



ROMANIA
MINISTRY OF JUSTICE

Strengthening Foundations for Improved Justice Service Delivery

ENVIRONMENTAL and SOCIAL COMMITMENT PLAN (ESCP)

May 11, 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. Romania (the Borrower) will implement the Strengthening Foundations for Improved Justice Service Delivery (P178599), with the involvement of the Ministry of Justice through the Department for Implementation of Externally Financed Projects (DIEFP), 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 MoJ, 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 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 the MoJ in coordination with the Ministry of Finance, and the Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank and the Borrower, through MoJ. The Borrower, through MoJ, shall promptly disclose the updated ESCP.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
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 grievance mechanism. E&S reporting within the Project Progress Report shall be in form and substance acceptable to the Bank.</p> <p>Ensure frequency and content of monitoring reports are detailed in the Project Operations Manual (POM) and implemented accordingly.</p>	<p><i>Submit quarterly reports to the Bank throughout Project implementation period, starting from the Effective Date. Submit each report to the Bank no later than 30 days after the end of each period.</i></p>	DIEFP within the MOJ (PIU)
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 supervising entity, as appropriate.</p> <p>Subsequently, prepare a report on the incident or accident with a detailed Root Cause Analysis (RCA) and propose any measures to address it and prevent its recurrence.</p> <p>Detailed incident report and accidents reporting requirements shall be incorporated into the Project Operation Manual (POM).</p>	<p><i>Notify the Bank no later than 48 hours after learning of the incident or accident. Report on the incident or accident.</i></p> <p><i>Provide subsequent report to the Bank within 30 business days of the incident or accident</i></p> <p><i>By POM adoption</i></p>	PIU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
C	<p>CONTRACTORS MONTHLY REPORTS</p> <p>Require supervision consultants 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 include, inter alia, monitoring of implementation of ESMP or ESMP checklists and the Labor Management Procedures (LMP).</p>	<p><i>Submit upon request, the monthly reports to the Bank throughout Project implementation</i></p>	PIU
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>Strengthen and maintain the PIU with qualified staff and resources to support management of environment and social risks and impacts of the Project, including one full-time environment specialist, one full-time social specialist and a communications/community engagement specialist.</p> <p>An Occupational Health and Safety Specialist shall be hired as needed.</p>	<p><i>Maintain a PIU as set out in the Loan Agreement. Hire or appoint a full-time environmental and a full-time social specialist as well as a full-time communications/community engagement specialist within 6 months following the Effective Date, and thereafter maintain these positions throughout Project implementation.</i></p>	MOJ
1.2	<p>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <p>Disclose, publicly consult, finalize, and thereafter implement, the Environmental and Social Management Framework (ESMF), which sets out policies and procedures to address the environmental and social risks and impacts of the Project in accordance with ESS1 and other relevant ESSs in a manner acceptable to the Bank.</p>	<p><i>Within 30 days following the Effective Date, and thereafter implement throughout Project implementation.</i></p> <p><i>The ESMF may be updated during Project implementation with the Bank's prior written approval.</i></p>	PIU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.3	<p>SUBPROJECTS</p> <p>Screen any proposed subproject in accordance with the ESMF prepared for the Project, and, thereafter, draft, adopt, and implement a subproject Environmental and Social Management Plan (ESMP), as required under the ESMF, in a manner acceptable to the Bank. The complexity of such documents shall be in direct correlation with the site specifics, contract amount and capacity requirements, as specified in the ESMF.</p>	<p><i>The ESMP (including the update of the ESMPs for the Corabia and Calafat courts, as applicable, if these two courts are included under the Project) shall be prepared disclosed, consulted upon, finalized and adopted in a manner acceptable to the Bank prior to launching the bidding process for the respective subproject or Project activity that requires the adoption of such ESMP. Once adopted, implement the respective ESMP throughout Project implementation.</i></p> <p><i>The ESMP, shall be integrated into bidding and contracting documentation and further implemented throughout Project duration.</i></p>	<p>PIU, including ensuring that contractors and supervision consultants, where relevant, implement the relevant ESMP or ESMP Checklist.</p>
1.4	<p>MANAGEMENT OF CONTRACTORS</p> <p>Incorporate the relevant aspects of the ESCP, including 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 supervision consultants. Thereafter ensure that the contractors and supervision consultants comply and cause subcontractors to comply with the ESHS specifications of their respective contracts.</p>	<p><i>As part of the preparation of procurement documents, and respective contracts.</i></p> <p><i>Incorporate into contracts prior to signature of contracts.</i></p> <p><i>Supervise contractors throughout Project implementation.</i></p>	<p>PIU</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.5	<p>TECHNICAL ASSISTANCE</p> <p>Ensure that 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 the Bank and are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.</p>	<i>Throughout Project implementation</i>	PIU
1.6	<p>CONTINGENT EMERGENCY RESPONSE FINANCING</p> <p>a) Ensure that the CERC Manual includes a description of the ESHS assessment and management arrangements for the implementation of CERC Part, in accordance with the ESSs.</p> <p>b) Adopt any environmental and social (E&S) instruments which may be required for activities under the CERC Part of the Project, in accordance with the CERC Manual and the ESSs, and thereafter implement the measures and actions required under said E&S instruments, within the timeframes specified in said E&S instruments.</p>	<p>a) The adoption of the CERC Manual in form and substance acceptable to the Bank is a withdrawal condition under Section IV.B.1(b)(ii) of Schedule 2 of the Loan Agreement.</p> <p>b) Adopt any required E&S instrument and include it as part of the respective bidding process, if applicable, and in any case, before the carrying out of the relevant Project activities for which the E&S instrument is required. Implement the E&S instruments in accordance with their terms, throughout Project implementation.</p>	MOJ, provided CERC is triggered by the Borrower

ESS 2: LABOR AND WORKING CONDITIONS

2.1	<p>LABOR MANAGEMENT PROCEDURES</p> <p>Disclose, publicly consult, finalize and thereafter implement, the draft Labor Management Procedures (LMP), including inter alia, provisions on working conditions, management of workers relationships, occupational health and safety (including personal protective equipment and emergency preparedness and response measures), code of conduct (including relating to SEA and SH), forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, sub-contractors and supervision consultants.</p>	<p><i>No later than 30 days after the Effective Date and thereafter implement the LMP throughout Project implementation.</i></p>	<p>PIU, including ensuring that contractors and supervision consultants implement the LMPs</p>
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>	<p><i>Establish prior to engaging Project workers and thereafter maintain and operate it throughout Project implementation.</i></p>	<p>PIU, including ensuring that contractors and supervision consultants comply.</p>
2.3	<p>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES</p> <p>Adopt, and implement occupational, health and safety (OHS) measures specified in the ESMF.</p>	<p><i>OHS measures shall be prepared and adopted before the commencement of works at any of the sites and shall be implemented throughout Project implementation.</i></p>	<p>PIU, including ensuring that contractors and supervision consultants comply</p>
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>E-WASTE MANAGEMENT PROCEDURE</p> <p>Prepare, adopt, and implement a Procedure to manage hazardous wastes, consistent with ESS3, in accordance with ESMF and included in ESMP if relevant for that component or location.</p>	<p><i>Prepare and adopt the procedure no later than 30 days after the Effective Date and thereafter implement as part of the ESMP (where is the case) throughout Project implementation.</i></p>	<p>PIU</p>

3.2	RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT Incorporate resource efficiency, evaluate the costs for appliance of NZEB standard at the level of feasibility studies for civil works and pollution prevention and management measures in the ESMPs to be prepared under Section 1.3 above. The requirements will be also included in the bidding documents.	<i>Same timeframe as under Section 1.3 above.</i>	PIU including ensuring that designers, contractors, and supervision consultants comply
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	TRAFFIC AND ROAD SAFETY Incorporate measures to manage traffic and road safety risks as required in the ESMPs or ESMP Checklists to be prepared under Section 1.3 above.	<i>Same timeframe as under Section 1.3 above.</i>	PIU including ensuring that designers, contractors, and supervision consultants comply
4.2	COMMUNITY HEALTH AND SAFETY Assess and manage specific risks and impacts to the community arising from Project activities and include mitigation measures in the ESMPs or ESMP Checklists to be prepared in accordance with the ESMF, in a manner acceptable to the Bank.	<i>Same timeframe as under Section 1.3 above.</i>	PIU, including ensuring that designers, contractors, and supervision consultants comply
ESS 8: CULTURAL HERITAGE			
8.1	Prepare a Cultural Heritage Management Plan (CHMP) for relevant sub-projects which are classified as cultural heritage in compliance with ESS8 and national legislation. A Chance Find Procedure shall be included in the ESMF.	<i>Prepare the CHMP prior to the commencement of works for sub-projects classified as cultural heritage, and thereafter implement throughout Project implementation.</i>	PIU
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			

10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</p> <p>Implement the Stakeholder Engagement Plan (SEP) for the Project, consistent with ESS10, which includes measures to, inter alia, provide stakeholders with timely, relevant, understandable and accessible information, and consult with them in a culturally appropriate manner, free of manipulation, interference, coercion, discrimination and intimidation.</p>	<p><i>Implement the SEP throughout the duration of the Project.</i></p> <p><i>The SEP can be updated during Project implementation with the prior written approval of the Bank.</i></p>	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 mechanism shall be equipped to receive, register, and facilitate the resolution of SEAH/SH complaints, including the referral of survivors to relevant gender-based violence providers, all in a safe, confidential, and survivor-centered manner.</p>	<p><i>Establish and make publicly available the grievance mechanism no later than 30 days following the Effective Date, and thereafter maintain and operate the mechanism throughout Project implementation.</i></p>	PIU
CAPACITY SUPPORT (TRAINING)			
CS 1	<p>Organize training for PIU staff and relevant MOJ personnel on:</p> <ul style="list-style-type: none"> - ESMF - SEP - ESMP, ESMP Checklist preparation, disclosure and oversight - LMP oversight - World Bank ESF - SEA/SH related training <p>And other topics as relevant.</p>	<i>Throughout Project Implementation</i>	PIU
CS 2	Contractor's training on ESF requirements, as needed	<i>Throughout Project Implementation</i>	PIU