

UKRAINE

IMPROVING HIGHER EDUCATION FOR RESULTS PROJECT

ENVIRONMENTAL and SOCIAL COMMITMENT PLAN (ESCP)

January 2021

Draft – Subject to Change

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Government of Ukraine will implement the ‘Improving Higher Education for Results Project’ (the **Project**), through the following Ministries: Ministry of Education and Science (MoES) and Ministry of Finance (MoF). The International Bank for Reconstruction and Development (hereinafter the Bank) has agreed to provide financing for the Project.
2. The Government of Ukraine shall implement material measures and actions so that the Project is implemented in accordance with the Environmental and Social Standards (**ESSs**). This Environmental and Social Commitment Plan (**ESCP**) sets out material measures and actions, any specific documents or plans, as well as the timing for each of these.
3. The Government of Ukraine, through MoES, shall also comply with the provisions of any other Environmental and Social (E&S) documents required under the World Bank’s Environmental and Social Framework (ESF) and referred to in this ESCP, such as Environmental and Social Management Plans (ESMP), Resettlement Action Plans (RAP), Labor Management Procedures (LMP), and Stakeholder Engagement Plans (SEP), and the timelines specified in those E&S documents.
4. The Government of Ukraine is responsible for compliance with all requirements of the ESCP even when implementation of specific measures and actions is conducted by the Ministries referenced in 1. above.
5. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Bank by the Government of Ukraine, through MoES, as required by the ESCP and the provisions of the Loan Agreement between Ukraine and the Bank, and the Bank shall monitor and assess progress and completion of the material measures and actions throughout implementation of the Project.
6. As agreed by the Bank and the Government of Ukraine, 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, the Government of Ukraine shall agree to the changes with the Bank and shall 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 the Government of Ukraine. The Government of Ukraine shall 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, the Government of Ukraine shall provide additional funds, if needed, to implement actions and measures to address such risks and impacts, which may include environmental or labor risks.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
MONITORING AND REPORTING			
A	<p>REGULAR REPORTING</p> <p>Prepare and submit regular monitoring reports on environmental and social performance of the Project, including but not limited to the implementation of the ESCP. The contractor’s reporting obligations under the ESMF and Labor Management Procedures shall be reflected into the Environmental, Social, Health and Safety (ESHS) specifications of the procurement documents.</p>	<p>Annually throughout Project implementation. Coordinate with the World Bank’s Implementation Status and Results (ISR) Report.</p>	MoES
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, beneficiaries or workers including COVID-19 infection cases among project-affected parties. Provide sufficient detail regarding the incident or accident, indicating immediate measures taken or that are planned to be taken to address it, and any information provided by any contractor and supervising entity, as appropriate. Subsequently, as per the Bank’s request, prepare a report on the incident or accident and propose any measures to prevent its recurrence.</p>	<p>Notify the Bank within 48 hours after learning of the incident or accident.</p> <p>A detailed incident report shall be submitted to the Bank not later than 7 working days from the PIU learning of the incident</p>	MoES
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Organizational structure: Establish a Project Implementation Unit (PIU) with qualified staff to support management of risks including social and environment specialists responsible for ensuring full compliance with the ESF and relevant instruments.</p> <p>Maintain the structure throughout Project implementation.</p>	<p>MoES shall hire a PIU including a Project manager, financial management specialist, procurement specialist, environmental specialist, and social specialist, all with terms of reference and qualifications acceptable to the Bank, within sixty days of Project effectiveness. Project Working Group is responsible for project in the intervening sixty days.</p> <p>On-going throughout project implementation</p>	MoES

1.2	<p>ENVIRONMENTAL AND SOCIAL ASSESSMENT</p> <p>Undertake environmental and social screening of all proposed subprojects. Based on the screening outcomes and additional fact-finding, as required, prepare subproject-specific ESMPs with mitigation measures and monitoring plans.</p>	Throughout Project implementation.	MoES
1.3	<p>MANAGEMENT TOOLS AND INSTRUMENTS</p> <p>Prepare and disclose draft Environmental and Social Management Framework (ESMF), undertake meaningful public consultations on it, finalize by incorporating relevant feedback and re-disclose thereafter and adopt.</p> <p>Prepare, disclose, consult with stakeholders, finalize and adopt thereafter subproject-specific ESMPs prior to tendering of works. Include ESMPs into contracts for the provision of civil works and supervise their implementation by contractors.</p>	<p>ESMF shall be prepared, disclosed, consulted and adopted prior to appraisal. ESMF to be applied throughout Project implementation</p> <p>ESMPs shall be prepared, disclosed consulted upon and WB approved prior to the respective sub-project bidding.</p>	MoES
1.4	<p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, including requirement to comply with ESMPs and Labor Management Procedures, into the ESHS specifications of the procurement documents. Thereafter ensure that the contractors comply with the ESHS specifications of their respective contracts.</p>	<p>Prior to the preparation of procurement documents.</p> <p>Supervise contractors throughout the Project implementation.</p>	MoES
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>Implement Labor Management Procedures (LMP).</p> <p>Establish procedures for screening of and mitigating risks of gender-based violence (GBV) and sexual exploitation and abuse and sexual harassment (SEA/SH).</p>	<p>Project level LMP shall be prepared prior to appraisal. LMP to be applied throughout Project implementation</p> <p>Establishment of procedure for screening risks of GBV and SEA/SH prior to work commencement and apply throughout the project life.</p>	MoES
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS</p> <p>Establish, maintain, and operate grievance redress mechanisms (GRM) for direct workers and obligate contractors to provide GRM for their personnel, as described in the LMP and consistent with ESS2.</p> <p>Monitor implementation and processing of the received complaints, including the ones related to SEA/SH; maintain GRM log.</p>	<p>Grievance mechanism operational prior to engaging project workers (direct and contracted) and maintained throughout Project implementation.</p> <p>Ongoing throughout Project implementation.</p>	MoES

2.3	<p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</p> <p>Where assessed as necessary, implement measures of protection at work and safety for jobs with increased risk of injury and damage to health, as well as organization of training for workers in such jobs, including COVID-related risks.</p> <p>Ensure that all Contractors adopt and implement OHS measures as detailed in ESMF/ESMPs.</p>	<p>Ongoing throughout Project implementation.</p> <p>OHS measures are to be specified in each of the site-specific ESMPs, where determined to be necessary by the environmental and social Screening.</p>	MoES
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ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT

3.1	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT:</p> <p>Include measures to prevent pollution during construction and operation into subproject-specific ESMPs following guiding principles of the ESS 3, ESMF and the WBG Guidelines for Environment, Health and Safety (EHS), and duly applied.</p>	Throughout Project implementation.	MoES
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ESS 4: COMMUNITY HEALTH AND SAFETY

4.1	<p>COMMUNITY HEALTH AND SAFETY: Include measures to protect community health and safety during construction and operation (including traffic management) into subproject-specific ESMPs following guiding principles of the ESF and ESMF and duly applied.</p>	Throughout Project implementation	MoES
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ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT

5.1	<p>LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT: Disclose and consult with stakeholders, finalize by incorporating relevant feedback and re-disclose and adopt draft Resettlement Policy Framework (RPF).</p>	RPF shall be prepared, disclosed and adopted prior to appraisal. RPF to be applied throughout Project implementation.	MoES
5.2	<p>Draft, discuss with stakeholders, finalize and implement RAPs, as necessary.</p> <p>After identification/selection of institutions, site-specific social screening and assessments.</p>	<p>RAPs to be prepared immediately after completion of sub-project design and after the social analysis (described in the RPF) confirms expropriation is needed. To be implemented and completed before the commencement of the sub-project works.</p> <p>Throughout Project Implementation</p>	MoES

ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
	<i>Not relevant to the project</i>		
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
	<i>Not relevant to the project</i>		
ESS 8: CULTURAL HERITAGE			
8.1	<p>CULTURAL HERITAGE: Screen each subproject to exclude impacts on cultural heritage based on the location of the higher education institution.</p> <p>Include Chance Finds Procedure into all civil works contracts and obligate contractors to adhere.</p>	Throughout Project implementation.	MoES
ESS 9: FINANCIAL INTERMEDIARIES			
	<i>Not relevant to the project</i>		
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE: Disclose, consult with stakeholders, finalized based on the received feedback and redisclose SEP.</p> <p>Implement SEP; conduct the Communication and Public Outreach Campaign.</p> <p>Report on the implementation of all activities in the SEP.</p>	<p>Before the completion of appraisal</p> <p>Throughout Project life.</p> <p>At least every six months during implementation of SEP.</p>	MoES
10.2	Maintain and operate a grievance mechanism to address all complaints and grievances including one related to SEA/SA, as described in the SEP.	Throughout Project implementation.	MoES
CAPACITY SUPPORT (TRAINING)			

CS1	<p>Training and/or consultation will be required for selected MoES staff with responsibility over environmental and social aspects of the project on:</p> <ul style="list-style-type: none"> • stakeholder mapping and engagement • specific aspects of environmental and social assessment, including SEA/SH related risks; • emergency preparedness and response (including in the context of COVID-19 impacts) • community health and safety (including in the context of COVID-19 impacts) 	<p>Within three months after Project effectiveness followed by a minimum one annual refresher training and consultation</p>	<p>MoES through PIU consultants</p>
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