

Dominican Republic

Dominican Republic Distribution Efficiency Improvement and Utility Strengthening Project (P180512)

Draft ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP)

-For negotiations-

September 1, 2023

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Dominican Republic (the “Borrower”) will implement the “Dominican Republic Distribution Efficiency Improvement and Utility Strengthening Project (P180512)” (the “Project”) with the involvement of the Electricity Distribution Company EDEESTE, the Electricity Distribution Company EDENORTE, and the Electricity Distribution Company EDESUR (individually a “Distribution Company” and collectively, the “Distribution Companies”). The International Bank for Reconstruction and Development (the “Bank”), has agreed to provide financing for the Project.
2. The Borrower 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, 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.
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 and the Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank’s representative in the Dominican Republic and the *Manager of EDESUR (to be defined)*. The Borrower 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, functioning of the grievance mechanism for Project activities and workers, and other aspects detailed in the Environmental and Social Management Framework (ESMF), Stakeholder Engagement Plan (SEP), and Labor Management Procedures (LMP).</p>	<p>Submit consolidated six-monthly reports to the Bank throughout Project implementation, commencing after the Loan Agreement's Effective Date. Submit each report to the Bank no later than forty-five (45) days after the end of each reporting period, together with the Project progress report.</p>	<p>EDESUR with the support of the Unified Council for the Distribution Companies (CUED)</p>
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, occupational accidents that result in death, serious injury, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), gender-based or ethnic violence, and impacts on natural habitats. Provide sufficient detail regarding the incident or accident, indicating immediate measures taken to address it, and any information provided by the parties involved, beneficiaries, contractors and supervising firm, as appropriate. 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>Include a section in the ESMF and POM describing the procedure, with the minimum content of the initial notification and the minimum content of the incident or accident report if required.</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>	<p>EDESUR with the support of CUED</p>
C	<p>CONTRACTORS' MONTHLY REPORTS</p> <p>Require contractors and supervising firms to provide monitoring reports on ESHS performance explaining the status of compliance with environmental and social mitigation and monitoring measures. The report shall include, among other things:</p> <ul style="list-style-type: none"> (i) Status of implementation of the Environmental and Social Management Plans (ESMPs) for each work; (ii) Incidents related to occupational health and safety; (iii) Supervision of occupational health and safety aspects; (iv) Use of personal protective equipment, including measures necessary to prevent the spread of COVID-19; (v) Training activities carried out and participation of workers; (vi) Complaints about Project activities; and, (vii) Complaints from workers. 	<p>During project implementation, submit monthly reports to the EDEs, as specified in the procurement contracts. Reports will be submitted to the Bank upon request.</p>	<p>EDESUR with the support of CUED</p>

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS		
<p>1.1 ORGANIZATIONAL STRUCTURE</p> <p>a. Hire or appoint qualified staff and allocate resources, satisfactory to the Bank, to support management of environment, health and safety risks and impacts of the Project, including at least one (1) Environmental Coordinator and one (1) Social Coordinator.</p> <p>b. Hire or appoint qualified personnel and allocate resources, satisfactory to the Bank, to support the management of ESHS risks and impacts of the Project, including for each Distribution Company at least: one (1) Environmental Specialist, one (1) Social Specialist and (1) Communications Coordinator. Depending on the need and scope of the activities to be financed, each Distribution Company may require additional environmental and social personnel, such as Environmental Technicians, Social Managers, Communication Managers, Data Analyst, and Data Managers, among others.</p>	<p>a. Hire or appoint the Environmental and Social Specialists no later than one (1) month after the Loan Agreement’s Effective Date, and thereafter maintain these positions throughout Project implementation.</p> <p>b. Hire or appoint the Environmental and Social Specialists, as well as the Communication’s Coordinator, no later than one (1) month after the Loan Agreement’s Effective Date, and thereafter maintain these positions throughout Project implementation.</p> <p>Additional Environmental and Social personnel in each Energy Distribution Company must be hired or appointed according to the needs of the Project and prior agreement with the Bank, and thereafter maintain these positions throughout Project implementation.</p>	<p>a. EDESUR <i>or</i> CUED <i>(to be defined)</i></p> <p>b. and c. The three Distribution Companies</p>
<p>1.2 ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK</p> <p>Prepare, consult, adopt, publish and implement an Environmental and Social Management Framework (ESMF) following the terms of reference that have been developed during the Project preparation phase. The ESMF must (i) be in accordance with the ESS, the Environment, Social, Health and Safety Guidelines (ESHSG) and other relevant Good International Industry Practices (GIIP) in a manner acceptable to the Bank; and (ii) include, among other things, a selection procedure, and the procedures and requirements to carry out the Environmental and Social Management Plans (ESMPs) for each work.</p>	<p>The ESMF must be prepared, consulted, finalized and published no later than ninety (90) days after the Loan Agreement’s Effective Date, and thereafter implemented throughout Project implementation.</p>	<p>EDESUR with the support of CUED</p>
<p>1.3 ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p>		<p>a) EDESUR with the support of CUED</p>

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>a) Screen any proposed Project activities in accordance with the Environmental and Social Management Framework (ESMF) prepared for the Project and subsequently prepare, consult, disclose, adopt and implement Environmental and Social Management Plans (ESMPs), as required, in a manner acceptable to the Bank. This includes screening and excluding from the Project any Project activities that may fall within the exclusion criteria to be established in the ESMF. ESMPs shall include stakeholder engagement actions, consistent with the provisions of the SEP.</p> <p>b) Evaluate and exclude from the Project any activities that may fall within the exclusion criteria to be established in the ESMF.</p>	<p>For Project activities requiring ESMPs, they will be prepared, consulted with stakeholders and (where required by the ESMF) submitted for Bank review and approval, and subsequently adopted and disclosed prior to the launch of the respective bidding process and implemented throughout the works' implementation. The ESMPs will be included in the contracts with the contractors. Works will not be started before ESMPs have been prepared, consulted and disclosed and, when required by the ESMF, approved in advance by the Bank.</p>	<p>b) The three Distribution Companies with the support of CUED</p>
<p>1.4 MANAGEMENT OF CONTRACTORS</p> <p>a) Incorporate the relevant aspects of this ESCP, including the requirements of ESMF, ESMPs, the LMP, and code of conduct into the ESHS specifications of the bidding documents and contracts with contractors. Thereafter ensure that the contractors comply with the ESHS specifications of their respective contracts.</p> <p>b) Ensure adequate supervision of contractors during Project implementation, ensuring that they comply with the ESHS specifications of their contracts with the necessary budget to meet those specifications.</p> <p>c) Prepare and implement the Contractor's ESMP (C-ESMP) to be approved by EDESUR, with the support from EDENORTE, EDEESTE, and CUED, and which shall be aligned to the work's ESMP, ESMF, LMP and SEP as appropriate.</p>	<p>a) During the lifecycle of all Project contract activities, including:</p> <ul style="list-style-type: none"> - Prior to preparation of contracting documents. - Prior to mobilization of each contractor and maintained throughout implementation. <p>b) During the duration of works' implementation and reported in the monthly and six-monthly reports. The C-ESMP must be approved prior to the start of activities.</p> <p>c) The PIU shall approve all relevant ESMP-C before the start of civil works, which will subsequently be implemented during the execution time of the relevant works.</p>	<p>a) and b) EDESUR with the support of CUED</p> <p>c) Contractors</p>
<p>1.5 SUPERVISING FIRMS</p> <p>Incorporate relevant ESHS measures in bidding and contract documents for all supervision firms. Ensure that supervision firms have incorporated ESHS measures during their periodic supervision functions and that these are reported to EDEs and CUED's.</p>	<p>During the term of its contractual activities with the Project and supervision progress reported in the monthly reports to the three Energy Distribution Companies and CUED; and these are reflected in the six-monthly reports to the Bank.</p>	<p>EDESUR with the support of CUED</p>
<p>1.6 PERMITS, CONSENTS AND AUTHORIZATIONS</p>		<p>EDESUR with the support of CUED</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Obtain or arrange to obtain, as appropriate, the permits, consents and authorizations from the relevant national and municipal authorities required by the Project activities and the respective works. Comply or ensure compliance, as appropriate, with the conditions set forth in these permits, consents and authorizations.	Applicable permits, consents and authorizations shall be obtained prior to commencement of activities, as required and in compliance with national legislation. Maintain permits in order until completion of Project or work implementation, as applicable.	
1.7	TECHNICAL ASSISTANCE Ensure that the consultancies, studies, capacity building, training, and any other technical assistance activities under the Project, including those related to the environmental and social instruments, are carried out in accordance with terms of reference acceptable to the Bank, that are consistent with the ESSs, and the environmental and social management instruments of the Project referred to in sections 1.2, 2.1, and 10.1.	Submit the terms of reference for technical assistance activities for the Bank's approval prior to bidding for such activities. Throughout Project implementation.	EDESUR with the support of CUED
1.8	ACTIVITIES SUBJECT TO RETROACTIVE FINANCING Conduct an independent environmental and social evaluation for activities subject to retroactive financing, based on Terms of Reference acceptable to the Bank.	The Bank's approval of the Independent Environmental and Social Evaluation Report will be a disbursement condition for retroactive financing.	EDESUR with the support of CUED
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	LABOR MANAGEMENT PROCEDURES Draft, adopt, publish and implement the LMP for the Project, in accordance with national labor standards, ESS2 and the terms of reference agreed with the Bank. The LMPs shall include, inter alia, provisions on (i) working conditions and non-discrimination, and equal opportunity in the hiring of labor; (ii) occupational health and safety (including personal protective equipment and emergency preparedness and response measures); (iii) grievances mechanisms for Project workers, including channels and provisions for addressing complaints of gender-based violence, sexual harassment, and sexual exploitation and abuse; (iv) workers' code of conduct; (v) forced labor and child labor; and (vi) requirements for contractors, subcontractors, and supervision firms.	Within ninety (90) days of the Loan Agreement's Effective Date and thereafter implement the LMP throughout Project implementation.	EDESUR with the support of CUED
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.	The same timeframe as for measure 2.1 above and thereafter maintain and operate it throughout Project implementation.	EDESUR with the support of CUED
2.3	OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES a. Develop and implement an Occupational Health and Safety Plan (OHSP) as part of the development and implementation of the ESMP, in accordance with relevant guidelines to be specified in the ESMF and LMPs.	a. The same timeframe as for measures 1.3 and 2.1 above.	EDESUR with the support of CUED

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>b. Incorporate relevant occupational safety and health measures in the bidding and contract documents for all contractors and supervision firms.</p> <p>c. Ensure that supervising firms hire OHS specialists.</p> <p>d. Ensure that the specified OHSP measures are implemented at each job site.</p>	<p>b. Prior to the bidding of each work package and supervision contract.</p> <p>c. Prior to the bidding for supervision firms.</p> <p>d. During the execution of each work.</p>	
2.4	<p>EMERGENCY PREPAREDNESS AND RESPONSE Develop and implement an Emergency Response Plan (ERP) as part of the works' ESMP, in accordance with guidelines to be specified in the ESMF. Ensure that workers and contractors are trained and implement the plan.</p>	Same timeframe as for measure 1.3 above.	EDESUR with the support of CUED
2.5	<p>TRAINING OF PROJECT WORKERS Implement and require contractors and supervision firms to conduct training activities for Project workers with their staff, designed to increase awareness of health and safety risks and management measures associated with Project activities, as will be specified in the LMPs and ESMF. Specifically, this will include: - Codes of conduct and other topics related to risk management arising from labor influx and its management, for contractors and supervision firms. - Guidance on OHSPs and ERPs, including for community workers. - Awareness of the labor grievance mechanism under the Project for all Project workers.</p>	Part of the incorporation process of any worker participating in the Project, with reminder sessions throughout the execution of the works.	EDESUR with the support of CUED
2.6	<p>CODE OF CONDUCT Establish provisions in the bidding documents for contractors and supervision firms to establish a Code of Conduct to be adhered to by all workers, including subcontractors and supervision firms, and set out the minimum content of such code. The Code of Conduct should be based on the guidelines contained in the LMPs and should address, among other issues, the risk of Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH) in the workplace.</p>	As part of the preparation of the bidding documents and the respective contracts. Supervise throughout the implementation of the Project.	EDESUR with the support of CUED
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			
3.1	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT Incorporate resource efficiency and pollution prevention and management measures in the ESMF and ESMP to be prepared for the works.</p>	Same timeframe as for measure 1.3 above.	EDESUR with the support of CUED
3.2	<p>HAZARDOUS MATERIALS AND HAZARDOUS WASTE MANAGEMENT Ensure the adoption and implementation of measures and actions to be specified in the ESMF in relation to the following issues, and as will be subsequently specified in the works' ESMPs: - regular waste management - management of electrical waste</p>	Same timeframe as for measure 1.3 above.	EDESUR with the support of CUED

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	- management of polychlorinated biphenyls (PCBs) contaminants that are obtained from the removal of transformers		
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	TRAFFIC AND ROAD SAFETY Incorporate and implement measures and actions to evaluate and manage traffic and road safety risks as required in the specific ESMP of each work, including the preparation of traffic management plans, following the procedures established in the ESMF.	Same timeframe as for measure 1.3 above.	EDESUR with the support of CUED
4.2	COMMUNITY HEALTH AND SAFETY Assess and manage specific risks and impacts to the community arising from the Project, and include measures in the specific ESMPs for each work to be prepared in accordance with the ESMF. They should include, among other things: <ul style="list-style-type: none"> - risks related to the influx and entry of external labor; including code of conduct, management of work camps and warehouses, among others; - assessment and prevention measures for sexual exploitation and abuse and sexual harassment; - emergency procedures; - assessment of the risk of community exposure to communicable diseases, such as COVID-19, cholera and dengue fever, among others. 	Same timeframe as for measure 1.3 above.	EDESUR with the support of CUED
4.3	SEA AND SH RISKS Prepare a SEA/SH Action Plan as part of the ESMF, to prevent, minimize or mitigate the risks and impacts of SEA/SH and concrete measures in the specific ESMPs of each work, based on the provisions of the Project's SEA/SH Prevention Action Plan, to be included as part of the ESMF.	Same timeframe as for measure 1.2 and 1.3 above. Supervise contractors during the implementation of the Project.	EDESUR with the support of CUED
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	This standard is not relevant. Establish in the ESMF's exclusion list that activities that may cause involuntary resettlement, access restrictions, economic displacement, and those that require land acquisition will not be eligible for funding under the Project.	a) Same timeframe as for measure 1.2 above.	EDESUR with the support of CUED
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	BIODIVERSITY RISKS AND IMPACTS a) Include in the ESMF an exclusion list of activities that will not be financed by the Project because they may result in long-term, permanent or irreversible negative risks and impacts in highly sensitive areas in terms of their importance for biodiversity.	a) Same timeframe as for measure 1.2 above.	EDESUR with the support of CUED

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>b) Incorporate and implement procedures, as will be specified in the ESMF and detailed, where required, in works ESMPs, to ensure that Project-financed activities do not take place or negatively impact biodiversity and environmentally sensitive areas, particularly natural or critical habitats.</p> <p>c) In the event that the ESMPs identify the need for a Biodiversity Management Plan (BMP) and/or an offset plan for loss or degradation of natural habitat, develop a BMP in accordance with ESS6 and applicable national standards, as part of the relevant ESMP and in a form acceptable to the Bank.</p>	<p>b) Same timeframe as for measure 1.3 above.</p> <p>c) Obtain the Bank's approval of the BMP prior to initiating the bidding processes for the necessary works. Subsequently, implement such BMP prior to carrying out any activities related to the Project or work.</p>	
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES			
This Standard is not relevant			
ESS 8: CULTURAL HERITAGE			
8.1	<p>CULTURAL HERITAGE</p> <p>Include in the ESMF a chance finds procedures and a Cultural Heritage Management Plan (CHMP) consistent with ESS8, as well as the procedures for their application when required in the works ESMPs to ensure that the activities will not have a negative impact on the tangible and intangible cultural and archaeological heritage of the areas/zones to be intervened by the Project. Based on the screening of the work, define whether it will be necessary to prepare the above-mentioned chance finds procedure and/or the CHMP as part of the works' ESMPs to be prepared during implementation.</p>	Same timeframe as for measure 1.2 and 1.3 above.	EDESUR with the support of CUED
ESS 9: FINANCIAL INTERMEDIARIES			
This standard is not relevant.			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	<p>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</p> <p>Update, consult, publish, adopt, and implement a Stakeholder Engagement Plan (SEP) for the Project, 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. The SEP will describe the consultation process for the Project, the works and the ESMPs developed for the works, with differentiated strategies to encourage participation and access to beneficiaries of vulnerable groups, as well as details of the Project's grievance mechanism (including complaints related to gender-based violence).</p>	Update, adopt and publish the SEP no later than ninety (90) days from the Loan Agreement's Effective Date, and thereafter implement the SEP throughout Project implementation.	EDESUR with the support of CUED
10.2	<p>PROJECT GRIEVANCE MECHANISM</p>		EDESUR with the support of CUED

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>a) 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. 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. This mechanism must be based in the provisions established in the SEP.</p> <p>b) Include a report on the operation of the grievance mechanism in the six-monthly reports mentioned in section A (regular reporting), describing at least the number and type of complaints received, the average resolution time, whether there are complaints pending resolution, and other relevant data to be discussed and agreed with the Bank.</p>	<p>a) The same deadline as for measure 10.1 above.</p> <p>b) The same deadline as for measure A (regular reporting), found at the beginning of this ESCP.</p>	
CAPACITY SUPPORT			
CS1	<p>a) Develop and implement an environmental and social training plan acceptable to the Bank to ensure the required capacity for environmental and social implementation of the Project. The plan will include a schedule, budget, targets and indicators. The training will focus on Project workers, contractors and community organizations.</p> <p>(b) Conduct regular training for Project workers and relevant government officials, contractors, supervising firms, and other stakeholders as appropriate. Training issues will be agreed with the Bank and could include, but are not limited to, the following:</p> <ul style="list-style-type: none"> - Project environmental and social management tools; - Risks of gender-based violence, sexual exploitation and abuse, and sexual harassment; - Codes of conduct for Project workers; - Emergency preparedness and response legislation and plan; - Hazardous and non-hazardous waste management; - Occupational health and safety; - Prevention response to infectious diseases, including COVID-19, cholera and dengue fever, among others; - Measures for the inclusion of People with Disabilities; - Inclusion of vulnerable groups as detailed in SEP; - Grievance Mechanisms for the Project and for workers. 	<p>a) A detailed plan to be submitted no later than three (3) months from the Loan Agreement's Effective Date.</p> <p>b) Once approved, implement the environmental and social training plan throughout Project implementation and update it annually according to the emerging needs of the Project.</p>	EDESUR with the support of CUED