

Republic of Kosovo

Early Childhood Education and Care for Kosovo's Human Capital Project (P179656)

Draft

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP)

October 24, 2023 ^[1]

^[1] To be updated to the Negotiation Date in due course.

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of Kosovo (hereinafter the Recipient) will implement the Early Childhood Development for Kosovo's Human Capital Project (the Project), with the involvement of the Ministry of Education, Science, Technology, and Innovations as set out in the Financing Agreement and in the Grant Agreement. The International Development Association (IDA) of the World Bank (hereinafter the Bank), has agreed to provide financing for the Project, as set out in the referred agreements.
2. The Recipient shall ensure that the Project is carried out in accordance with the Environmental and Social Standards (ESSs) and this Environmental and Social Commitment Plan (ESCP), in a manner acceptable to the Bank. The ESCP is a part of the Financing Agreement and in the Grant Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the referred agreements.
3. Without limitation to the foregoing, this ESCP sets out material measures and actions that the Recipient shall carry out or cause to be carried out, including, as applicable, the timeframes of the actions and measures, institutional, staffing, training, monitoring and reporting arrangements, and grievance management. The ESCP also sets out the environmental and social (E&S) instruments that shall be adopted and implemented under the Project, all of which shall be subject to prior consultation and disclosure, consistent with the ESS, and in form and substance, and in a manner acceptable to the Bank. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the Bank.
4. As agreed by the Bank and the Recipient, this ESCP will be revised from time to time if necessary, during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to Project performance. In such circumstances, the Recipient and the Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank and the MESTI. The Recipient shall promptly disclose the updated ESCP.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
MONITORING AND REPORTING			
A	<p>REGULAR REPORTING</p> <p>Prepare and submit to the Bank regular monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including but not limited to the implementation of the ESCP, status of preparation and implementation of E&S instruments required under the ESCP, stakeholder engagement activities, and functioning of the grievance mechanisms.</p>	<p>Submit biannual reports to the Bank throughout Project implementation, commencing after the Effective Date. Submit each report to the Bank no later than 10 days after the end of each reporting period, commencing after the Effective Date.</p>	<i>MESTI PIU</i>
B	<p>INCIDENTS AND ACCIDENTS</p> <p>Promptly notify the Bank of any incident or accident related to the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, including, inter alia, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury due to various factors like high-altitude work, electric shock injuries, etc. Provide sufficient detail regarding the scope, severity, and possible causes of the incident or accident, indicating immediate measures taken or that are planned to be taken to address it, and any information provided by any contractor and/or supervising firm, as appropriate.</p> <p>Subsequently, at the Bank’s request, prepare a report on the incident or accident and propose any measures to address it and prevent its recurrence.</p>	<p>Notify the Bank no later than 48 hours after learning of the incident or accident.</p> <p>Provide subsequent reports to the Bank no later than 7 days after the incident or accident.</p>	<i>MESTI PIU</i>
C	<p>CONTRACTORS’ MONTHLY REPORTS</p> <p>Require contractors and supervising firms to provide monthly monitoring reports on ESHS performance in accordance with the metrics specified in the respective bidding documents and contracts, and submit such reports to the Bank.</p>	<p>Submit the monthly reports to the Bank as annexes to the reports to be submitted under action A above.</p>	<i>Contractors to the PIU</i>
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Establish and maintain a Project Implementation Unit with qualified staff and resources to support management of ESHS risks and impacts of the Project in line with the ESF, including Environment and Social Specialists (ESSs) to assist with addressing environmental and social risks and promote awareness.</p>	<p>Establish and maintain a PIU and hire the Environment and Social Specialists (ESSs) no later than 2 months after the Project effectiveness, and thereafter maintain these positions throughout Project implementation.</p>	<i>MESTI</i>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
1.2	<p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <p>1. Adopt and implement an Environmental and Social Management Framework (ESMF) for the Project, consistent with the relevant ESSs.</p> <p>2. Adopt and implement relevant site-specific Environmental and Social Impact Assessments (ESIAs), as needed, along with the corresponding Environmental and Social Management Plans (ESMPs), in accordance with the ESMF, consistent with the relevant ESSs.</p> <p>3. Cause construction contractors to adopt and implement the site-specific ESIA and ESMP as set out in the ESMF. The proposed activities described in the exclusion list set out in the ESMF shall be ineligible to receive financing under the Project.</p>	<p>1. Adopt the draft ESMF prior to Project Appraisal and then finalize them within 30 days after the effectiveness to Effectiveness Date, and thereafter implement the ESMF throughout Project implementation.</p> <p>2. Adopt the ESIAs/ESMPs before launching the bidding process for the respective Project activity prior to the carrying out of Project activity. Once adopted, implement throughout Project implementation.</p> <p>3. Contractors to adopt and implement ESIA /ESMP prior to commencement of any works and thereafter implement throughout Project implementation.</p>	<p>1. MESTI PIU</p> <p>2. MESTI PIU and relevant municipalities</p> <p>3. Contractors</p>
1.3	<p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, including, inter alia, the relevant E&S instruments, the Labor Management Procedures, and code of conduct, into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms. Thereafter ensure that the contractors and supervising firms comply and cause subcontractors to comply with the ESHS specifications of their respective contracts.</p>	<p>As part of the preparation of procurement documents and respective contracts. Supervise contractors throughout Project implementation.</p>	<p>MESTI PIU and relevant municipalities</p>
1.4	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that the consultancies, studies, capacity building, training, and any other technical assistance activities under the Project, are carried out in accordance with terms of reference acceptable to the Bank, that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.</p>	<p>Throughout Project implementation.</p>	<p>MESTI PIU</p>
<p>ESS 2: LABOR AND WORKING CONDITIONS</p>			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
2.1	LABOR MANAGEMENT PROCEDURES Adopt and implement the Labor Management Procedures (LMP) for the Project, including, inter alia, provisions on working conditions, management of workers relationships, occupational health and safety (including personal protective equipment, and emergency preparedness and response), code of conduct (including relating to GBV, SEA and SH), forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, subcontractors, and supervising firms.	The draft LMP has been prepared, disclosed and consulted before appraisal and will be finalized within 30 days after the effectiveness and implemented throughout the life of the project.	<i>MESTI PIU (Environment & Social Team)</i>
2.2	GRIEVANCE MECHANISM FOR PROJECT WORKERS 1. Establish and operate a grievance mechanism for Project workers, equipped to handle SEA/SH incidents, as described in the LMP and consistent with ESS2. 2. Include the mechanism as a part of the bidding documents for the supervising firm and the contractor, with stipulations that they include similar provisions in agreements with their subcontractors before the start of Project works. 3. Disseminate and explain the Worker GM to contracted workers.	1. Establish a grievance mechanism prior to engaging Project workers and thereafter maintain and operate it throughout Project implementation. 2. Prior to the start of bidding procedures. 3. Prior to the commencement of works and throughout project implementation	<i>MESTI PIU (Environment & Social Team)</i>
2.3	OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES 1. Incorporate relevant OHS measures, in bid and contract documents for all consulting firms, service providers, contractors, and supervision firms. 2. Require contractors to develop individual LMPs and if required, site-specific Occupational Health and Safety Management Plans (OHSPs) consistent with ESS2, Good International Industry Practices (GIIP), and the World Bank Group General Environmental, Health and Safety Guidelines (EHSG).	1. Prior to launching the bidding process and eventual calls for bids for the respective subprojects and operationalization before the start of construction works as part of the relevant environmental and social management instruments. 2. As part of the ESMP before bids and commencement of relevant project activities.	1. <i>MESTI PIU (Environment & Social Team) and relevant municipalities</i> 2. <i>Contractors</i>
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT Incorporate resource efficiency and pollution prevention and management measures in the ESMP to be prepared under action 1.2 above.	Same timeframe as for the adoption and implementation of the ESMP.	<i>MESTI PIU</i>
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	TRAFFIC AND ROAD SAFETY	Same timeframe as for the adoption and implementation of the ESMP.	<i>MESTI PIU</i>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Incorporate measures to manage traffic and road safety risks as required in the ESMP to be prepared under action 1.2 above.		
4.2	COMMUNITY HEALTH AND SAFETY Assess and manage specific risks and impacts to the community arising from Project activities, including, inter alia, behavior of Project workers, response to emergency situations, community health and safety, and include mitigation measures in the ESMPs to be prepared in accordance with the ESMF.	Same timeframe as for the adoption and implementation of the ESMP.	<i>MESTI PIU</i>
4.3	SEA AND SH RISKS 1. Ensure that both the Project Grievance Mechanism and workers' Grievance Mechanism are adequately equipped to receive, register, and facilitate the resolution of SEA/SH complaints. 2. Ensure the development and signing of a Code of Conduct (CoC) on SEA/SH and Sexual Health by all Project workers and contractors. 3. If needed, offer SEA/SH training for contracted workers. 4. Ensure that the Codes of Conduct and SEA/SH prevention provisions are integrated into all contractual and contracting documents (TORs, bidding documents, and worker contracts).	1. Prior to engaging Project workers and thereafter maintain and operate it throughout Project implementation. 2. Codes of Conduct to be finalized by Effective Date and implemented throughout project implementation. 3. Training of workers on CoC as deemed necessary. 4. Prior to the start of bidding procedures.	<i>MESTI PIU (Environment & Social Team)</i>
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	RESETTLEMENT POLICY FRAMEWORK Adopt and implement a Resettlement Policy Framework (RPF) for the Project, consistent with ESS5.	Draft RPF has been prepared, disclosed and consulted before the Project appraisal and will be finalized within 30 days after the effectiveness and thereafter implement the RPF throughout Project implementation.	<i>MESTI PIU and relevant municipalities</i>
5.2	RESETTLEMENT PLANS Adopt and implement site-specific resettlement action plans (RAPs), if needed, consistent with the RPF and ESS5.	Adopt and implement the respective RAP, including ensuring that before taking possession of the land and related assets, full compensation has been provided.	<i>MESTI PIU and relevant municipalities</i>
5.3	GRIEVANCE MECHANISM	Throughout Project implementation.	<i>MESTI PIU, Grievance Redress Committee as envisioned in the RFP</i>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Ensure that the Resettlement Grievance Redress Mechanism (GRM) as described in the RPF and any subsequent RAPs, is fully accessible, inclusive, operational, and functional and disseminated to the Project Affected People and general public. The resettlement GRM will address concerns promptly and effectively and in a transparent manner that is culturally appropriate.		
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
This standard is not relevant for the suggested project interventions.			
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
There are no known distinct social and cultural groups as covered by ESS7 residing in Kosovo. Thus, this standard is not applicable.			
ESS 8: CULTURAL HERITAGE			
This standard is not relevant for the suggested project interventions.			
ESS 9: FINANCIAL INTERMEDIARIES			
This standard is not relevant for this project.			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</p> <p>Adopt and implement a Stakeholder Engagement Plan (SEP) for the Project, consistent with ESS10, which shall include measures to, inter alia, provide stakeholders with timely, relevant, understandable and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation.</p>	The draft SEP has been prepared, disclosed and consulted prior to Project appraisal and will be finalized within 30 days after effectiveness and thereafter implement the SEP throughout Project implementation.	MESTI PIU
10.2	<p>PROJECT GRIEVANCE MECHANISM</p> <p>Establish, publicize, maintain, and operate an accessible grievance mechanism, to receive and facilitate resolution of concerns and grievances in relation to the Project, promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all Project-affected parties, at no cost and without retribution, including concerns and grievances filed anonymously, in a manner consistent with ESS10.</p> <p>The grievance mechanisms shall be equipped to receive, register, and facilitate the resolution of SEA/SH complaints, including through the referral of survivors to relevant gender-based violence service providers, all in a safe, confidential, and survivor-centered manner.</p>	The Project GM shall be fully operational, including the ability to receive SH/SEA related complains, 60 days after the Project Effective date and functional throughout Project implementation.	MESTI PIU
CAPACITY SUPPORT			

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>As set out in the ESMF, the E&S PIU expert will provide special training for the MESTI PIU staff focused on (i) Procedural aspects of ESA (stages, key actors, main responsibilities etc.); (ii) Assessment of environmental and social impacts potentially related to the subproject supported within the project; (iii) Consulting and approval of the ESA and monitoring plans; and (iii) preparing ESMP Checklist; (iv) Conducting field supervision and preparing progress reports.</p> <p>Additionally, as required, training may be offered to relevant PIU staff, contractors, project workers, communities, and other stakeholders, on:</p> <ul style="list-style-type: none"> • Stakeholder engagement and grievance mechanisms in compliance with the ESF's ESS10 • Labor Management Procedures/Plan, including Code of Conduct, Grievance Redress Mechanism for project workers • Development and implementation of ESMP for new construction civil work • Provisions on SEA, GBV and VAC prevention • Training on ESS5 project related issues (land acquisition, restriction on land use and involuntary resettlement) • Other training as needed/deemed relevant. 	<p>Prior to initiating Project/subproject activity, with regular refresher training, maintained throughout Project implementation.</p>	<p><i>PIU environmental specialist</i></p>