

Republic of Albania/Albanian Road Authority

Building Resilient Bridges Project (P174595)

Draft

**ENVIRONMENTAL and SOCIAL
COMMITMENT PLAN (ESCP)**

**for negotiation
January 2023**

ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Republic of Albania (hereinafter the “Borrower”) shall implement the Building Resilient Bridges Project (the Project), with the involvement of the Ministry of Infrastructure and Energy and through Albanian Road Authority (ARA), as set out in the Loan Agreement. The International Bank for Reconstruction and Development (hereinafter the Bank) has agreed to provide financing for the Project as set out in the referred agreement.
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, 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 shall 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 Albanian Road Authority and the Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank and the Borrower. 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, and functioning of the grievance mechanism.</p>	<p>Submit bi-annual reports to the Bank throughout the Project implementation, commencing after the Effective Date. Submit each report to the Bank no later than 30 days after the end of each reporting period.</p>	ARA/Project Management Team (PMT)
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>If requested, provide subsequent incident/accident investigation report to the Bank within 30 days from the time the incident/accident was reported, unless another timeframe is agreed upon with the Bank.</p>	ARA/PMT and Contractors
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>	ARA/PMT Contractors
ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS			
1.1	<p>ORGANIZATIONAL STRUCTURE</p> <p>ARA has in house Environmental and Social department with experienced staff who will support the implementation of the Project. The PMT currently in place, of ongoing Result Based Maintenance and Road Safety Project (RRMSP) (P132982) financed by the World Bank, is due to close in 2022 with the closing of the RRMSP. The BRB Program will also be implemented with the support of a PMT within ARA. Having the PMT in place satisfactory to the Bank is an effectiveness condition of the BRB project. The PMT structure will include: a coordinator, as well as fiduciary, procurement, finance, and M&E specialists.</p> <p>For implementation of the project, PMT will hire one Environmental Expert and one Social Expert on a full-time basis and a dedicated OHS Specialist either as a regular full-time or</p>	<p>PMT will be maintain throughout the Project implementation.</p> <p>Hire one Environmental Expert and one Social Expert before the effectiveness, and thereafter maintain these positions throughout the Project implementation.</p> <p>Hire/second an OHS Specialist either as regular staff or as a consultant prior to the commencement of civil works and maintain the position throughout the Project implementation.</p>	ARA

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>as a part-time staff or consultant, all with terms of reference, experience, and qualifications acceptable to the Bank.</p>		
<p>1.2 ENVIRONMENTAL AND SOCIAL INSTRUMENTS</p> <p>a. Finalize, disclose, adopt, and thereafter implement the Environmental and Social Impact Assessment (ESIA) and Environmental and Social Management Plan (ESMP) for the reconstruction of two priority bridges (Beshiri Bridge and Viroi Bridge) consistent with the relevant ESSs and in a manner, form, and substance acceptable to the Bank. Finalize, disclose, adopt, and thereafter implement the abbreviated Resettlement Action Plan (ARAP) for the Beshiri Bridge consistent with ESS5 and in a manner, form, and substance acceptable to the Bank.</p> <p>b. Prepare, disclose, consult upon, adopt and implement an Environmental and Social Management Framework (ESMF) and a Resettlement Policy Framework (RPF) for the Project, consistent with the relevant ESSs, for the bridges that will be identified during the Project implementation.</p> <p>c. For the other bridges to be identified during Project implementation, prepare, disclose, consult upon, adopt and implement site-specific E&S instruments, as needed, proportionate to the risk level of site-specific works, in accordance with ESSs and in a manner, form, and substance acceptable to the Bank. These shall include, <i>inter alia</i>, ESMP Checklists for small-scale rehabilitation activities, ESMPs for reconstruction work, and full-fledged or partial ESIA for works that will require significant upgrades/replacements of selected bridges.</p> <p>d. The proposed activities described in the exclusion list set out in the ESMF shall be ineligible to receive financing under the Project (see also 1.6 below).</p>	<p>a. Draft ESIA and ESMP for the Viroi Bridge and draft ESIA, ESMP, and ARAP for Beshiri Bridge are prepared, disclosed, and consulted upon, April 2022 and shall be updated and re-disclosed before the conclusion of the appraisal. Implement the ESIA, ESMP throughout site-specific works implementation, and ARAP before the commencement of works.</p> <p>b. Draft ESMF and RPF are prepared, disclosed, and consulted upon, April 2022 and shall be finalized and re-disclosed before the conclusion of the appraisal, and thereafter implement these instruments throughout the Project implementation.</p> <p>c. Prepare site-specific E&S instruments for site-specific works identified during the Project implementation prior to tendering of works and include ESHS provisions in bidding and procurement documents. Once adopted, implement the respective E&S instrument throughout Project implementation.</p> <p>d. Throughout Project implementation</p>	<p>ARA/PMT</p>
<p>1.3 MANAGEMENT OF CONTRACTORS</p>		<p>ARA/PMT Contractors</p>

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>a. Incorporate relevant aspects of the ESCP, including, inter alia, relevant E&S instruments, Labor Management Procedures (LMP), and Code of Conduct, into the ESHS specifications of procurement documents and contracts with works Contractors and supervising firms. Thereafter, ensure that Contractors and supervising firms comply and cause subcontractors to comply with the ESHS specifications of their respective contracts.</p> <p>b. Require Contractors to prepare Contractor’s ESMP (C-ESMP), including Occupational Health and Safety (OHS) Plan, Waste Management Plan (WMP), Traffic Management Plan, Community Health and Safety Plan and other site-specific instruments as needed, to be submitted to and reviewed by the supervision engineer and approved by the PMT, all consistent with ESSs and in a manner, form, and substance acceptable to the Bank.</p> <p>c. Before the commencement of the site-specific works, the Borrower shall contract a third-party monitor consultant, for the supervision and monitoring of contracted works, with terms of reference, qualifications and experience acceptable to the Bank. Borrower shall require the third-party monitor consultant to prepare and submit monitoring reports, which shall be promptly made available to and discussed with the Bank; and promptly take any actions, as may be requested by the Bank upon its review of the third-party monitor consultant reports.</p>	<p>a. Incorporate relevant aspects into procurement documents and contracts during their preparation. Supervise contractors throughout Project implementation.</p> <p>b. Require Contractors to prepare C-ESMP prior to commencement of works for which the C-ESMP is required and update C-ESMP periodically, as required to the satisfaction of supervision engineer and PMT throughout contract implementation.</p> <p>c. PMT to appoint the third-party monitor consultant before the commencement of the works and maintain throughout the completion of site-specific works.</p>	
<p>1.4 TECHNICAL ASSISTANCE Ensure that the consultancies, studies (including feasibility 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 relevant ESSs. Thereafter, ensure that the outputs of such activities comply with the terms of reference.</p>	<p>Throughout the Project implementation.</p>	<p>ARA/PMT</p>
<p>1.5 CONTINGENT EMERGENCY RESPONSE FINANCING</p> <p>a) Ensure that a CERC Annex shall be included in the Project Operations Manual (POM), specifying the implementation arrangements for the CERC component, including its activation process, roles and responsibilities of implementing agencies, positive list of activities that may be financed, environmental and social aspects, and fiduciary arrangements, in accordance with ESSs.</p> <p>b) Prepare and adopt any environmental and social (E&S) instruments which may be required for activities under CERC component of the Project, in accordance with the CERC Annex in the POM and the ESSs, and thereafter implement the measures and actions</p>	<p>a) The adoption of the POM in a form and substance acceptable to the Bank is effectiveness condition</p>	<p>ARA/PMT</p>

MATERIAL MEASURES AND ACTIONS	TIMEFRAME	RESPONSIBLE ENTITY
<p>required under said E&S instruments, within the timeframes specified in said E&S instruments.</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>	
<p>1.6 EXCLUSIONS: The Borrower shall set out the principles, rules, guidelines, screening criteria and procedures in the ESMF to assess the environmental and social risks and impacts of Project activities, all consistent with relevant ESSs. The screening criteria for Potential Environmental and Social Impacts are part of the ESMF. The Borrower shall use the results to confirm the overall E&S risk rating and classification of the activities to be financed based on the screening, consistent with ESSs and acceptable to the Bank.</p> <p>Exclude the activities listed below as ineligible for financing under the Project:</p> <ul style="list-style-type: none"> • Activities that involve the significant conversion, clearance or degradation of critical natural habitats, forests, environmentally sensitive areas, significant biodiversity and/or protected conservation zones; • Activities that will cause, or have the potential to result in, permanent and/or significant damage to nonreplicable cultural property, irreplaceable cultural relics, historical buildings and/or archaeological sites; • Activities that will negatively affect rare or endangered species; • Activities that will lead to land clearance and leveling in areas that are not affected by the Project; • Activities that will result in significant number of PAPs being resettled, beyond the budget and management capacity of the implementing agency (ARA) or significant land acquisition i.e. land acquisition that will lead to loss of all livelihoods or impacts that would lead to restriction of access and in parallel this would lead to loss of all PAPs 	<p>These exclusions shall be applied as part of the E&S screening process conducted under Action 1.2 above.</p>	<p>ARA/PMT</p>

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	<p>livelihoods. Activities that involve the use of forced labor, child labor, other harmful or exploitative forms of labor activities, involving vulnerable communities including refugees and IDPs”</p> <ul style="list-style-type: none"> • Activities that do not meet the minimum design standards as laid out in the feasibility studies for site-specific works and with poor design or construction quality, particularly if located in nature sensitive areas; • Activities that require or involve: <ul style="list-style-type: none"> • purchase, application or storage of pesticides or hazardous materials, • use of asbestos-based construction materials for reconstruction works, • land reclamation, • land that has disputed ownership, tenure, or user rights. 		
ESS 2: LABOR AND WORKING CONDITIONS			
2.1	<p>LABOR MANAGEMENT PROCEDURES Adopt and implement 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 provisions on SEA and SH), forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, subcontractors, and supervising firms.</p>	Draft LMP was prepared, disclosed, and consulted upon, April 2022 and shall be finalized and re-disclosed prior to the the conclusion of the appraisal, and thereafter implement the LMP throughout the Project implementation.	ARA/PMT
2.2	<p>GRIEVANCE MECHANISM FOR PROJECT WORKERS Establish and operate a grievance mechanism for Project workers as described in LMP and consistent with ESS2.</p>	Establish a grievance mechanism for Project workers prior to engaging Project workers and thereafter, maintain and operate it throughout the Project implementation.	ARA/PMT
ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
3.1	<p>WASTE MANAGEMENT PLAN</p> <p>Require Contractors to prepare, adopt and implement a Waste Management Plan (WMP), as part of C-ESMP, to manage hazardous and non-hazardous wastes, consistent with ESS3.</p> <p>Ensure that Contractors comply and cause subcontractors to comply with this requirement as part of their respective contracts.</p>	<p>Require Contractors to prepare a WMP as part of C-ESMPs before the commencement of the works for which a WMP is required and implement WMP throughout the implementation of the activities for which a WMP is required.</p> <p>Supervise contractors throughout Project implementation.</p>	ARA/PMT Contractors
3.2	<p>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</p> <p>Require Contractors to incorporate resource efficiency and pollution prevention and management measures into C-ESMP to be prepared under action 1.3 above, consistent with ESS3.</p> <p>Ensure that Contractors comply and cause subcontractors to comply with this requirement as part of their respective contracts.</p>	<p>C-ESMP, to be prepared before the commencement of the works for which C-ESCP is required.</p> <p>Supervise contractors throughout Project implementation.</p>	ARA/PMT Contractors
ESS 4: COMMUNITY HEALTH AND SAFETY			
4.1	<p>TRAFFIC AND ROAD SAFETY</p> <p>Adopt and implement mitigation measures to address traffic and road safety risks through the ESMF, consistent with ESS4.</p> <p>Incorporate measures to manage traffic and road safety risks in the ESMPs to be prepared under action 1.2 and require Contractors to incorporate traffic and road safety measures in the C-ESMPs to be prepared under action 1.3 above, all consistent with ESS4. <i>Ensure that Contractors comply and cause subcontractors to comply with this requirement as part of their respective contracts.</i></p>	<p>In accordance with the timeframe for the adoption and implementation of the ESMF, as per action 1.2 above.</p> <p>Incorporate during the preparation of ESMPs and C-ESMPs. Implement throughout the implementation of site-specific works. Supervise contractors throughout Project implementation.</p>	ARA/PMT Contractors
4.2	<p>COMMUNITY HEALTH AND SAFETY</p> <p>Assess and manage specific community health and safety risks and impacts arising from Project activities (including interruption of the passage over the bridge because of the rehabilitation activities, noise, dust, and disturbance of local communities, etc.) in accordance with the Project ESMF and consistent with ESS4.</p>	<p>Assess risks prior to any site-specific works implementation and throughout Project implementation.</p> <p>In accordance with timeframes in sections 1.2 and 1.3 respectively. Supervise contractors throughout Project implementation.</p>	ARA/PMT Contractors

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Incorporate measures to manage community health and safety risks in the ESMPs to be prepared under action 1.2 and require Contractors to incorporate community health and safety measures in the C-ESMPs to be prepared under action 1.3 above, all consistent with ESS4. Ensure that Contractors comply and cause subcontractors to comply with this requirement as part of their respective contracts.		
4.3	<p>SEA AND SH RISKS</p> <p>Assess SEA/SH risks and impacts associated with the Project and address these risks and impacts by the application of mitigation measures and actions as per the ESMPs to be prepared in accordance with the ESMF and consistent with ESS4.</p> <p>Ensure that the Project Grievance Mechanism (GM) is equipped and able to respond also to SEA/SH related complaints as further outlined in 10.2 below.</p> <p>In addition, extra measures shall be undertaken with the contractors and their subcontractors by requiring that their employees sign code of conducts related to SEA/SH and complete relevant trainings concerning SEA/SH.</p>	<p>Throughout Project implementation.</p> <p>In accordance with the timeframes laid out in Section 10.2.</p> <p>Codes of conducts shall be signed prior to commencement of works. Trainings shall be conducted regularly upon mobilization of contractors on site. Supervise contractors throughout Project implementation.</p>	ARA/PMT
ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT			
5.1	<p>RESETTLEMENT POLICY FRAMEWORK</p> <p>Finalize, disclose, consult upon, adopt, and implement the RPF for the Project, consistent with ESS5.</p>	Draft RPF was prepared, disclosed, and consulted upon, April 2022 and shall be finalized and re-disclosed prior to the appraisal, and thereafter implemented throughout the Project implementation	ARA/PMT
5.2	<p>RESETTLEMENT PLANS</p> <p>Finalize and implement ARAP for works on Beshiri Bridge consistent with ESS5.</p> <p>Prepare, disclose, consult with stakeholders, adopt, and implement Resettlement Action Plans (RAP) for each Project activity that warrant the adoption of a RAP as required by RPF, all in accordance with the RPF and consistent with ESS5.</p>	Draft site-specific - ARAP for Beshiri Bridge is prepared, disclosed, and consulted upon, April 2022 and shall be updated and re-disclosed before the conclusion of the appraisal and shall be implemented before commencing implementation of works, including the provision of full compensation, relocation of the affected businesses, and provision of moving allowances prior to taking possession of the land and assets.	ARA/PMT

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
		Prepare, disclose, consult, adopt, and implement site-specific RAPs, as required, prior to commencing implementation of each respective site-specific works, including ensuring that before taking possession of the land and related assets, full compensation has been provided and if applicable, displaced people have been resettled and moving allowances have been provided.	
ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES			
6.1	<p>BIODIVERSITY RISKS AND IMPACTS</p> <p>Finalize and adopt biodiversity risk screening procedure as part of the ESMF and apply risk mitigation measures as part of ESMPs/C-ESMPs, including requiring the preparation of a Biodiversity Management Plan for any site-specific works located in or near natural habitat, as specified in action 1.2 and 1.3 above and consistent with ESS6.</p>	<p>Finalize and adopt screening procedures as part of ESMF prior to commencement of any civil works.</p> <p>In accordance with timeframes in sections 1.2 and 1.3 respectively.</p> <p>Implement screening procedures and mitigation measures throughout the Project implementation.</p>	ARA/PMT
ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES – This standard is not relevant, as there are no Indigenous Peoples, as defined by ESS 7, in the Project area.			
ESS 8: CULTURAL HERITAGE			
8.1	<p>CULTURAL HERITAGE RISKS AND IMPACTS</p> <p>Finalize, adopt, and implement screening procedures to mitigate risks and negative impacts on cultural heritage resulting from the proposed works as part of ESMF, and apply mitigation measures as part of ESMP/C-ESMP as specified in action 1.2 and 1.3 above and consistent with ESS8.</p> <p>Stand-alone CHMP shall be prepared for site-specific works which might have impacts on cultural heritage, consistent with ESS8.</p>	<p>Finalize and adopt screening procedures as part of the ESMF prior commencement of any site-specific works</p> <p>In accordance with timeframes in sections 1.2 and 1.3 respectively. Stand -alone CHMP shall be prepared before starting any site-specific works</p>	ARA/PMT

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
		that might have impacts on cultural heritage Implement screening procedures and mitigation measures throughout the Project implementation.	
8.2	CHANCE FINDS Finalize, adopt, and implement chance find procedures as part of the ESMF as specified in 1.2 and consistent with ESS8.	Finalize and adopt procedures as part of ESMF prior to the commencement of any site-specific works. Implement procedures throughout the Project implementation	ARA/PMT
ESS 9: FINANCIAL INTERMEDIARIES - This standard is not relevant as the Project will not involve Financial Intermediaries			
ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE			
10.1	STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION Prepare, disclose, consult upon, adopt, and implement a SEP for the Project, consistent with ESS10, including 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.	Draft SEP is prepared, disclosed, and consulted upon, April 2022 and shall be finalized and re-disclosed before the conclusion of the appraisal, and thereafter implement throughout the Project implementation.	ARA/PMT
10.2	PROJECT GRIEVANCE MECHANISM 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. Submit quarterly progress reports on complaints and grievances received, types of complaints, number of resolved grievances, and time it took to resolve them ensuring that the relevant information is collected, recorded, and reported consistent with the principles of confidentiality, anonymity, and informed consent. Equip grievance mechanism 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.	Establish and operationalize a grievance mechanism within 30 days after the Effective Date and thereafter, maintain and operate the mechanism throughout Project implementation. Prior to establishing the Project Grievance Mechanism the Project will use the existing one used for overall ARA operation. Ensure the grievance mechanism is disseminated in Project locations prior to the commencement of any civil works.	ARA/PMT

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
CAPACITY SUPPORT			
CS1	Training of the PMT + Contractors' staff on: <ul style="list-style-type: none"> • stakeholder mapping and engagement • specific aspects of environmental and social assessment • emergency preparedness and response • community health and safety. • World Bank ESF • Environmental and social screening procedures and implementation of ESMF • Preparation and implementation of ESIA and ESMP • Environmental and social management of construction impacts • Implementation of LMP • OHS management in construction • SEA/SH prevention training • COVID 19 mitigation 	Throughout the Project implementation, annually.	ARA/PMT