

Republic of Nicaragua

COVID-19 Response Project Additional Financing (P178259)

Negotiated Version

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP)

May 5, 2022

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

- 1 The Republic of Nicaragua (hereinafter, the Recipient), through the Ministry of Finance and Public Credit (MHCP), will implement additional activities under the Nicaragua Additional Financing COVID-19 Response Project (the Project), with the involvement of the United Nations Office for Project Services (UNOPS), as set out in the additional financing (AF) Financing Agreement. The International Development Association (the Association) has agreed to provide additional financing for the additional activities of the Project, as set out in the referred agreement. This ESCP shall apply solely to the additional activities under the Project referred to above, and the ESCP for the original financing of the Project shall continue to apply to the original activities under the Project.
- 2 The Recipient shall implement material measures and actions to ensure that the Project is carried out in accordance with the Environmental and Social Standards (ESSs) of the Environmental and Social Framework (ESF), in a manner acceptable to the Association. The ESCP is a part of the AF Financing Agreement.
- 3 Without limitation to the foregoing, this Environmental and Social Commitment Plan (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 for the additional activities under the Project, all of which shall be subject to prior consultation and disclosure, consistent with the ESS, in form and substance, and in a manner acceptable to the Association. Once adopted, E&S instruments may be revised upon prior written consent of the Association.
- 4 The Recipient is responsible for meeting all ESCP requirements even when UNOPS is responsible for the implementation of specific measures and actions.
- 5 As agreed by the Association 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 under this ESCP. In such circumstances, the Recipient and the Association agree to update the ESCP to reflect these changes through an exchange of letters signed between the Association and the Director of the Project Management Unit at MHCP. The Recipient, through the Ministry of Health (MINSAs), 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 Association regular monitoring reports on the environmental, social, health, and safety (ESHS) performance of the Project, including but not limited to, stakeholder engagement activities, records, and functioning of the grievance mechanism.</p>	<p>Submit quarterly reports to the Association throughout Project implementation, commencing after the Effective Date of the original Financing Agreement, jointly with the Project's Progress Reports.</p>	<p>MHCP, assisted by UNOPS. Prepared by UNOPS. Revised by MHCP with MINSA support.</p>
B	<p>INCIDENTS AND ACCIDENTS</p> <p>Promptly notify the Association 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), accidents that result in death, serious or multiple injury, and any COVID outbreak in the Project area. 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. Subsequently, at the Association'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 Association no later than 48 hours after learning of the incident or accident. Provide subsequent reports to the Association within a timeframe acceptable to the Association, as required.</p>	<p>MHCP, assisted by UNOPS.</p>
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE:</p> <p>The MHCP shall ensure that UNOPS, as implementing entity of the Project, establishes and maintains adequate capacity, consisting of at least one full-time environmental specialist and one full-time social specialist, for managing the ESHS risks relevant to the Project.</p>	<p>One Environmental Specialist and one Social Specialist have been engaged by UNOPS already. These positions shall be maintained throughout Project implementation.</p>	<p>MHCP</p>

<p>1.2</p>	<p>ENVIRONMENTAL AND SOCIAL EVALUATION/PLANS AND INSTRUMENTS/ CONTRACTORS:</p> <p>a. Update the Environmental and Social Management Framework (ESMF) for the Project, consult it with stakeholders, adopt, disclose and thereafter implement it for the Project's AF activities, consistent with the relevant ESSs, the WBG Environmental, Health and, Safety Guidelines (ESHGs), the Nicaragua Preparedness and Response Plan (NPRP) for COVID- 19, and other Good International Industry Practice (GIIP), including the COVID-19 Strategic Preparedness and Response Plan (SPRP) and relevant WHO guidelines. The updated MGAS shall include an Infection Control and Waste Management Plan (ICWMP), a Medical Waste Management Plan (MWMP), and an Emergency Preparedness and Response Plan (ERP) for vaccination activities.</p> <p>b. Prepare, consult with stakeholders, adopt, disclose, and implement any environmental and social management plans (ESMPs) or other instruments required for the respective Project activities, based on the assessment process, in accordance with the ESSs, the ESMF, the Stakeholder Engagement Plan (SEP), the Labor Management Procedures (LMP), the ESHGs, and other relevant Good International Industry Practice (GIIP), including relevant WHO COVID-19 related guidelines in a manner acceptable to the Association, to, inter alia, ensure access to and allocation of Project benefits in a fair, equitable and inclusive manner, taking into account the needs of individuals or groups who, because of their particular circumstances, may be disadvantaged or vulnerable..</p> <p>c. Incorporate the relevant aspects of this ESCP, including, inter alia, the ESMF (when updated), any activity specific ESMPs or other instruments, ESS2 requirements, the LMP (when updated), and any other required ESHS measures, into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms (where appropriate). Thereafter ensure that the contractors and supervising firms comply with the ESHS specifications of their respective contracts.</p> <p>d. Adopt procedures, protocols and/or other measures to ensure Project beneficiaries that receive vaccines under the Project do so under a program that does not include forced vaccination, where beneficiaries give informed consent to receive a vaccine, and is acceptable to the Association, as set out in the ESMF.</p>	<p>a. Prepare, disclose, and adopt the ESMF no later than sixty (60) days after the Effective Date of the AF Financing Agreement.</p> <p>b. Prepare, consult, adopt and disclose the ESMPs and other instruments prior to carrying out corresponding Project activities, and thereafter implement them throughout the implementation of such activities.</p> <p>c. Before launching the procurement process for the corresponding Project activities, and thereafter supervise throughout the carrying out of such activities.</p> <p>d. Prior to initiation of project activities related to vaccines.</p> <p>e. Before carrying out corresponding Project activities, and thereafter observed throughout the implementation of such activities.</p>	<p>MHCP, assisted by UNOPS.</p> <p>UNOPS shall be responsible for developing the E&S instruments for the Project, as part of its support to the MHCP, and in coordination with MINSAs.</p> <p>MINSAs shall be responsible for organizing stakeholder consultations and engagement activities, and for preparing inputs for the development of SEP, under technical guidance from UNOPS, which will oversee that these activities are carried out in a manner consistent with ESF.</p> <p>Implementing the instruments shall be the responsibility of the stakeholders specified in such instruments, including UNOPS, MINSAs, and MHCP.</p> <p>UNOPS shall ensure that these instruments comply with the ESS, oversee their implementation, and carry out procurement processes and any other activities under its contract with the MHCP in a manner consistent with the ESF.</p> <p>MINSAs shall be responsible for implementing those aspects within the instruments relating to the use of equipment and supplies procured under the Project, including in relation to the implementation of immunization campaigns, and biomedical waste management.</p>
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MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<p>e. Ensure that adequate measures are in place to monitor, investigate and respond to adverse events following immunization (AEFI) among Project beneficiaries, assessing the existing capacity to ensure that follow-up actions are taken during implementation.</p> <p>f. Ensure the availability of resources, including human and financial resources, to cover the incremental costs associated with the Project's associated environmental and social management, including management of increased volumes of biomedical waste and vaccine-related waste (expired and opened vaccine vials) resulting from Project activities.</p>	<p>f. Throughout Project implementation.</p>	
<p>1.3 EXCLUSIONS: the following activities are found ineligible for Project financing:</p> <ul style="list-style-type: none"> • Procurement of pesticides and energy-intensive equipment or equipment that generates ozone-depleting emissions. • Activities that may be highly likely to cause serious adverse effects on human health and/or the environment unrelated to the treatment of COVID-19 cases, including the transport and disposal of highly biohazardous waste that has not been properly managed for that purpose. • Activities that may have material adverse social impacts and may result in significant social conflict. • Activities that may affect the lands or rights of indigenous peoples or other vulnerable minorities. • Activities that may involve permanent resettlement or land acquisition or adverse impacts on cultural heritage. • All other excluded activities set out in the ESMF of the Project. 	<p>During the ESMF updating process under action 1.2.a. above.</p>	<p>MHCP, assisted by UNOPS.</p>
<p>ESS 2: LABOR AND WORKING CONDITIONS</p>		

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<p>2.1 LABOR MANAGEMENT PROCEDURES:</p> <p>Update, disclose, adopt, and implement the Labor Management Procedures (LMP) for the Project, including, inter alia, grievance arrangements for Project workers, appropriate occupational health and safety measures (including emergency preparedness and response, and codes of conduct that consider sexual harassment and ESS aspects), management of workers' relationships, provisions on working conditions, forced labor, child labor, grievance arrangements for Project workers, and applicable ESHS requirements for contractors, subcontractors, and supervising firms.</p> <p>The Project shall designate the staff responsible for monitoring the enforcement of the LMP, including its grievance mechanism.</p>	<p>The LMP shall be updated, disclosed, and adopted concurrently with the ESMF, within the timeframe set out under 1.2(a) above (within 60 days of the Effective Date of the AF Financing Agreement).</p> <p>The provisions of the LMP shall be implemented before engaging workers in the Project's activities. All measures specified in this part 2.1 shall be implemented throughout Project implementation.</p> <p>The personnel responsible for ensuring the implementation of the LMP shall be designated no later than by the Effective Date of the AF Financing Agreement.</p>	<p>MHCP, assisted by UNOPS.</p>
<p>2.2 GRIEVANCE MECHANISM FOR PROJECT WORKERS:</p> <p>Maintain and operate the grievance mechanism set forth under the Project specifically for the Project workers, as outlined in the LMP and consistent with ESS2.</p>	<p>The grievance mechanism for Project's workers shall be outlined in the updated LMP and shall continue to be used throughout Project implementation under the additional financing.</p>	<p>MHCP through UNOPS, and in coordination with MINSA.</p>
<p>ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p>		

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
3.1	Relevant aspects of this standard shall be considered, as needed, under part 1.2 above, including, inter alia, measures to: carry out the purchase, storage, transportation, and handling of vaccines (including, ultra-cold chain management) in a safe manner and in accordance with the EHSGs, and other relevant GIIP including relevant WHO guidelines; and adequately manage and dispose of health care wastes (including, vaccines) and other types of hazardous and non-hazardous wastes.	Throughout Project implementation	MHCP, assisted by UNOPS.
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	COMMUNITY HEALTH AND SAFETY: Relevant aspects of this standard shall be considered, as needed, under part 1.2 above including, inter alia, measures to: implement early warning operational procedures and systems to avoid emergencies such as fires; minimize the potential for community exposure to communicable diseases; ensure access to and allocation of Project benefits in a fair, equitable, and inclusive manner, taking into account the needs of individuals or groups who, because of their particular circumstances, may be disadvantaged or vulnerable; manage the risks of the use of security personnel; manage the risks of labor influx; prevent and respond to sexual exploitation and abuse, and sexual harassment (SEA/SH), gender-based violence or domestic violence. The Recipient shall ensure that any security personnel that may be engaged by UNOPS to be involved in any activity associated with the Project follow strict participation rules, and code of conduct and avoid any escalation. Military or police forces shall not be engaged in the Project's activities.	Throughout Project implementation	MHCP, assisted by UNOPS.
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
	Not relevant		
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
	Not relevant		
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
7.1	<p>MEASURES FOR INDIGENOUS PEOPLES:</p> <p>Ensure that the Project is carried out in accordance with the applicable requirements of ESS7, including, inter alia: (i) ensuring that the Stakeholder Engagement Plan (SEP) includes meaningful consultations with indigenous peoples throughout Project preparation and implementation; (ii) implementing procedures, protocols and/or other measures to ensure that indigenous peoples have access to Project benefits in a fair, equitable, inclusive and culturally appropriate manner, including, as relevant, with regards to vaccines, as set out in the ESMF and the SEP; and (iii) implementing measures to ensure that indigenous peoples are able to access the Project's grievance mechanism in a culturally appropriate manner.</p>	Throughout Project implementation, as of the approval of the environmental and social management instruments for the Project, as set out under part 1.2 above.	MHCP, assisted by UNOPS.
ESS 8: CULTURAL HERITAGE			
	Not relevant		
ESS 9: FINANCIAL INTERMEDIARIES			
	Not relevant		
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<p>10.1 STAKEHOLDER ENGAGEMENT PLAN (SEP):</p> <p>Update, consult, adopt, disclose, and implement a final version of the Stakeholder Engagement Plan (SEP) for the Project, in a manner acceptable to the Association, ensuring that the project implementation includes stakeholder engagement and information disclosure consistent with ESS10. Disclosed documentation shall provide stakeholders with timely, relevant, understandable, and accessible information.</p> <p>Consult with stakeholders, including project-affected parties, beneficiaries, and other influential stakeholders in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination, and intimidation. The updated version of the SEP shall incorporate the results of the stakeholder consultation and engagement activities (internal and external) planned to be carried out during the preparation of the Project, based on the updated stakeholder mapping and schedule, with emphasis on vulnerable groups and shall include supporting documentation on the activities carried out.</p>	<p>Additional stakeholder consultations have been and shall continue to be carried out as part of preparation of the additional financing activities for the Project.</p> <p>The final SEP for the additional financing shall be disclosed and adopted concurrently with the ESMF, within the timeframe defined in part 1.2 (no later than 60 days after the Effective Date of the AF Financing Agreement), including the consultation report and supporting documentation. Once approved, the SEP shall be implemented throughout Project implementation.</p> <p>The personnel responsible for ensuring the implementation of SEP shall be designated no later than the Effective Date of the AF Financing Agreement.</p>	<p>MHCP, assisted by UNOPS and MINSAs, as set out under section 1.2 above.</p>

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<p>10.2 GRIEVANCE MECHANISM:</p> <p>UNOPS and MINSAs have established accessible grievance mechanisms, which shall continue operating and being strengthened, as needed, based on the definitions set out in the updated SEP, to receive and facilitate the 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, with an allocated operational budget, including concerns and grievances filed anonymously, in a manner consistent with ESS10.</p> <p>The MINSAs project-related grievance mechanism shall be reported to UNOPS, which will keep a consolidated register. Complaints received by UNOPS shall be shared with MINSAs, taking the necessary measures to protect the identity of complainants who opt to keep their identity confidential.</p> <p>The grievance mechanisms shall also be equipped to receive and facilitate the resolution of SEA/SH complaints, through the referral of survivors to relevant gender-based violence service providers, all in a safe, confidential, and survivor-centered manner.</p> <p>The grievance mechanisms shall also receive, register, and address concerns arising from unintended health consequences after vaccination, including those resulting in serious adverse effects.</p>	<p>Upgrades to the grievance mechanisms set out in the updated SEP should be implemented no later than 60 days after the Effective Date of the Financing Agreement.</p> <p>The personnel responsible for ensuring the implementation of the grievance mechanisms for the Project shall be designated no later than the Effective Date of the AF Additional Financing.</p> <p>The MINSAs grievance mechanism shall be updated no later than 30 days of the updated SEP disclosure.</p> <p>The grievance mechanisms shall maintain and operate throughout Project implementation</p>	<p>MHCP through UNOPS and the Ministry of Health (MINSAs), which will be supported by UNOPS.</p>
CAPACITY SUPPORT (TRAINING)		

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<p>A. TRAINING</p> <p>The environmental and social training plan that was developed for the original Project shall be evaluated and updated. The new training topics will be implemented in coordination with the Ministry of Health specialists; this plan will include issues on infection control and Waste Management and the Emergency Preparedness and Response Plan to ensure compliance with environmental and social requirements, mental health, gender-based violence, on fair, equitable and inclusive access and allocation of Project benefits including with regards to vaccines, codes of conduct, cultural relevance, considerations with vulnerable people, and the roles and responsibilities of different key agencies in the ESMF, LMP, and SEP implementation.</p> <p>The Recipient will ensure that resources, including human and financial resources, are available to cover the costs associated with such training requirements.</p>	<p>The training plan shall be updated concurrently with the update of the ESMF and other instruments, within the timeframe set out in part 1.2(a).</p>	<p>MHCP, assisted by UNOPS, based on the terms and conditions of the MHCP-UNOPS agreement.</p>