

**Republic of Ecuador
Ministry of Transportation and Public Works**

**Ecuador: Emergency Resilient Reconstruction
Project
(P181079)**

**Negotiated
ENVIRONMENTAL AND SOCIAL
COMMITMENT PLAN (ESCP)**

May 16, 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of Ecuador (the Borrower) will implement the Ecuador: Emergency Resilient Reconstruction Project (the Project), with the involvement of the Ministry of Transportation and Public Works (MTOP), as set out in the Loan Agreement. The International Bank for Reconstruction and Development (the Bank) has agreed to provide financing for the Project, as set out in the referred agreement.
2. The Borrower, through MTOP, 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 Loan Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the referred agreement.
3. Without limitation to the foregoing, this ESCP sets out material measures and actions that the Borrower 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 Borrower, 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 Borrower through MTOP and the Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank and the Administrative and Financial Coordination of the MTOP. The Borrower, through MTOP, 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 mechanism(s).</p>	<p>Semiannual reports to the Bank throughout Project implementation, commencing after the Effective Date.</p> <p>Submit each report to the Bank no later than 45 days after the end of each reporting period.</p>	MTOP
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. 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 report to the Bank within a timeframe acceptable to the Bank.</p>	MTOP
C	<p>CONTRACTORS' MONTHLY REPORTS</p> <p>Require contractors and supervision 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. The reports shall cover, inter alia:</p> <ul style="list-style-type: none"> • Environmental and social performance reports • Status of implementation of Contractor's ESMP (C-ESMP) • ESHS incidents • ESHS supervision • Usage of Personal Protective Equipment (PPE) • Training conducted, and workers participation • Workers' grievances log • Community grievances log 	<p>Require contractors and/or supervision firms to prepare and submit monthly reports to the PIT.</p> <p>Submit the reports to the Bank upon request, and in any case, as annexes to the reports to be submitted under action A above.</p>	MTOP
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	ORGANIZATIONAL STRUCTURE		MTOP

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>a) Establish and maintain a Project Implementation Team (PIT) with qualified staff and resources to support management of ESHS risks and impacts of the Project, including, at a minimum, one dedicated environmental specialist, one dedicated social specialist, and one E&S coordinator.</p> <p>b) Hire and maintain the Environmental and Social Framework Support Firm (ESFS) with qualifications and experience acceptable to the Bank to support the MTOP in managing E&S risks and impacts, including, inter alia, to: (i) design and delivery of E&S instruments in accordance with ESSs requirements; (ii) provide close operational support and capacity building for E&S risk management and supervision during Project implementation; (iii) develop and deliver a E&S risk management capacity building plan, including the relevant ESCP aspects, essentially on the development, implementation and monitoring of E&S instruments; (iv) support MTOP in carrying out consultations and monitoring; and (v) support MTOP for complaints management.</p> <p>c) MTOP shall include the TORs for the hiring of the ESFS on the Operational Manual.</p>	<p>a) Establish and maintain the PIT as set out in the Loan Agreement. The environmental specialist, the social specialist, and the E&S coordinator shall be hired or assigned for the Project to the PIT no later than 30 days after the Effective Date and shall be maintained throughout Project implementation.</p> <p>b) Hire the ESFS no later than 90 days after Effective Date. The firm shall be maintained throughout Project implementation.</p> <p>c) The Operational Manual is an Additional Condition of Effectiveness.</p>	
1.2	<p>ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK, ASSESSMENTS AND PLANS</p> <p>a) Develop, consult on, disclose, adopt, and implement an Environmental and Social Management Framework (ESMF) for the Project, consistent with the relevant ESSs.</p>		MTOP

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>The ESMF shall include an E&S risk classification methodology for site-specific Project activities, which shall set forth the requirements for site-specific Environmental and Social Impact Assessments (ESIAs), if required, and Environmental and Social Management Plans (ESMPs).</p> <p>b) For each site-specific Project activity for which the ESMF requires such instruments to be developed, develop, consult on, disclose, and implement a site specific Environmental and Social Impact Assessment ESIA, and an ESMP, as required in accordance with the ESMF and the relevant ESSs.</p>	<p>a) Adopt the ESMF no later than five months after the Effective Date, and as a condition to any disbursement under Category 1 (which relates to Part 1 of the Project) or to launching any bidding process for Project activities referenced in paragraph (b) below, and thereafter implement the ESMF throughout Project implementation.</p> <p>b) Each site-specific ESIA and ESMP must be finalized either prior to the launching of the respective bidding process, or prior to the commencement of the respective Project activity, as applicable in accordance with the ESMF. Implement these instruments throughout implementation of the respective Project activity.</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, subcontractors, 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.</p> <p>Supervise throughout Project implementation</p>	MTOP
1.4	<p>TECHNICAL ASSISTANCE</p>	<p>Throughout Project implementation.</p>	MTOP

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Ensure that the consultancies, studies (including feasibility studies, if applicable), capacity building, training, and any other technical assistance activities under the Project are carried out in accordance with terms of reference acceptable to Bank, that are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.		
1.5	PERMIT, CONSENTS AND AUTHORIZATIONS Obtain, or assist in obtaining, as appropriate, the environmental and social permits, consents and authorizations that are applicable to the Project from relevant national authorities. Ensure that all terms and conditions established in these permits, consents, and authorizations are complied with throughout Project implementation.	As applicable, to be obtained prior to initiating activities that require permits, consents, and authorizations, and ensure compliance with the respective terms and conditions throughout Project implementation.	MTOP
1.6	ACTIVITIES SUBJECT TO RETROACTIVE FINANCING a) Carry out an environmental and social compliance assessment report to confirm that activities subject to retroactive financing have been implemented in accordance with the relevant ESSs, in a manner acceptable to the Bank. The results of the compliance assessment shall be used to inform the preparation of a corrective action plan, if necessary, and also shall determine whether an activity is eligible to be financed with Loan proceeds. b) The Terms of Reference for this environmental and social compliance assessment shall be part of the ESMF.	a) Submitting the environmental and social compliance assessment report in a manner acceptable to the Bank, as a condition of disbursement to access retroactive financing. The corrective action plan, if required, shall be part of the compliance assessment, and shall be implemented in accordance with its terms, within a timeframe to be agreed with the Bank. b) Same timeframe as action 1.2.a	MTOP
ESS 2: LABOR AND WORKING CONDITIONS			
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, child labor, forced labor, code of conduct (including relating to SEA and SH), occupational health and safety, and applicable requirements for contractors, subcontractors, and supervising firms. The LMP shall also include a description of the GRM available to Project workers.	Adopt the LMP no later than 60 days after the Effective Date and in any case, before engaging project workers. The LMP is also a condition to any disbursement under Category 1 (which relates to Part 1 of the Project). Once adopted, implement the LMP throughout Project implementation.	MTOP

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
2.2	GRIEVANCE MECHANISM FOR PROJECT WORKERS Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2.	Establish grievance mechanism prior to engaging Project workers and thereafter maintain and operate it throughout Project implementation.	
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	WASTE MANAGEMENT PLAN Ensure full implementation of guidelines/codes to be specified in the ESMF related to the Waste Management Plan (WMP), to manage hazardous and non-hazardous wastes, consistent with ESS3, as may be further specified in site-specific ESMPs. The WMP shall include measures for, inter alia: <ul style="list-style-type: none"> • Management of hazardous and non-hazardous wastes • Wastewater management. 	Same timeframe as action 1.2.a and 1.2.b	MTOP
3.2	RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT Incorporate resource efficiency and pollution prevention and management measures in the ESMF and site-specific ESAs/ESMPs.	Same timeframe as action 1.2.a and 1.2.b	MTOP
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	TRAFFIC AND ROAD SAFETY Adopt and implement measures and actions to assess and manage traffic and road safety risks as required in the ESMF, and site-specific ESAs and ESMPs.	Same timeframe as action 1.2.a and 1.2.b	MTOP
4.2	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 infectious diseases as dengue, malaria, cholera and other, behavior of Project workers, risks related to labor influx, response to emergency situations, and informal waste-picking, and include these measures in site-specific ESAs and ESMPs to be prepared in accordance with the ESMF.	Same timeframe as action 1.2.a and 1.2.b	MTOP
4.3	SEA AND SH RISKS Adopt and implement a SEA/SH Action Plan as part of the ESMF to assess and manage the risks of SEA and SH. The measures set out in said plan shall be included in relevant site-specific ESMPs.	Same timeframe as action 1.2.a and 1.2.b	MTOP
4.4	SECURITY MANAGEMENT	Same timeframe as action 1.2.a and 1.2.b	MTOP

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Assess and implement measures to manage the security risks of the Project, including the risks of engaging security personnel to safeguard project workers, sites, assets, and activities, as set out in the ESMF and site-specific ESMPs, guided by the principles of proportionality and GIIP, and by applicable law, in relation to hiring, rules of conduct, training, equipping, and monitoring of such personnel.		
4.5	EMERGENCY RESPONSE MEASURES Measures shall be defined in the ESMF and disseminated as part of the SEP. Measures shall be updated and detailed with site specificity in subsequent ESMPs	Same timeframe as action 1.2.a and 1.2.b	MTOP
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	RESETTLEMENT POLICY FRAMEWORK Develop, consult on, disclose, adopt and implement and implement a Resettlement Policy Framework (RPF) for the Project, consistent with ESS5, and subject to the non-objection from the Bank.	RPF adopted no later than five months after the Effective Date and in any case, as condition to any disbursement under Category 1 (which relates to Part 1 of the Project) and thereafter implement the RPF throughout Project implementation.	MTOP
5.2	RESETTLEMENT PLANS Prepare, consult, disclose, adopt and implement the respective Resettlement Action Plans (RAPs) when required before carrying out the corresponding Project activities, consistent with ESS5	RAPs submitted for the Bank's approval and, once approved, implemented prior to commencing Project activities that involve land acquisition and resettlement, in accordance with paragraph 15 of ESS5.	MTOP
5.3	GRIEVANCE MECHANISM The GM to address resettlement related complaints shall be described in the RPF, RAPs and the SEP.	Same timeframe as for action 5.1 and 5.2 above and 1.2(c) above/10 below in relation to the SEP.	MTOP
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	BIODIVERSITY RISKS AND IMPACTS Incorporate and implement measures and procedures to avoid and mitigate negative impacts on biodiversity and environmentally sensitive areas, especially in natural or critical habitats, in line with ESS6 requirements. These measures and procedures will be specified in the ESMF and further detailed where necessary in site-specific ESIA's and ESMPs.	Same timeframe as action 1.2.a and 1.2.b	MTOP

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	If an ESIA and ESMP identifies the need to develop, adopt and implement a Biodiversity Management Plan (BMP), this shall be developed as part of site-specific ESMPs and in accordance with the requirements of ESS 6.		
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
7.1	INDIGENOUS PEOPLES PLANNING FRAMEWORK Adopt and implement an Indigenous Peoples Planning Framework (IPPF) for the Project, consistent with ESS7 and in a manner acceptable to the Bank.	IPPF prepared, consulted, disclosed and adopted no later than five months after the Effective Date and in any case, as condition to any disbursement under Category 1 (which relates to Part 1 of the Project), and thereafter implement the IPPF throughout Project implementation.	MTOP
7.2	INDIGENOUS PEOPLES PLAN Adopt and implement an Indigenous Peoples Plan (IPP) for each activity under the Project for which the IPPF requires such IPP, as set out in the IPPF and consistent with ESS7 and in a manner acceptable to the Bank.	Adopt each site-specific IPP prior to launching any bidding process for the relevant Project activity. Once adopted, implement the respective IPP throughout Project implementation.	MTOP
7.3	GRIEVANCE MECHANISM Prepare, adopt, and implement the arrangements for the grievance mechanism for indigenous people and afro-descendants, as required under the IPP and further describe such arrangements (if the grievance mechanism is distinctive from the one established under ESS10).	Same timeframe as for the preparation and implementation of the IPP or the SEP, as the case may be.	MTOP
ESS 8: CULTURAL HERITAGE			
8.1	CULTURAL HERITAGE RISKS AND IMPACTS As part of site-specific ESIA and 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. If an ESIA and ESMP identifies the need to develop, adopt and implement a Cultural Heritage Management Plan (CHMP), this shall be developed in accordance with the requirements of ESS 8.	Same timeframe as action 1.2.a and 1.2.b	MTOP
8.2	CHANCE FINDS The ESMF, and all future site specific ESMPs as needed, shall furthermore include Chance Finds Procedures for the construction areas, and construction contracts shall include clauses requiring civil contractors to take proper protective measures in case cultural heritage sites are discovered, including to stop construction activities if archaeological or cultural sites are encountered during construction activities.	Same timeframe as action 1.2.a and 1.2.b	MTOP
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</p> <p>a) Prepare, disclose, and adopt the initial draft 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> <p>b) Update, adopt and implement the SEP for the Project.</p>	<p>a) Initial draft SEP prepared and disclosed prior to appraisal.</p> <p>b) Definitive SEP shall be consulted, disclosed, and adopted no later than five months after the Effective Date and in any case, as condition to any disbursement under Category 1 (which relates to Part 1 of the Project).</p> <p>SEP to be implemented throughout Project implementation.</p> <p>c) Before start of activities for each specific Project activity, as needed.</p>	MTOP
10.2	<p>PROJECT GRIEVANCE MECHANISM</p> <p>Develop, adopt, 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 and as described in the SEP.</p> <p>The grievance mechanism 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 GRM shall be operational and adequately resourced in the same timeframe as 10.1 and maintained throughout Project implementation.	MTOP
CAPACITY SUPPORT			
CS1	MTOP shall develop a capacity building plan to ensure adequate capacity of the PIT and the ESFS firm in the preparation and implementation of the Project. MTOP will be assisted by the Bank in this process. The plan may include, inter alia, the following:	As early as feasible during Project preparation and during the first 60 days after the Effective Date.	MTOP

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<ul style="list-style-type: none"> The Environmental and Social Framework Preparation of ESF instruments according to the relevant ESSs (ESMF, ESMP, SEP, IPPF, RAP, LMP) E&S assessments according to the ESF and local legislation Addressing incidents and accidents Periodicity and elaboration of E&S reports Addressing community health and safety according to the ESS4 		
CS2	<p>Develop and implement an environmental and social training plan to ensure the required capacity for environmental and social implementation of the Project. The plan shall include a schedule, budget, goals, and indicators. The training shall be focused on project workers (PIT staff), contractors, local implementing actors, and community-based organizations. The ESSF shall be required to prepare a detailed plan for capacity building.</p> <p>The plan may include, inter alia, the following:</p> <ul style="list-style-type: none"> The Environmental and Social Framework Elaboration, implementation, and follow up of the E&S management instruments for the Project (ESMF, ESMP, SEP, IPPF, RAP, LMP). Overview and awareness raising for incident and accident reporting (aka ESIRT) EHS requirements for the contractors Integrated waste management for hazardous and non-hazardous waste Occupation health and safety according to the LMP Infectious disease prevention and response, according to ESS4 Traffic Safety, according to ESS4 Participatory monitoring and evaluation Community health and safety, according to ESS4 SEA/SH risk mitigation Prevention and response measures and the development and implementation of SEA/SH measures (including among contractors, workers and civil servants involved in the Project) 	<p>The detailed plan shall be presented no later than 60 days after hiring the ESSF.</p> <p>Trainings shall be provided during Project implementation by the PIT and/or their supervision consultants or other consultants retained for Project support, in accordance with an agreed timeline as per the plan.</p>	MTOP

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<ul style="list-style-type: none"> Inclusion training to ensure non-discrimination of socially vulnerable populations including poor, illiterate, disabled, sexual and gender minorities Grievance Mechanisms Management ESF provisions within bidding processes 		