

The Republic of Nicaragua

COVID-19 Response Project

[Draft / Version for Negotiations]

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

PLAN DE COMPROMISO AMBIENTAL y SOCIAL

October 27, 2020

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of Nicaragua, through the Ministry of Finance and Public Credit (MHCP in Spanish) (hereinafter the **Borrower**) will implement the COVID-19 Response Project (the **Project**), through the United Nations Office for Project Services (UNOPS) as the implementing entity. The International Bank for Reconstruction and Development (hereinafter the **Bank**) has agreed to provide financing for the Project.
2. The Borrower 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 Borrower is responsible for compliance with all requirements of the ESCP even when implementation of specific measures and actions is conducted by the United Nations Office for Project Services (UNOPS).
4. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Bank by the Borrower as required by the ESCP and the conditions of the legal agreement, and the Bank will monitor and assess progress and completion of the material measures and actions throughout implementation of the Project.
5. As agreed by the Bank and the Borrower, 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 Borrower shall agree to the changes with the Bank and will update the ESCP to reflect such changes. Agreement on changes to the ESCP shall be documented through the exchange of letters signed between the Bank and the MHCP on behalf of the Borrower. The Ministry of Health (MoH), on behalf of the MCHP, shall promptly disclose the updated ESCP.
6. Where Project changes, unforeseen circumstances, or Project performance result in changes to the risks and impacts during Project implementation, the Borrower 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	REGULAR REPORTING: 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, stakeholder engagement activities and grievances log.	Every six-months beginning from the Effective Date during the Project's implementation in conjunction with the Project's progress reports.	Ministry of Finance and Public Credit (MHCP), through UNOPS. Prepared by UNOPS. Reviewed (with support from Ministry of Health (MoH)'s Environmental Unit within the General Directorate of Public Health Surveillance (DGVS) as well as the Institute of Natural Medicine and Complementary Therapies (IMNTC), as members of the MoH Project Technical Committee) and submitted to the Bank by MHCP.
B	INCIDENTS AND ACCIDENTS 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 project workers, including cases of COVID19 among project workers. 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.	Notify the Bank within 48 hours after learning of the incident or accident. A full report would be provided within a timeframe acceptable to the Bank, as requested.	MHCP, through UNOPS.
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS EVALUACIÓN Y GESTIÓN DE RIESGOS E IMPACTOS AMBIENTALES Y SOCIALES			
1.1	ORGANIZATIONAL STRUCTURE: The MHPC will ensure that UNOPS, as the Project's implementing agency, establishes and maintains adequate capacity, consisting of at least one full time environmental and one full time social specialist, for the management of environmental and social standards relevant to the Project.	One Environmental and one social specialist to be available to support the Project by the Project Effective Date and thereafter retained throughout Project implementation.	MHCP

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<p>1.2 ENVIRONMENTAL AND SOCIAL ASSESSMENT/MANAGEMENT PLANS AND INSTRUMENTS/ CONTRACTORS</p> <p>a. Assess the environmental and social risks and impacts of proposed Project in accordance with the Environmental and Social Management Framework (ESMF) to be prepared, consulted with stakeholders, disclosed and adopted for the Project, the Nicaragua Preparedness and Response Plan (NPRP) for COVID-19, and Good International Industry Practice (GIIP) including the COVID-19 Strategic Preparedness and Response Plan (SPRP) prepared by the World Health Organization (WHO), all in a manner consistent with ESS1 and acceptable to the Bank. This will include ensuring that individuals or groups who, because of their particular circumstances, may be disadvantaged or vulnerable, have access to the development benefits resulting from the Project. The ESMF will also screen and identify the risks related to contracting and/or utilizing security forces to support project financed activities. Until the ESMF is approved, the environmental and social risks and impacts of the Project will be assessed and managed in a manner consistent with the ESSs.</p> <p>b. Prepare, consult with stakeholders, disclose, adopt, and implement any environmental and social management plans or other instruments required for the respective Project activities based on the assessment process, in accordance with the ESSs, the ESMF, the EHSs, and other relevant Good International Industry Practice (GIIP) including the relevant WHO guidelines on COVID-19, in a manner acceptable to the Bank.</p> <p>c. Incorporate the relevant aspects of this ESCP, including, inter alia, requirements detailed in the ESMF, any environmental and social management plans or other instruments, ESS2 requirements, and any other required ESHS measures, into the ESHS specifications of the procurement documents and any contracts with contractors and supervising firms (where applicable). Thereafter ensure that the contractors and supervising firms comply with the ESHS specifications of their respective contracts.</p>	<p>a. ESMF to be prepared, disclosed and adopted, in a manner acceptable to the Bank, not later than sixty (60) days after the Effective Date. Assessment to be conducted before the carrying out of the relevant Project activities.</p> <p>b. Before carrying out the relevant Project activities, and thereafter throughout the carrying out of such activities.</p> <p>c. Before launching the procurement process for the relevant activities, and thereafter throughout the carrying out of such activities.</p>	<p>MHCP, through UNOPS.</p>

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1.3	<p>EXCLUSIONS: Exclude the following types of activities as ineligible for financing under the Project:</p> <ul style="list-style-type: none"> • Procurement of pesticides and high energy consumption equipment or equipment that generates emissions that affect the ozone layer. • Activities that have high probability of causing serious adverse effects to human health and/or the environment not related to treatment of COVID-19 cases, such as transport and disposal of highly infectious waste that have not been duly treated for the purpose. • Activities that may have significant adverse social impacts and may give rise to significant social conflict • Activities that may affect lands or rights of indigenous people or other vulnerable minorities • Activities that may involve permanent resettlement or land acquisition or adverse impacts on cultural heritage. • All the other excluded activities to be set out in the <i>ESMF</i> of the Project. 	During the assessment process conducted under action 1.2.a. above.	MHCP, through UNOPS.
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT: The Project shall be carried out in accordance with the applicable requirements of ESS2, in a manner acceptable to the Bank, including through, inter alia, implementing adequate occupational health and safety measures (including emergency preparedness and response measures), setting out grievance arrangements for Project workers, and incorporating labor requirements into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms. The Borrower will ensure that specific prohibitions will be enacted in the deployment of security personnel for implementation of any project activities, including no child labor and no forced labor. Measures shall be reflected in the ESMF and Labor Management Procedures (LMP) to be adopted by the Recipient reflecting the above requirements.</p>	LMP to be adopted prior to engaging project workers in Project activities. All measures specified in this action 2.1 to be implemented throughout Project implementation.	MHCP, through UNOPS.
2.2	<p>OCCUPATIONAL HEALTH AND SAFETY: Ensure appropriate measures for occupational health and safety are adopted and maintained throughout the project, in particular to protect the health of medical workers administering services in connection with the project. Such measures shall be specified in the LMP and reported on in the regular project monitoring reports.</p>	Measures shall be specified in the LMP prior to engaging workers in Project activities, and implemented throughout Project implementation.	MHCP, through UNOPS.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
2.3	LABOR GRIEVANCE MECHANISM: Establish, maintain, and operate a grievance mechanism specifically for Project workers, as described in the LMP and consistent with ESS2 or require the operation of a grievance mechanism (in the case of contractors) as described in the LMP and consistent to ESS2.	Labor Grievance Mechanism shall be specified in the LMP prior to engaging workers in Project activities, and implemented throughout Project implementation.	MHCP, through UNOPS and in coordination with MoH.
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT EFICIENCIA DE RECURSOS Y PREVENCIÓN Y GESTIÓN DE LA CONTAMINACIÓN			
	Relevant aspects of this standard shall be considered, as needed, under action 1.2 above, including, inter alia, measures to: manage health care wastes, and other types of hazardous and non-hazardous wastes.		
ESS 4: COMMUNITY HEALTH AND SAFETY SALUD Y SEGURIDAD COMUNITARIAS			
	Relevant aspects of this standard shall be considered, as needed, under action 1.2 above including, inter alia, measures to: minimize the potential for community exposure to communicable diseases; ensure that individuals or groups who, because of their particular circumstances, may be disadvantaged or vulnerable have access to the development benefits resulting from the Project; manage the risks of the use of security personnel; manage the risks of labor influx; and identify risks related to, prevent and respond to sexual exploitation and abuse (SEA), sexual harassment, gender-based violence or domestic violence. The Borrower will ensure that any security personnel engaged in the any activities associated with the project will follow strict rules of engagement, code of conduct, and avoid any escalation.		
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT ADQUISICIÓN DE TERRENOS, RESTRICCIONES AL USO DEL TERRENO Y REASENTAMIENTO INVOLUNTARIO			
	Not currently relevant.		
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES CONSERVACIÓN DE LA BIODIVERSIDAD Y GESTIÓN SOSTENIBLE DE LOS RECURSOS NATURALES VIVOS			
	Not currently relevant		
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES ESS 7: PUEBLOS INDÍGENAS / COMUNIDADES LOCALES TRADICIONALES HISTÓRICAMENTE INVERTIDAS DEL AFRICANO SUBSAHARIANO			
	Relevant aspects of this standard shall be considered, as needed, under action 1.2 above. Los aspectos relevantes de esta norma se considerarán, según sea necesario, en la acción 1.2 anterior.		
ESS 8: CULTURAL HERITAGE PATRIMONIO CULTURAL			
	Protocols to recognize and incorporate cultural health practices have been established through the Bank-financed Integrated Public Provision of Health Care Services (P164452) when working with indigenous peoples and Afro-descendant communities in health-related matters. The Borrower will ensure these protocols are included in the ESMF and applied when entering and treating indigenous peoples and Afro-descendant communities.		

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY	
ESS 9: FINANCIAL INTERMEDIARIES INTERMEDIARIOS FINANCIEROS			
Not currently relevant.			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE PARTICIPACIÓN DE LAS PARTES INTERESADAS Y DIVULGACIÓN DE INFORMACIÓN			
10.1	STAKEHOLDER ENGAGEMENT INFORMATION AND DISCLOSURE: Update the draft Stakeholder Engagement Plan (SEP) developed for the Project as needed, in accordance with the NPRP for COVID-19 pandemic and in a manner acceptable to the Bank, and adopt it for ongoing implementation to ensure that the carrying out of all Project activities includes stakeholder engagement and information disclosure consistent with ESS10. The documents disclosed shall also include relevant information about the arrangements to the public about the use of security forces in activities supported under the project.	Update and adopt the SEP within 60 days after the Effective Date and implement the SEP throughout Project implementation.	MHCP, through UNOPS.
10.2	GRIEVANCE MECHANISM: Accessible grievance arrangements shall be made publicly available to receive and facilitate resolution of concerns and grievances in relation to the Project, consistent with ESS10, in a manner acceptable to the Bank.	Throughout Project implementation.	MHCP, through UNOPS and in coordination with MoH.
CAPACITY SUPPORT (TRAINING) APOYO A LA CAPACIDAD (CAPACITACIÓN)			
	TRAINING: Provide training to staff of health delivery facilities, including security personnel, on the adequate use of personal protection equipment, handling and disposal of medical wastes, among other topics as identified during development of the ESMF and throughout implementation of the Project.	Throughout Project implementation. Durante toda la implementación del Proyecto.	MHCP, through UNOPS.