and Relationship to CPF]**

The Project is part of a broad support package aimed at supporting the Government of Peru's efforts to strengthen human capital investment by addressing current challenges through targeted interventions, while also ensuring policy and institutional reform continuity in critical policy areas to help unleash skills formation and productivity for all its population. The proposed operation supports complementary interventions to boost an integrated service delivery of education services and develop the capacity of implementing agencies, with a special focus on supporting teachers' professional development including pre-service training, allocation, in-service training, evaluation, incentives, as well as strengthening school management and support services to strengthen teaching and learning processes.



## D. Environmental and Social Overview

D.1. Project location(s) and salient characteristics relevant to the ES assessment [geographic, environmental, social] Location. Component 1 (C1) includes infrastructure expansion, rehabilitation, renovation and/or furnishing of flagship public Teacher Training Institutes (IESPs) located in each of Peru's 26 regions. This component does not include the construction of new IESPs; however, demolition and replacement of specific buildings within an IESP is expected, as interventions can range from punctual structural retrofitting to the replacement of buildings across an IESP. The acquisition of new areas for expansion of IESPs could be necessary in specific cases. Out of the existing 103 public IESPs, a preliminary set of 26 IESPs has been prioritized by the Ministry of Education (MINEDU) for intervention; however, this set is susceptible to change based on the results of the diagnosis of IESPs infrastructure needs, currently under development by MINEDU and expected for 11/2019 (prior to the scheduled date for Appraisal). Component 2 (C2) will support aspects of teachers' professional development, and this component does not include infrastructure works. Under Component 3 (C3), equipment and software for selected Local Education Units (UGEL) and Regional Education Directorates (DRE) located nationwide will be financed, which could include IT infrastructure and other infrastructure works to house the new equipment; the need to deploy new fiber optic will be determined during Bank's due diligence. Which and how many DREs and UGELs will be intervened, and the scope of such interventions will be determined once the technological infrastructure census is finalized, which is being carried out by MINEDU and is expected for 11/2019.

Environmental Context. Potential environmental impacts are expected only under C1 and C3, which include infrastructure works on a set of 26 prioritized IESPs, and equipment and IT infrastructure on DREs and UGELs to be selected out of a pool of more than 200 institutions. IESPs, DREs and UGELs are located in both urban and rural areas. None of the 26 prioritized IESPs are located within the limits of Natural Protected areas (NPAs) and, even though two IESPs are located within the limits of Key Biodiversity Areas (KBAs, as defined by the KBA Partnership), these two occur within urban areas. In the case of the pool of potential DREs and UGELs, 2 are located within the boundaries of NPAs and 9 within buffer areas of NPAs. Information on how many and which IESPs, DREs and UGELs will be intervened and where will be determined during Bank's due diligence, and the results used to update and further develop information on the project's environmental context.

Social Context. The IPF will be implemented over a diversity of jurisdictions with different E&S and institutional context. The social universe of the project is formed by over 26,000 student trainees and 368,267 teachers in service working in IESPs, DREs and UGELs and local public schools across the country. Sixteen of the prioritized IESP, to be intervened under C1 and C3, are in regions with significant presence of indigenous population (at least 30% of the population according to last census), or an ample diversity of Indigenous People (IP) are present (at least 5 different IP), and where basic intercultural education (BIE) is being offered. In 2018 MINEDU's census of accredited bilingual indigenous teachers registered 49,125 teachers from 39 different IP across the country. These teachers are expected to be among the project's beneficiaries. Teachers from Afro descendant origin are also expected to be benefited by the project. Afro descendant population is more significantly present in six regions, Tumbes, Lambayeque, Piura, La Libertad, Ica and Cajamarca. Both group of teachers belong to historically vulnerable groups (ethnic origin) . A social assessment will be carried out prior to appraisal to identify key characteristics of vulnerability within the in-service teacher's universe that might limit full access to opportunities and benefits offered by the project.

### D. 2. Borrower's Institutional Capacity



The Program Implementation Unit (PIU) will fall within the structure of the Ministry of Education (MINEDU). Where the PIU will be located within MINEDU's structure is still unknown. Project preparation is being supported by a Formulating Agency, located within MINEDU's General Directorate of Teacher Development (DIGEDD).

Preliminary assessment indicates that MINEDU's ability to manage social and environmental risk and impacts in accordance with the Bank's ESF is limited:

- (i) Even though MINEDU has had experience with projects financed with WBG funds (being "Basic Education Project" (P123151) and "Higher Education Quality Improvement" (P122194) the most recent), none of these projects have included an infrastructure component entailing relevant environmental risks and impacts from construction, such as those foreseen for the infrastructure works of IESPs (C1), and these have not been developed under the new WB's ESF.
- (ii) There has not been a permanent dedicated team of staff to manage social, environmental, health and safety issues of these projects (several different consultants have been hired at different times for different projects and located within different executing agencies), therefore the strengthening of the institution on environmental and social aspects through time cannot be evidenced.
- (iii) Currently there is no environmental or social specialist supporting project formulation. Overall, MINEDU does not have a dedicated team specialized on managing social and environmental project aspects.

As part of the Bank's due diligence, and prior to appraisal, the capacity of MINEDU and the selected PIU for the management and overview of environmental and social issues will be further assessed. The assessment will identify details on capacity building, staffing and training needs of the implementing and other involved agencies. It will consider, in particular: (i) the new areas of substantive coverage of the ESF, as compared to the WB safeguards and the national/regional framework; and (ii) the ability of the PIU to effectively manage the execution and operation of the project in line with the objectives of the ESF. Any capacity strengthening measures and needs will be reflected in the Environmental and Social Commitment Plan (ESCP). Based on the available information at the moment, the following measures have been determined:

- (i) the PIU will designate or hire an environmental and a social specialist as part of its core staff to strengthen its capacity to comply with the WB's ESF during project preparation and implementation.
- (ii) The infrastructure works under C1 will be supervised by a contractor, and, the corresponding bidding documents will include specific language on environmental social and health and safety requirements, consistent with Bank's Environmental and Social Framework (ESF) as well as national legislation. Bidding process for design and infrastructure works will be determined and laid out as part of the Bank's due diligence.
- (iii) The PIU will have to establish the necessary coordination strategies with the decentralized education agencies/institutions, such as DRE and UGEL, that will play a role in the execution of the project, especially in relation to the activities under C1 and C3. The level of decentralization for approving and oversight and the roles of each of these agencies during project preparation and execution will be clearly determined and laid out as part of the Bank's due diligence, as well as the necessary arrangements and channels for interinstitutional coordination.

## **II. SCREENING OF POTENTIAL ENVIRONMENTAL AND SOCIAL (ES) RISKS AND IMPACTS**

### **A. Environmental and Social Risk Classification (ESRC)**

Moderate



**Environmental Risk Rating**

Moderate

The environmental proposed risk classification for the project is Moderate under the WB ESF. Classification responds to potential environmental risks and impacts stemming from infrastructure works in IESPs and equipment and implementation of IT infrastructure in DREs and UGELs, under C1 and C3. These: (i) are predictable and expected to be temporary and/or reversible; (ii) are low in magnitude and not expected to cause serious adverse effects to the environment; (iii) are site-specific, without likelihood of impacts beyond the infrastructure footprint; (iv) will occur in either urban or rural areas; and (v) can be easily mitigated in a predictable manner. Based on the review of available documentation and discussions with MINEDU, key anticipated potential environmental risks and impacts are related to:

**A. During implementation of infrastructure works under C1:**

- Overall nuisances to communities due to noise and vibration, dust, traffic congestion, waste, and visual disturbances
- Poor working conditions and risk of occupational accidents
- Inadequate sourcing and transportation of construction materials, as well as transportation and disposal of surplus materials and waste
- Inadequate handling and disposal of hazardous materials (i.e., asbestos, prohibited by national regulations since 2011)
- Increased risk of third-party accidents due to increased vehicular traffic and inadequate protection of construction sites
- Potential impacts over natural resources in the case of interventions in rural areas
- Potential impacts on chance archaeological findings, in cases in which infrastructure works include earthworks
- Potential incremental and cumulative impacts and risks associated with other current and future projects located in the same area of influence

**B. During operation of the intervened IESPs under C1:**

- Lack of a life, fire safety and emergency response and preparedness plan
- Irregular maintenance and upkeep of the intervened IESPs, including a lack of an adequate environmental management of wastes

**C. During equipment of DREs and UGELs and implementation of related IT infrastructure under C3:**

- Increased risk of third-party accidents due to inadequate protection of working sites
- Potential incremental and cumulative impacts and risks associated with other current and future projects located in the same area of influence
- Environmental risks and impacts due to the implementation of IT infrastructure and other specific infrastructure works

**D. During operation of the intervened DREs and UGELs under C3:**

- Lack of an adequate environmental management of hazardous wastes (mainly e-waste from purchased electronic devices, such as computers, copy-machines, etc.).

Public Disclosure



The set of 26 prioritized IESPs for intervention is preliminary and subject to modifications, and which and how many IESPs will be finally intervened, and the scope of such interventions will be determined once the diagnosis of infrastructure needs of IESPs is completed (expected for 11/2019, prior to the scheduled date for Appraisal). This information will shed light over potential additional infrastructure needed at each IESP of intervention (e.g., related to water treatment and/or supply, sewage connections, access roads, power supply, etc.). If applicable, corresponding environmental risks and impacts under C1 will be also analyzed. This will be determined and further assessed during due diligence, as the mentioned information becomes available, and reflected in the project documents. Likewise, which and how many DREs and UGELs will be intervened, and the scope of such interventions (specially in relation to potential IT infrastructure) will be determined once the technological infrastructure census is finalized (expected for 11/2019). As part of the Bank’s due diligence, this information will be used to further assess and develop key anticipated environmental risks and impacts related to C1 and C3.

**Social Risk Rating**

Moderate

The social proposed social risk classification for the project is Moderate under the World Bank ESF. Classification responds to potential social risks and impacts stemming from infrastructure works under C1 and C3, as well as the risks associated with the context the project will be implemented in and the capacity of the implementing agency to manage the social risks and impacts of the project in accordance with the ESF. Based on the review of available documentation, and discussions with MINEDU, key anticipated social risks and impacts are related to: i) civil works improperly carried out (for detail refer to Environmental Context above), ii) inadequate contingency measures implemented to ensure the continuity of classes during construction activities. This might include explicit measures to maintain a socially safe environment where classes will continue to be carried out (i.e. regulating workers interactions with teachers and students, especially regarding women and underaged students (issues of GBV), or provision of adequate conditions for the relocation of service in temporary infrastructure, on or off IESP site (such as access to safe classrooms equipped with basic services (water and sanitation, energy, etc.), iii) currently unclear need for land requirements for the prioritized 26 IESP, iv) potential exclusion of vulnerable in-service teachers due to barriers that would limit access to benefits generated by the project; and v) potential obstruction and / or hindrance to implement proposed activities, such as performance evaluation, due to teachers union activists that oppose career advancement through meritocracy, which could generate social conflicts such as strikes, that could ultimately impact negatively on the project. The project is expected to have positive impacts on vulnerable and historically excluded groups such as indigenous people, and Afro descendants. Nonetheless, to timely address potential risks of exclusion for vulnerable groups a social assessment will be conducted to identify possible barriers that would not permit in-service teachers to fully participate in the expected project’s benefits. Barriers might include lack of infrastructure and / or connectivity in isolated areas, distance to travel to have adequate access to equipment and connectivity, as well as cultural issues (language, cosmovision, practices, intercultural teaching), that would need to be overcome so that teachers from vulnerable groups (indigenous, Afro Peruvian, teachers with disabilities) can truly benefit from the opportunities offered by the project to improve their teaching and management performance (for detail refer to ESS1). Opportune and meaningful consultations and participatory approach (social communication processes, citizen engagement and beneficiary feedback mechanisms, among other) with key stakeholders (in-service teachers, student trainees, school principals, DRE and UGEL personnel, teacher’s union representatives, among others) using a gender and ethnic approach will be carried out by MINEDU to ensure inclusion and active participation of beneficiaries from vulnerable groups (as identified above) and avoid exclusions (for detail refer to ESS 10).

**B. Environment and Social Standards (ESSs) that Apply to the Activities Being Considered**

Public Disclosure



## B.1. General Assessment

### ESS1 Assessment and Management of Environmental and Social Risks and Impacts

#### **Overview of the relevance of the Standard for the Project:**

This standard is relevant.

Given that: (i) the final IESPs, DREs and UGELs to be intervened under the project are not yet confirmed (these will be identified based on the results of a set of studies that are still under development by MINEDU, and expected for 11/2019, prior to the scheduled date for Appraisal); (ii) the pool of potential IESPs, DREs and UGELs to be selected are located in both rural and urban areas at the national level; and that (iii) the scope of intervention at each IESP, DRE and UGEL varies and depends on the results of the mentioned studies, the Borrower will develop an Environmental and Social Management Framework (ESMF) to adequately identify and manage environmental and social risks and impacts of each intervention under C1 and C3 (from now on “sub-projects” or SPs). The ESMF will set out the principles, guidelines and procedures to assess the environmental and social risks and impacts of each SP, in line with para. 5 of ESS1. It will include the following minimum components:

- (i) Legal Framework: highlighting applicable national regulations, international agreements and relevant EHS Guidelines and GIIP. Emphasis will be placed on national regulations related to (i) the environmental assessment process of each SP and (ii) standards for school infrastructure.
- (ii) Institutional Framework: describing the necessary institutional arrangements for the implementation of the project, the level of decentralization for approving and oversight of SPs, as well as the institutional capacity of the PIU to manage project environmental and social aspects.
- (iii) Administrative structure: detailing the safeguard provisions built into the SP cycle, the incorporation of the necessary contract clauses in the bidding documents for final designs and infrastructure works, etc.
- (iv) Environmental and Social Management throughout the cycle of each SP, including: (a) incorporation of requirements for universal accessibility, energy efficiency, and safety measures (anti-seismic structures that comply with the national 1998 seismic standard, life and fire-safety measures such as sprinklers, emergency exits, etc.) into the design of specific subprojects, as necessary and feasible (refer to ESS4 for further details); (b) a tool for screening potential environmental and social risks and impacts (including the identification of potential environmental liabilities); (b) identification and development of the necessary environmental and social instrument to comply with national law and ESF; (c) necessary consultation, communication and public participation; (d) monitoring during SP implementation; etc.
- (v) Project reporting system and how the ESF provisions will be sampled and reported on.
- (vi) Capacity building measures

Based on the results of the screening of potential environmental and social risks and impacts of SPs, specific environmental and social management plans and measures will be developed for each SP to comply with the ESF and applicable standards. The ESMF will include guidelines for the development of these site-specific plans and measures. Based on the available information, guidelines will be incorporated for the development of:

For SPs under C1:

- Waste Management Plan for infrastructure works, including specific measures for hazardous materials
- Plan for Sourcing and Transportation of Construction Materials



- Community Health and Safety and Traffic Management Plan during construction
- Chance find procedure
- Natural resources management plan: specially for SPs located in rural areas where nearby resources may be indirectly impacted due to infrastructure activities
- Emergency response and preparedness plan during operation
- Waste Management Plan for Operation of SPs
- Management Plan for Environmental Liabilities
- Community Relations Plan, for both C1 and C3

For SPs under C3:

- Community Health and Safety Plan during execution of works
- E-Waste Management Plan for Operation of SPs
- Environmental management plan for the implementation of IT infrastructure and other specific infrastructure works

The Bank will support the PIU in the development of the terms of reference for the ESMF, making sure it covers ESS1 requirements and national legislation requirements.

A complementary social assessment will be conducted to enhance inclusion of vulnerable teachers, whenever feasible and sustainable, by identifying key characteristics, and related barriers so that in-service teachers that present some vulnerabilities are not excluded from the project expected benefits. Possible barriers could be related to lack of infrastructure and/or connectivity in isolated areas, distance to travel to have adequate access to equipment and connectivity, limited available financial resources to acquire personal equipment. As well as barriers regarding gender issues, ethnic issues, and / or external or internalized stereotypes that could be expressed through discriminatory practices, including intimidation and / or violence against teachers that can cause undue stress or inadequate work environment that could discourage teachers to fully participate in the project's proposed activities and benefits. Proposed measures to overcome barriers could be included in the project's design (in-service teachers) and / or as part of the ESMF or ESMP (selected IESP, DRE and UGEL).

The basis for the social assessment will be the information collected through the National Teacher's Survey (ENDO), carried out by MINEDU in 2014, 2016 and 2018 . The social assessment will provide key socioeconomic characteristics, work environment conditions, access / use of IT, and in-service teachers satisfaction with sector, among other aspects. This data will be analyzed through the specific lens of geographical location, gender, ethnicity, and disabilities issues, to help address barriers that need to be overcome.

In order to properly implement Subcomponent (SC) 1.2; SC 2.2; SC 3.2, and SC 3.3, an analysis of digital divide will be necessary. In 2017 MTC reported great disparity between regions. Fix internet connectivity showed a national service density of 6.8 subscribers per 100 habitants, however 19 of the 24 regions were below the national indicator. Service density for mobile internet nationally was 60.1 subscribers per 100 habitants, however 17 regions showed service density below the national indicator. Although communication coverage has improved each year since 2017 disparities remain high in rural and isolated areas. These regional disparities will influence the reach that online products proposed as part of project's activities will have for teachers in these underserved regions.



Regarding intercultural education, considering the diversity of the teaching universe to be reach, IP and Afro descendants, as well as non-indigenous or non-afro descendants teaching in areas with significant population with these characteristics, Borrower could offer differentiated products that would be better suited to improve teacher’s development and support in areas with significant IP and Afro descendants’ population. Through a combination of the social assessment findings and a participatory approach (SEP), the Borrower should proactively identify feasible and meaningful differentiated products for this group of teachers when developing instruments, protocols, training program, training material content, and mechanisms. Activities such as those proposed in SC 1.3 - instrument for teacher trainees; SC 2.1 - design of incentives schemes, SC 2.2 - in service teachers modular training, SC 2.3 - pedagogical best practices and innovation and SC 3.1 - teachers wellbeing services, could benefit from intercultural validation.

The Bank will support PIU in the development of the terms of reference for this social assessment.

**Areas where “Use of Borrower Framework” is being considered:**

None

**ESS10 Stakeholder Engagement and Information Disclosure**

This standard is relevant.

The borrower will prepare a stakeholder engagement plan (SEP) that will include consultations with other government institutions and organizations from the civil society that have an interest and / or have pertinent knowledge / experience that could contribute to improve the design of the project and maximize benefits for vulnerable groups among teachers, as well as the full spectrum of beneficiaries. Based on a preliminary assessment these consultations should include at least the prioritized DREs and UGELs; teacher trainees from the 26 IESP; teachers in service (Teachers’ teachers (IESP), Basic Education, Directors, etc.); teachers union (Sutep); women’s, indigenous, Afro descendants, disabled teachers associations or civil society organizations referents for these groups that could provide valuable information to identify barriers; and other areas of the Ministry of Education that might not have a prominent or direct role in project implementation but that could also provide valuable inputs for the project. As well, consultations should consider including representatives’ key stakeholders in bilingual education such as the Superior Pedagógico Bilingüe de Yarinacocha (Ucayali). Special care will be taken to engage indigenous people and Afro descendants teachers to collect their unique views The results of the social assessment (ESS1) will be consulted with key stakeholders from these groups, as well as project’s activities / products to provide an intercultural perspective to identify and overcome barriers that might originate in ethnicity issues (cosmovision, languages, practices, etc.). (refer to ESS1 and ESS7) The SEP will be prepared by the Borrower prior to appraisal.

**B.2. Specific Risks and Impacts**

**A brief description of the potential environmental and social risks and impacts relevant to the Project.**

**ESS2 Labor and Working Conditions**

This standard is relevant.

The standard recognizes the importance of promoting sound worker-management relationships and enhance Program development benefits by treating workers fairly and providing safe and healthy working conditions. Program

Public Disclosure



workers include direct workers, contractors, subcontractors, and potentially community workers in rural areas. It is expected that most labor will be supplied locally (for each sub-project under C1 and C3), and no major issues associated with labor influx are anticipated. Local labor laws are aligned with ESS 2 regarding child labor, so the Program will not hire children. Workers' rights are protected by government organizations such as the Ministry of Labor and Employment Promotion, and the National Superintendence of Labor Inspection (SUNAFIL), among others. National work regulations recognize equal opportunities and non-discrimination, applicable for both urban and rural areas. The extent to which these regulations are applied, and potential exclusion risks will be further assessed as part of the Bank's due diligence and results reflected in the LMP. SUNAFIL is the national mechanism for any labor complains, and all project workers, independently of their type, will have access to this mechanism. How SUNAFIL function regarding grievances will be describe in the LMP. Project will also have its own general GRM for the entire project as described under ESS 10.

In the context of the project, teachers are not project's workers but beneficiaries of the project. Paragraphs 17 to 20 and 24 to 30 of the ESS2 are relevant only for the civil servants that will be part of the PIU (implementation and oversight). Key industry occupational health and safety risks for this project would be those related to construction and decommissioning activities (WB EHS Guidelines 4.2), such as: over-exertion, slips and falls, works in heights, struck by objects, dust, moving machinery, exposure to chemical, hazardous or flammable material, waste, etc., as well as key general H&S risks considered under WB EHS Guidelines 2.0, such as: work space, physical hazards, chemical hazards, etc. These risks will be confirmed once the diagnosis of infrastructure needs of IESPs and the technological infrastructure census of UGELs and DREs are finalized (expected for 11/2019), which will determine the scope of the interventions.

The Borrower will prepare a Labor Management Procedure (LMP) in line with para. 9-13, 31-32 and 34-38 of ESS 2, which will set out the way in which all types of project workers will be managed in accordance with the requirements of national law and ESS2. The LMP will describe the working conditions and management of worker relationships, the terms and conditions of employment, provisions for non-discrimination and equal opportunity, worker's organizations and freedom of association, occupational health and safety for workers, provisions to protect the workforce including child labor and minimum wage, and the prevention of forced labor. The LMP will also provide general guidelines regarding provision of housing or accommodation for workers to be included in contractor's bidding documents to ensure that workers health conditions and safety are adequate if such facilities are required. The LMP will further ensure that the health and safety of workers. It will also have the details of the grievance mechanism for workers and the roles and responsibilities for monitoring such workers. During project implementation, the LMP will be revisited and updated as required and as additional labor-related risks or issues unfold. Likewise, a Workers Code of Conduct, which contains obligations of all workers involved in the project, will be prepared and adherence to the Code of Conduct will be a condition of employment for all workers.

To prepare the LMP, the Borrower, with the support of an external consultant, shall conduct a review of the regulatory framework and labor regulations. Some topics preliminarily identified to be included in the LMP are the following:

1. Legal framework: including (i) the existing labor laws and regulations of the country, and laws on occupational health and safety for workers; (ii) the international agreements related to labor, particularly those subscribed with the International Labor Agreement (ILO); etc. This review shall take into account the opinion of specialized



government agencies such as the Ministry of Labor and Employment Promotion, and the National Superintendence of Labor Inspection (SUNAFIL), among others.

2. Expected workers: number of workers anticipated, types of work, characteristics of the workers, etc. The LMP will also need to include the labor procedures applicable to government civil servants involved in the project implementation or oversight workers of the PIU as specified in ESS2.
3. Employment contracts: hiring eligibility (minimum age, migrant workers), types of contracts, benefits for each type of contract (health insurance, life and disability insurance, leave entitlements, sick leave, maternity leave).
4. Hiring procedures: Probationary periods, training, social inclusion (gender equity, disability inclusion) provisions, limitations of short-term contracts before enrolling employees, etc.
5. Compensation: Minimum wages, provisions on overtime and night work, and work on holidays, payment deadlines, payments to suppliers.
6. Health and safety: key labor risks, occupational health and safety (OHS) training, personal protection equipment, gender-specific risks, risks of accidents, crime and violence risks, sexual harassment, etc.
7. Working conditions: normal working hours, code of conduct, disciplinary actions, record keeping.
8. Collective bargaining: freedom of association, group complaints, retaliation prevention.
9. Termination procedures: reasons for dismissals, notice periods, severance pay, etc.
10. Labor grievances: labor complain mechanism, appeals, dispute resolution procedures, mediation services.
11. Provisions to strengthen the labor management procedures in the project and the executing unit, as needed.
12. Monitoring and supervision: responsible personnel, verification and reporting, resources needed.

### **ESS3 Resource Efficiency and Pollution Prevention and Management**

This standard is relevant.

Energy efficiency measures: based on the available information, the incorporation of energy efficiency measures may be feasible for those interventions under C1 that require the demolition and construction of new specific buildings within an existing IESP and/or the expansion of IESPs. For this type of interventions, the PIU will make sure to take into account energy considerations when developing the final design of the buildings (bidding process for design and infrastructure works will be determined and laid out during Bank's due diligence). These considerations will be based on the WB's EHS guidelines for energy conservation and will be laid out and included in the project's ESMF.

Pollution management: The ESMF to be prepared by the Borrower will include Guidelines for the development of site-specific Waste Management Plans during construction for sub-projects under C1, in line with para. 17-20 of ESS3. It will include the need of specific measures to ensure there is no soil, water and/or air contamination from handling and disposal of construction waste, specifically hazardous materials such as asbestos (the use of asbestos has been prohibited in Peru by national regulations in 2011, and all IESPs that will be intervened have been built before such year). Specific measures to prevent community exposure to hazardous materials during transport, storage or disposal will be also included, especially considering that, depending on the scope of works and characteristics of each intervention, education activities could carry on parallelly to the execution of works. The ESMF will also include (i) Guidelines for the development of site-specific Management Plans for Material Sourcing and Transportation during infrastructure works under C1, which will include provisions to make sure that queries are duly accredited and have the necessary permits in force; and (ii) Guidelines for the development of site-specific Management Plans for



Environmental Liabilities, to be developed as necessary according to the results of the application of the screening tool.

Finally, Guidelines for the development of Waste Management Plans during the operation of subprojects under C1 and C3 will be also included. In the case of the latter, the guidelines will focus on the adequate disposal of e-waste.

Relevance of this ESS will be further assessed as part of the Bank's due diligence, as more information becomes available about the scope and location of interventions under C1 and C3.

#### **ESS4 Community Health and Safety**

This standard is relevant.

Infrastructure and equipment design and safety: the incorporation of requirements for (i) universal accessibility (understood as basic conditions that allow access to all facilities and services in a safe and autonomous manner under conditions of equity and inclusion); and/or (ii) safety measures (anti-seismic structures that comply with the national 1998 seismic standard, life and fire-safety measures such as sprinklers, emergency exits, etc.) into the design of subprojects, will be feasible for those interventions under C1 that require the demolition and construction of new specific buildings within an existing IESP and/or the expansion of IESPs. For this type of interventions, the PIU will make sure to take into account universal accessibility, such as the inclusion of access ramps, elevators, sound, touch / braille signaling, and access to services without differentiation for those with disabilities in such a way that all people can use them without impediment and differentiation, as well as safety considerations to reduce the potential risk of structural collapses when developing the final design of the buildings. The ESMF will guide the environmental and social management throughout the cycle of each intervention, and include provisions related to these requirements during the technical design phase. These provisions will be based on national legal requirements such as National Building Regulations and Design Technical Standards of Educational Infrastructure General criteria (RSG No 239-2018-MINEDU), the EHSs and other GIIP such as Good Practice Notes on Non-Discrimination and Disability.

Community health and safety during execution of works under C1 and C3: key risks and impacts related to community health and safety are linked to civil works and traffic safety during the implementation of the infrastructure reforms under C1; this, specially considering that, depending on the scope of works and characteristics of each intervention, education activities could carry on in parallel during the execution of civil works, which pose a potential risk on the safety of the student community. The ESMF will include Guidelines for the development of a Community Health and Safety and Traffic Management Plan during construction, in line with para. 10-13 of ESS4. It will include provisions for:

- (i) Managing potential traffic congestion during civil works: considering operation of intersections to improve traffic flow and particularly enhance road safety, strategies to ensure that trucks unloading equipment/material do not unnecessarily cause traffic jams and so equipment and supplies can be safely off-loaded, awareness raising and early communication measures, among others; and
- (ii) Minimizing risks to the community, specially students and teachers, due to inadequate protection of construction sites: measures should include awareness raising and early communication, use of fencing and other barriers around construction sites, implementation of appropriate safety signs, illumination requirements, among other safety considerations for class periods that overlap with construction. The ESMF will also include guidelines for



the development of a Community Health and Safety Plan during the execution of works under C3, focusing on minimizing risks to workers of the DREs and UGELs that will be intervened, as works could be executed during regular labor hours.

Also, as detailed under ESS3, the ESMF will include Guidelines for the development of site-specific Waste Management Plans during construction for sub-projects under C1, which will include specific measures to prevent community exposure to hazardous materials during transport, storage or disposal.

Community health and safety during operation of IESPs: During operation of the intervened IESPs, main potential community health and safety risks are associated with the security and safety of the education community in case of: (i) failures of the infrastructure works implemented, and (ii) natural disasters and other emergencies. The ESMF will include Guidelines for the development of site-specific Emergency Response and Preparedness Plans, which will include general emergency response and preparedness planning and training procedures in case of natural disasters, in line with para 11 of ESS4.

SEA/SH risk assessment tool was applied to project showing a low risk (9.5/25) based on the level of information currently available regarding interventions under C1 and C3. SEA/SH risk assessment will be carried out again once IESP, UGEL and DRE diagnosis is finalized (expected for 11/2019) to validate / adjust this risk. This issue was considered as part of the social risk analysis and rating (refer to Social Risk Rating) and ESMF will include measures such as implementation and monitoring of a Code of Conduct to manage these possible risks.

Relevance of this ESS will be further assessed as part of the Bank's due diligence, as more information becomes available about the scope and location of interventions under C1 and C3.

#### **ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement**

This standard is relevant.

As indicated in Section D.1 the acquisition of new areas for expansion of IESPs could also prove to be necessary in specific cases. Currently, due to the lack of information to decide if any of the 26 prioritized IESP and / or selected DREs and UGELs will require land acquisition for the needed civil works, equipment, and / or provision of the temporary teaching facilities, the government will not know if any land acquisition is required until the Census of Infrastructure is completed at the end of the year 2019. For this reason, the Borrower will prepare a Resettlement Policy Framework. The RPF will be prepared in accordance with the principles and requirements stipulated in ESS5 and this will serve as the basis for the preparation of a Land Acquisition and Resettlement Plan (RAP) if land acquisition is required under C1 and / or C3.

Currently, no land use restriction is expected as part of the project in protected areas or communal reserves. However, in the event that activities under C1 or C3 result in potential land access restrictions, due to land acquisition or land easements in protected areas or communal reserve, an PF and action plan will be prepared before appraisal. This will be confirmed once the diagnosis is finalized (expected for 11/2019).

#### **ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources**



This standard is relevant.

IESPs and DREs and UGELs of intervention will be located nationwide, in both rural and urban areas. None of the 26 prioritized IESPs are located within the limits of NPAs or their buffer areas and, even though two of these IESPs are located within the limits of KBAs (AZE “Tarapoto” and IBA “Tacna”), these two occur within urban areas. It is not expected that the final list of prioritized IESPs will contain institutions that are located within NPAs or environmentally sensitive areas (i.e., critical habitats). This will be confirmed as part of the Bank’s due diligence, once the results of the technological infrastructure census are available. Likewise, it is not expected that the implementation of infrastructure works under C1 will generate significant adverse impacts over natural habitats, considering that this Component does not include the construction of new IESPs in new non-intervened areas. However, in order to mitigate any potential low-scale impact over natural habitats, the ESMF will include Guidelines for the development of site-specific Natural Resources Management Plans, which will be necessary for IESPs located within natural habitats (in rural areas) where nearby resources (i.e., rivers, lakes, native vegetation patches) may be indirectly affected due to infrastructure activities, such as the inadequate location and management of a stockpile.

In the case of the pool of 26 DREs and 242 UGELs, 2 are located within the boundaries of NPAs and 9 within buffer areas of NPAs. Even though the set of prioritized DREs and UGELs for intervention under the project is not yet defined, it is not expected that activities under C3 will have the potential to generate adverse impacts over natural and/or critical habitats. Interventions under this component are limited to the equipment of DREs and UGELs, provision of IT infrastructure, and potentially the implementation of punctual infrastructure to accommodate the new equipment. In case of intervention of UGEDs located within NPAs or their buffer areas, the Borrower will make sure the proposed activities are in line with the permitted uses as stated in the corresponding Master Plans.

Relevance of this ESS will be further assessed as part of the Bank’s due diligence, as more information becomes available about the scope and location of interventions under C1 and C3.

#### **ESS7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities**

This standard is relevant.

Sixteen of the prioritized IESP, as well as an undetermined number of selected DREs and UGELs are in regions with either significant presence of indigenous population or in region with a wide diversity of Indigenous People where basic intercultural education (BIE) is being offered. Indigenous and Afro descendants’ teachers in service are part of the expected project’s beneficiaries.

Regarding possible civil works and equipment of DREs and UGELs (C3), if the project requires to intervene in the buffer zones of the El Sira Communal Reserve and / or Mathisguanga Comunal Reserve (refer to Environmental y Social Overview – D.1 ), for example to install optic fiber that require easements in indigenous lands (C3) and / or require land under C1, the Borrower will negotiate to reach an agreement with the community before starting the intervention (in land issues ESS 5 will apply). Once /if land restrictions and/or land acquisition is assessed necessary, the borrower will prepare IPPs during project implementation once the specific sites for the subprojects have been identified.



The project, in addition to civil works and equipment will also develop instruments, protocols, training program, training material content, mechanisms to strengthen teacher preparation (C1), development (C2) and support by improving the provision of services to teachers (C3) throughout their career.

The adequacy / relevancy of these proposed instruments, materials and mechanisms should be validated from a cultural and gender perspective by the Borrower to identify opportunities to overcome barriers due to ethnicity (cosmovision, languages , auto-perception, etc.), and gender issues (roles of women and men in these societies, rights and obligations, prohibitions, etc.). Being offered better tailored alternatives that integrate their specific needs, would allow teachers from culturally differentiated group to take better advantage of projects opportunities and thus provide a more equitable access to project's expected benefits. The social assessment will add value to the project considering cultural issues, through generating data on teachers in service disaggregated by ethnic origin, geographical location of teaching center, and gender, to identify and analyze potential barriers to be overcome by the historically vulnerable groups related to ESS 7 (for detail refer to ESS1).

The Borrower will ensure that these teachers will be opportunely and meaningfully consulted and will participate actively in the design and implementation of the project in their role as project beneficiaries. Draft of the social assessment prepared (ESS1) will be consulted with key stakeholders from these two groups to share information, validate the findings and offer them an opportunity to contribute to the proposed activities / products to maximize the feasibility / sustainability of the project's activities. Consultations and participation for these two groups will be considered as part of the project's SEP in accordance to ESS10).

Considering the potential situations and project's activities identified above, the Borrower will prepare an Indigenous Peoples Planning Framework (IPPF). The IPPF will describe the procedures the Borrower will take into account in cases such as those identified above (land issues and social impacts related to land acquisition / access limitation) and will define situations when free prior informed consent (FPIC) might be required and when it is not according to ESS7 requirements. As well, IPPF will specify the ways indigenous and Afro descendants' expected beneficiaries will be opportunely and meaningfully consulted and how they can participate actively in the design and implementation of the project in their role as project beneficiaries.

### **ESS8 Cultural Heritage**

This standard is relevant.

It is not expected that the final list of prioritized IESPs and selected DREs and UGELs will contain institutions that are located within the limits of cultural sites, both tangible (e.g., archaeological sites) and intangible. This will be confirmed as part of the Bank's due diligence, once the results of the technological infrastructure census and diagnosis of infrastructure needs are available. If necessary, based on the mentioned information (expected for 11/2019), the ESMF's screening tool will include the identification of potential cultural sites, as well as Guidelines for the development of the corresponding site-specific management plans.

Chance findings could occur during earthworks as part of infrastructure activities, especially in the case of IESPs to be intervened under C1. Guidelines for the development of site-specific Chance Find Procedure will be developed by the Borrower in line with national legislation, and para. 11 of ESS 8 and incorporated in the ESMF.



Relevance of this ESS will be further assessed as part of the Bank’s due diligence, as more information becomes available about the scope and location of interventions under C1 and C3.

**ESS9 Financial Intermediaries**

This standard is not relevant.

**B.3 Other Relevant Project Risks**

No other relevant environmental and social risks have been identified. However, during the Bank’s due diligence new information may arise that will need to be incorporated into the applicable standards.

**C. Legal Operational Policies that Apply**

**OP 7.50 Projects on International Waterways** No

**OP 7.60 Projects in Disputed Areas** No

**III. WORLD BANK ENVIRONMENTAL AND SOCIAL DUE DILIGENCE**

**A. Is a common approach being considered?** No

**Financing Partners**

There are no other financing partners.

**B. Proposed Measures, Actions and Timing (Borrower’s commitments)**

**Actions to be completed prior to Bank Board Approval:**

Based on the available information, the team has prepared the following list of the different studies and instruments, proportionate to the scale of the risk and impacts of the projects (moderate), to be developed by the Borrower prior to the specified milestones:

1. Draft ESMF: prior to Appraisal; finalized prior to board approval. The draft ESMF will contain the guidelines for the development of the different site-specific environmental and social management plans detailed under ESS1 and other relevant ESSs.
2. Draft LMP: prior to Board Approval.
3. Draft SA: prior to Appraisal; finalized prior to board approval.
4. Draft RPF: prior to Appraisal, finalized prior to board approval.
5. Draft IPPF: prior to Appraisal, finalized prior to board approval.
6. Draft SEP: prior to appraisal finalized prior to board approval. Preliminary consultations will be carried out as part of the preparation of the environmental and social instruments (1 to 4). Consultations of the draft instruments



will be conducted until two weeks prior to board approval. The SEP will also include consultations and participation with indigenous people and afro descendants to collect their inputs.

**Possible issues to be addressed in the Borrower Environmental and Social Commitment Plan (ESCP):**

The project will ensure consistency with the ESF through the preparation and implementation of the Environmental and Social Commitment Plan (ESCP), which will be prepared by the Borrower during the preparation stage of the project, prior to appraisal. The ESCP will be in line with the relevant environmental and social instruments described in the ESSs. It will contain an adaptive management process, inputs to bidding documents for construction, requirements for monitoring reports, and institutional agreements that will need to be subscribed.

**C. Timing**

**Tentative target date for preparing the Appraisal Stage ESRS**

15-Feb-2020

**IV. CONTACT POINTS**

**World Bank**

Contact:	Ciro Avitabile	Title:	Senior Economist
Telephone No:	473-9206	Email:	cavitabile@worldbank.org

Contact:	Renata Freitas Lemos	Title:	Senior Economist
Telephone No:	5220+30405 /	Email:	rlemos@worldbank.org

**Borrower/Client/Recipient**

Borrower: Ministerio de Economía y Finanzas del Perú

**Implementing Agency(ies)**

Implementing Agency: Ministerio de Educación del Perú

**V. FOR MORE INFORMATION CONTACT**

The World Bank  
1818 H Street, NW  
Washington, D.C. 20433  
Telephone: (202) 473-1000  
Web: <http://www.worldbank.org/projects>

**VI. APPROVAL**

Task Team Leader(s):	Ciro Avitabile, Renata Freitas Lemos
Practice Manager (ENR/Social)	Maria Gonzalez de Asis Recommended on 09-Oct-2019 at 18:01:18 EDT

Public Disclosure



Safeguards Advisor ESSA

Noreen Beg (SAESSA) Cleared on 10-Oct-2019 at 11:44:24 EDT