

Sotz'il

DEDICATED GRANT MECHANISM FOR INDIGENOUS PEOPLES AND LOCAL COMMUNITIES IN GUATEMALA (P170391)

DRAFT ENVIRONMENTAL and SOCIAL COMMITMENT PLAN (ESCP)

January 8, 2021

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Association Sotz'il (the National Executing Agency or NEA) is planning to implement the Dedicated Grant Mechanism (DGM) for Indigenous Peoples and Local Communities (IPLC) in Guatemala (the **Project**), under the guidance and direction of a National Steering Committee (NSC). The International Bank for Reconstruction and Development (hereinafter the Bank) has agreed to provide financing for the Project.
2. Sotz'il, acting as NEA, will implement material measures and actions so that the Project is implemented in accordance with the World Bank Environmental and Social Standards (**ESSs**). This Environmental and Social Commitment Plan (**ESCP**) sets out a summary of the material measures and actions.
3. Where the ESCP refers to specific plans or other documents, whether they have already been prepared or are to be developed, the ESCP requires compliance with all provisions of such plans or other documents. In particular, the ESCP requires compliance with the provisions set out in the Stakeholder Engagement Plan (SEP) that have been developed for the Project, and Environmental and Social Management Framework (ESMF), Indigenous Policy and Peoples Framework (IPPF), and Labor Management Procedures that will be developed for the Project.
4. The table below summarizes the material measures and actions that are required as well as the timing of the material measures and actions. Sotz'il, acting as NEA, is responsible for compliance with all requirements of the ESCP even when implementation of specific measures and actions is conducted by the other agency.
5. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Bank by Sotz'il as required by the ESCP and the Grant Agreement, and the Bank will monitor and assess progress and completion of the material measures and actions throughout implementation of the Project.
6. As agreed by the Bank and Sotz'il, this ESCP may be revised from time to time during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to assessment of Project performance conducted under the ESCP itself. In such circumstances, Sotz'il will agree to the changes with the Bank and will update the ESCP to reflect such changes. Agreement on changes to the ESCP will be documented through the exchange of letters signed between the Bank and Sotz'il. Sotz'il will promptly disclose the updated ESCP.
7. Where Project changes, unforeseen circumstances, or Project performance result in changes to the risks and impacts during Project implementation, Sotz'il shall provide additional funds, if needed, to implement actions and measures to address such risks and impacts.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
MONITORING AND REPORTING			
A	<p>REGULAR REPORTING</p> <p>Prepare and submit regular monitoring reports on the implementation of the ESCP. The reports shall include, inter alia:</p> <ul style="list-style-type: none"> • Progress in ESCP implementation. • Status of preparation and implementation of environmental and social (E&S) documents referenced in the ESCP. • Summary of activities to be conducted in the subsequent period. Summary of capacity-building and training activities. • Summary of outreach, participation, and consultation activities during the period. • Record of complaints and grievances received and addressed during the period through the Grievance Redress Mechanism (GRM) for workers and the community. <p>The Project Operations Manual (POM) shall contain an annex that includes the minimum content and format of the related reports, indicating the frequency and processes.</p>	<p><i>Bi-annually throughout Project implementation.</i></p>	<p><i>National Executing Agency (NEA)</i></p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
B	<p>INCIDENTS AND ACCIDENTS</p> <p>1. Flash Report: Promptly notify the Bank of any accident related to the Project, or significant incident which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public, or workers. This immediate notification must contain basic information about the incident or accident, the severity of the incident or accident (explicitly stating if a fatality occurs) and the circumstances under which it happened, as well as the immediate steps taken to address it.</p> <p>2. Detailed Report: Subsequently prepare and submit to the Bank a report detailing the incident or accident including the measures needed to prevent its recurrence. The POM shall contain an annex that includes the minimum content and format of the flash and detailed reports.</p>	<p>1. Notify the Bank, through the flash report, within 48 hours after learning of the incident/accident.</p> <p>2. Submit the detailed report of the incident/accident to the Bank within 10 working days of the incident/accident.</p>	NEA
C	<p>REGULAR REPORTS FROM SUBPROJECT BENEFICIARIES</p> <p>NEA shall require in the agreements (Subproject Agreements) with Eligible Indigenous Peoples and Local Communities (IPLCs) the submission of monitoring reports, which must contain, among others, ESHS aspects. The NEA shall in turn submit these reports to the Bank as part of the bi-annual reports (see Action A). The POM will contain an annex of the minimum content and format of the reports.</p>	<p><i>SBs shall prepare and submit to the NEA bi-monthly monitoring reports during the entire subproject period. The NEA shall submit these reports to the Bank every six months in the bi-annual reports referred to in Action A.</i></p>	NEA
<p>ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS</p>			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>NEA shall maintain qualified personnel to support the management of E&S risks. This includes a dedicated environmental and social specialist as part of the NEA’s core staff to strengthen its capacity to comply with the ESF during preparation/implementation. The E&S specialist will coordinate the work of one environmental consultant and one social consultant to support for E&S management of subprojects.</p> <p>The POM will include an annex outlining the responsibilities of the specialist, as well as the hiring process.</p>	<p><i>An organizational structure including an E&S specialist will be established by 30 days of Effective Date. The organizational structure, including the specialist, should be maintained throughout Project implementation. One environmental and one social consultant will be hired full time to support subproject E&S management while these are prepared and implemented.</i></p>	NEA

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.2	<p>MANAGEMENT TOOLS AND INSTRUMENTS</p> <p>a. NEA shall develop, disclose, consult, update as necessary, adopt and implement a project-level Environmental and Social Management Framework (ESMF) including measures for avoiding, minimizing, preventing or mitigating risks and impacts in accordance with the applicable Environmental and Social Standards (ESSs) and proportional to their scale and complexity. The Project’s ESMF will include the following minimum components:</p> <ul style="list-style-type: none"> i. Legal Framework: highlighting national regulations, international agreements and EHS Guidelines that are applicable to the Project and relevant to the application of each ESS; ii. Institutional Framework: describing the necessary institutional arrangements for the implementation of the Project, the level of decentralization for the supervision and oversight of interventions, as well as the capacity of the NEA to manage Project E&S aspects according to the ESF; iii. Environmental and Social Assessment. The ESMF will assess main social and environmental issues, risks, and impacts related to the Project’s proposed activities and areas of intervention, updating the information obtained from the Social Assessment developed in 2019; iv. Environmental and Social Management framework; v. Process Framework; vi. Capacity building measures to strengthen the NEA on E&S aspects of Project management. vii. Guidelines and protocols to manage COVID-19 related risks. <p>b. For sub-projects, prepare, consult, disclose, adopt and implement Environmental and Social Management Plan (ESMPs), as required, in a manner acceptable to the Bank.</p>	<p>a. ESMF to be prepared, consulted, disclosed and adopted not later than sixty (60) days after the Effective Date.</p> <p>b. ESMPs to be prepared, disclosed and adopted according to before sub-projects initiate.</p>	NEA

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.3	<p>GENDER ASSESSMENT AND ACTION PLAN</p> <p>As part of the ESMF with existing information about gender and prepare a Gender Assessment and a subsequent Gender Action Plan (GAP) to integrate informed actions into Project implementation.</p>	<i>Within the same timeframe specified for the ESMF in action 1.2.</i>	NEA
1.4	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that consultancies, studies, capacity building, trainings, and any other form of technical assistance implemented under the Project are carried out in accordance with terms of reference that are acceptable to the Bank and include the necessary ESHS provisions in accordance with the Environmental and Social Standards.</p>	<i>Throughout Project implementation.</i>	NEA
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>Develop, update as necessary, adopt, and implement the Labor Management Procedures (LMP) that have been developed for the Project. consistent with ESS2 and in a manner acceptable to the Bank. The LMP will</p>	<i>The LMP will be developed, consulted and disclosed 60 days after the Effective Date.</i>	NEA
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS</p> <p>Establish, maintain, and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2.</p>	<i>Grievance mechanism operational 60 days after Effective Date and maintained throughout Project implementation.</i>	NEA
2.3	<p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</p> <p>1. Prepare and implement occupational, health, and safety (OHS) measures consistent with ESS2, and include these in the ESMF.</p> <p>2. Prepare and implement OHS management measures, including emergency preparedness and response measures, as part of the development and implementation of ESMPs, in accordance with the ESMF and LMP.</p> <p>3. Training activities on OHS.</p>	<p><i>1. Within the same timeframe specified for action 1.2 above.</i></p> <p><i>2. Within the same timeframe specified for action 1.2 above.</i></p>	NEA
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
3.1	<p>POLLUTION PREVENTION AND MANAGEMENT: Pollution prevention and management measures of subprojects or other activities will be addressed in the site-specific ESMPs, in accordance with the guidelines stipulated in the Project-ESMF. The NEA shall prepare, or coordinate and provide support for the preparation of these ESMPs (depending on the complexity of the activities); as well as supervise their adequate implementation.</p>	<i>Within the same timeframe specified for the ESMF in action 1.2.</i>	NEA
3.2	<p>INTEGRATED PEST MANAGEMENT: Integrate measures within the ESMF for promoting integrated pest management (IPM) approaches and minimize the application of pesticides to reduce risks to human health and the environment, particularly in situations when pesticide and herbicide use may increase as a result of the project. The ESMF will include guidelines for the preparation of Integrated Pest Management Plans (IPMPs) for relevant subprojects and will describe necessary training.</p>	<i>Within the same timeframe specified for the ESMF and ESMPs in action 1.2.</i>	NEA
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>COMMUNITY HEALTH AND SAFETY: Prepare, adopt, and implement measures and actions to assess and manage specific risks and impacts to the community arising from Project activities, including, inter alia, community risk of exposure to COVID-19 and other diseases, behavior of workers, risks related to labor influx, response to emergency situations, and include these measures in subproject ESMPs to be prepared in accordance with the ESMF.</p>	<i>Within the same timeframe specified for the ESMF and ESMPs in action 1.2.</i>	NEA
4.2	<p>GBV AND SEA RISKS: Prepare, adopt, and implement a stand-alone Gender-Based Violence Action Plan (GBV Action Plan) to be included in the ESMF to assess and manage the risks of gender-based violence (GBV) and sexual exploitation and abuse (SEA).</p>	<i>Within the same timeframe specified for the ESMF in action 1.2.</i>	NEA
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			

5.1	<p>PROCESS FRAMEWORK: Prepare a Process Framework in the ESMF to determine possible impacts to land tenure due to project activities and when required before carrying out the corresponding activities, and in a manner acceptable to the Bank. The PF will describe the processes to determine the measures necessary to mitigate any risks brought by project activities which might result in community/voluntary enforcement of existing restrictions of access to protected areas and natural resources. The PF will include measures for potentially affected communities to participate in determining the risk response strategies, and their integration into subproject ESMPs when relevant.</p>	<p><i>Within the same timeframe specified for the ESMF and ESMPs in action 1.2.</i></p>	NEA
5.2	<p>LAND TENURE SCREENING: Prepare a screening tool in the ESMF to determine possible impacts to land tenure due to project activities in a manner acceptable to the Bank.</p>	<p><i>Within the same timeframe specified for the ESMF and ESMPs in action 1.2.</i></p>	NEA
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	<p>BIODIVERSITY RISKS AND IMPACTS: a. Incorporate and implement procedures, as shall be specified in the ESMF and further detailed where required in site-specific ESMPs, to ensure that activities financed by the Project will not adversely impact biodiversity and environmentally sensitive areas, particularly in natural or critical habitats. b. In the event that a specific ESMP identifies the need for a Biodiversity Management Plan (BMP) and/or compensation/offset plan for loss or degradation of a natural habitat, the plan shall be developed in accordance with ESS 6 and applicable national standards, as part of the corresponding ESMP and in a manner acceptable to the Bank.</p>	<p><i>a. Same timeframe as for the preparation and implementation of the ESMPs, as indicated in action 1.2 above.</i> <i>b. Obtain Bank approval prior to initiating subproject activities. Thereafter, implement the BMP as indicated.</i></p>	NEA
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			

7.1	<p>INDIGENOUS PEOPLES FRAMEWORK Prepare, adopt, and implement an Indigenous Peoples Planning Framework (IPPF) setting out the ways to consult, reach agreements on prioritization and activation of investments, and disclose information to indigenous communities and organizations at different levels, and in accordance with ESS7's requirements for meaningful consultation, free, prior and informed consent (FPIC) and in line with the national legal framework, and the communities' traditional decision-making processes.</p>	<p><i>The IPPF will be developed, consulted and disclosed 60 days after Effective Date.</i></p>	NEA
7.2	<p>INDIGENOUS PEOPLES PLANS For specific subprojects, the selected IPLCs will prepare, adopt, and implement one or more Indigenous Peoples Plans (IPPs) in accordance with the selection process outlined in the IPPF, and consistent with the requirements of ESS7. These IPPs document the participatory, consultation and FPIC processes carried out to prioritize, select, prepare and implement subprojects, ensuring that their customary ways for decision making and traditional representatives are involved in decision making.</p>	<p><i>IPPs developed before commencement of activities in areas where the IPPF provides for the preparation of such IPPs.</i></p>	NEA
7.3	<p>MONITORING AND REPORTING Describe in the IPPF the need to provide monitoring reports for relevant subprojects. These reports will be submitted to the Bank as part of the bi-annual reports (see Action A).</p>	<p><i>Bi-monthly monitoring reports during the entire subproject period.</i></p>	NEA
ESS 8: CULTURAL HERITAGE			
8.1	<p>CULTURAL HERITAGE: As part of site-specific ESMPs, carry out an assessment of tangible and intangible cultural heritage present in areas which may be affected by Project activities in accordance with requirements to be specified in the ESMF and IPPF. . If an ESMP identifies the need to develop, adopt and implement a Cultural Heritage Management Plan (CHMP), this shall be developed based on the requirements of ESS 8.</p>	<p><i>Within the same timeframe specified for the ESMF and ESMPs in action 1.2.</i></p>	NEA
8.1	<p>CHANCE FINDS: Prepare, adopt, and implement the chance finds procedure described in the ESMF developed for the Project.</p>	<p><i>Within the same timeframe specified for the ESMF and ESMPs in action 1.2.</i></p>	NEA
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			

10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION Update, adopt, and implement Stakeholder Engagement Plan (SEP).</p>	<p><i>SEP updated and finalized by Effective Date.</i></p>	NEA
10.2	<p>PROJECT GRIEVANCE MECHANISM: Prepare, adopt, maintain and operate a grievance mechanism, as described in the SEP.</p>	<p><i>Within the same timeframe specified for the SEP in action 10.2.</i></p>	NEA
CAPACITY SUPPORT (TRAINING)			
CS1	<p>TRAINING OF BENEFICIARIES: Training of Project beneficiaries, including the base organizations from each of the three eligible IPLC networks, on the implementation of measures to manage including:</p> <ul style="list-style-type: none"> • Environmental and social management instruments relevant to the subproject • Occupation Health and safety for the workforce • Infectious Disease Prevention and Response including measures for COVID-19 • Participatory Monitoring and Evaluation • Climate change resilience • Community and worker health and safety • GBV Risk Mitigation 	<p><i>The training plan shall be presented no later than ninety days after the Effective Date.</i></p> <p><i>Trainings will be provided during Project implementation by the ANE in accordance with an agreed timeline as per the plan.</i></p>	NEA
CS2	<p>TRAINING OF NEA SPECIALISTS AND E&S CONSULTANTS PROVIDING TECHNICAL ASSISTANCE: 1. Training of NEA dedicated specialists on the Bank’s ESSs and Project instruments including:</p> <ul style="list-style-type: none"> • Overview of Environmental and Social Management Instruments • Operationalization of ESMPs and LMPs • Operationalization of Stakeholder Engagement Plan • Operationalization of IPPF and Indigenous Peoples Plans <p>2. Training of potential E&S consultants providing technical assistance, on the Project E&S instruments and on the requirements applicable to the site-specific ESMPs.</p>	<p><i>1. Training within thirty days of hiring the E&S specialist.</i></p> <p><i>2. During project implementation, in accordance with plan in action CS1.</i></p>	NEA

