

**The Socialist Republic of Vietnam**  
**Vietnam Solar Transition Accelerator (VISTA)**  
**P172974**

**Draft**

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

**2020**

## ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Socialist Republic of Vietnam, through its Ministry of Industry and Trade (MOIT) will implement the Vietnam Solar Transition Accelerator (VISTA) project (the **Project**), with the involvement of the following Ministries/agencies/units: Electricity Vietnam (EVN) and identified Provinces. The International Bank for Reconstruction and Development (hereinafter the *Bank*) has agreed to provide financing for the Project.
2. MOIT will implement material measures and actions so that the Project is implemented in accordance with the Environmental and Social Standards (**ESSs**). This Environmental and Social Commitment Plan (**ESCP**) sets out material measures and actions, any specific documents or plans, as well as the timing for each of these.
3. MOIT will also comply with the provisions of any other E&S documents required under the ESF and referred to in this ESCP, such as Environmental and Social Management Plans (ESMP), Resettlement Action Plans (RAP), Indigenous Peoples Plans (IPPs), and Stakeholder Engagement Plans (SEP), and the timelines specified in those E&S documents.
4. MOIT is responsible for compliance with all requirements of the ESCP even when implementation of specific measures and actions is conducted by the Ministry, agency or unit referenced in 1. above.
5. Implementation of the material measures and actions set out in this ESCP will be monitored and reported to the Bank by MOIT as required by the ESCP and the conditions of the legal agreement, and the Bank will monitor and assess progress and completion of the material measures and actions throughout implementation of the Project.
6. As agreed by the Bank and MOIT, this ESCP may be revised from time to time during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to assessment of Project performance conducted under the ESCP itself. In such circumstances, MOIT will discuss to the changes with the Bank and will update the ESCP to reflect such changes. Agreement on changes to the ESCP will be documented through the exchange of letters signed between the Bank and MOIT. MOIT will promptly disclose the updated ESCP.
7. Where Project changes, unforeseen circumstances, or Project performance result in changes to the risks and impacts during Project implementation, MOIT shall provide additional funds, if needed, to implement actions and measures to address such risks and impacts<sup>1</sup>.

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<sup>1</sup> The current funds to cover the costs of implementing this ESCP are part of the VISTA grant proceeds, which for this Project will mainly entail the recruitment of a transaction advisor to select private investors for solar projects. When Project changes or an unforeseen circumstance occurs, which require fund to cover risks and impacts, such fund shall be distributed from Grant.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
<b>MONITORING AND REPORTING</b>			
A	<b>REPORTING:</b> MOIT is to report to the World Bank on (i) the application of substations/solar parks selection criteria in the identification process; (ii) the inclusion of the environmental and social clauses in the scope of work of the transaction advisor; (iii) the inclusion of the environmental and social clauses in bidding document, evaluation and award; (iv) the compliance of the winning IPPs with environmental and social requirements and procedures specified in the contract; and (v) the applications for licenses for specific PV sites as well as licenses granted.	<i>Project implementation</i>	<i>MOIT/Project Management Unit (PMU)</i>
B	<b>INCIDENTS AND ACCIDENTS:</b> This is not applicable to the project as no works or activities will take place that are likely to cause even moderate environmental or social harm. Therefore, under this Project, it has not been foreseen any circumstances under which incident reports are required to be submitted.	<i>Not relevant</i>	
C	<b>CONTRACTORS MONTHLY REPORTS:</b> <i>Non applicable</i>	<i>Not relevant</i>	
<b>ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS</b>			
1.1	<b>ORGANIZATIONAL STRUCTURE:</b> Assign qualified staff and resources to support management of E&S risks under the competitive bidding.	<i>Project implementation</i>	MOIT/PMU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
1.2	<p><b>ENVIRONMENTAL AND SOCIAL ASSESSMENT:</b> No environmental and social assessment is required during project preparation.</p> <p>a) MOIT is to send a final version of the Terms of Reference (TORs) of the transaction advisors including a section on ES standards which should be in compliance with Vietnamese law and regulations and get agreement from the World Bank task team.</p> <p>b) MOIT is to develop environmental and social eligibility and exclusion criteria for selection of the sites for the solar park; to seek the Bank review and clearance before their application to site screening and selection; and to apply them during the TA implementation. The criteria would include restrictions on locating sites with sensitive environmental receptors (such as natural habitats, essential ecosystem services, and cultural heritage etc.) and restrictions on the location where the land to be acquired might disrupt livelihoods or housing avoiding additional compensation measures over and above Vietnam’s land law (e.g. so only low value land).</p> <p>c) During project implementation if the Government officially decides to proceed with the solar park option and WB provide additional fund for infrastructure development for potential sites (financing land clearance, compensation, resettlement and infrastructure investment) or for project investment, the Government and WB will discuss and agree on detailed screening and scoping of environmental and social issues as required under the relevant ESSs will be conducted by the ESSs. An Environmental and Social Impact Assessment (ESIA), a Resettlement Plan (RP), and an Ethnic Minority Development Plan (EMDP) will be prepared for the development of the pilot solar park infrastructure in line with the requirements of the Environmental and Social Framework (ESF) and relevant Environmental and Social Standards (ESSs).</p>	<i>Project implementation</i>	MOIT/PMU/Transaction Advisory Consultant
<b>ESS 2: LABOR AND WORKING CONDITIONS</b>			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
2.1	<p><b>LABOR MANAGEMENT PROCEDURES:</b></p> <ul style="list-style-type: none"> <li>- Establish employment contracts for PMU staff in accordance with requirement of national law</li> <li>- Incorporate relevant provisions of ESS2 (which is broadly consistent with the requirements of Vietnamese law for the purposes of this type of work) in all consultancy contracts</li> <li>- Subject to the Government’s confirmation, ensure the preparation of LMP for solar park projects as part of the package supported by the TA.</li> <li>- Where relevant, prepare and implement the LMP(s) (for the pilot solar park identified for the TA support in Component 2) materially consistent with ESS2.</li> <li>- Where relevant, ensure the proper integration of requirements (consistent with ESS2 - to avoid, minimize, reduce/mitigate and compensate ESS2 related impacts) and satisfactorily implement them.</li> </ul>	From effectiveness to closure	MOIT/PMU/ Transaction Advisory Consultant
2.2	<p><b>GRIEVANCE MECHANISM FOR PROJECT WORKERS:</b></p> <p>Maintain grievance redress mechanism available to project workers as regulated in the domestic laws</p>	From effectiveness to closure	MOIT/PMU
2.3	<p><b>OCCUPATIONAL HEALTH AND SAFETY (OHS) MEASURES:</b></p> <p>Include the related occupational, health, and safety requirements for installation and operation</p>	From effectiveness to closure	MOIT/PMU
<b>ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</b>			
3.1	<p><b>E-WASTE MANAGEMENT PLAN:</b> Non applicable</p> <p>At this time no specific impacts can be identified, but if and when specific locations are identified the ESCP will be revised to include provisions for the ESS that may become relevant at that time</p>	<i>Not relevant</i>	MOIT/PMU

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
3.2	<p><b>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT:</b> <i>Non applicable</i></p> <p>At this time no specific impacts can be identified, but if and when specific locations are identified as in Article 1.2 c) the ESCP will be revised to include provisions for the ESS that may become relevant at that time</p>	<i>Not relevant</i>	
<b>ESS 4: COMMUNITY HEALTH AND SAFETY</b>			
4.1	<p><b>TRAFFIC AND ROAD SAFETY:</b> Risk assessment and mitigation measures will be integrated in the transaction advisory TORs and in its associated outputs (technical, legal and procurement documents)</p>	<i>Project effectiveness to closure</i>	
4.2	<p><b>COMMUNITY HEALTH AND SAFETY:</b> Risk assessment and mitigation measures will be integrated in the transaction advisory TORs and in its associated outputs (technical, legal and procurement documents)</p>	<i>Project effectiveness to closure</i>	
4.3	<p><b>GBV AND SEA RISKS:</b> Risk assessment and mitigation measures (e.g. codes of conduct for enterprises and their workers) will be integrated in the transaction advisory TORs and in its associated outputs (technical, legal and procurement documents)</p>	<i>Project effectiveness to closure</i>	
4.4	<p><b>GBV AND SEA RISKS DURING PROJECT IMPLEMENTATION:</b> The transaction advisory consultant will monitor, supervise and report on the implementation of the relevant mitigation measures</p>	<i>Project implementation</i>	
4.4	<p><b>SECURITY PERSONNEL:</b> <i>Non applicable</i></p>	<i>Not relevant</i>	
<b>ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT</b>			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
5.1	<p><b>RESETTLEMENT PLANS:</b> Where relevant, prepare and implement the RP(s) (for the pilot solar park identified for the TA support as in 1.2 c) Component 2) materially consistent with ESS5. Where relevant, ensure the proper integration of requirements (consistent with ESS5 - to avoid, minimize, reduce/mitigate and compensate at replacement cost for affected land/assets) and satisfactorily implement them.</p>	<i>Subject to the Government's confirmation</i>	MOIT/PMU, Local authorities, Transaction Advisory Consultant  MOIT/PMU, Transaction Advisory Consultant
5.2	<b>GRIEVANCE MECHANISM:</b> Requirements will be integrated in the bidding documents and RAP where relevant	<i>Project implementation</i>	
<b>ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES</b>			
6.1	<b>BIODIVERSITY RISKS AND IMPACTS:</b> <i>Non applicable</i>	<i>Not relevant</i>	
<b>ESS 7: INDIGENOUS PEOPLES/SUB-SAHARAN AFRICAN HISTORICALLY UNDERSERVED TRADITIONAL LOCAL COMMUNITIES</b>			
7.1	<p><b>INDIGENOUS PEOPLES PLAN:</b> Where relevant, prepare and implement the IPP(s) (for the pilot solar park identified for the TA support in Component 2) materially consistent with ESS7. Where relevant, ensure the proper integration of requirements (consistent with ESS7 - to avoid, minimize, reduce/mitigate and compensate IP related impacts) into the bidding documents, and satisfactorily implement them. The transaction advisory consultant will monitor, supervise and report the EMDP implementation.</p>	<p><i>Subject to the Government's confirmation</i></p> <p><i>Subject to the Government's confirmation</i></p> <p><i>Project implementation</i></p>	MOIT/PMU, Local authorities, Transaction Advisory Consultant
7.2	<b>GRIEVANCE MECHANISM:</b> Requirements will be integrated in the bidding documents and IPP where relevant	<i>Project implementation</i>	
<b>ESS 8: CULTURAL HERITAGE</b>			
8.1	<b>CHANCE FINDS:</b> <i>Non applicable</i>	<i>Not relevant</i>	
<b>ESS 9: FINANCIAL INTERMEDIARIES – Not applicable</b>			
<b>ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE</b>			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY/AUTHORITY
10.1	<p><b>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</b></p> <p>Update, adopt, and implement Stakeholder Engagement Plan (SEP).</p>	<i>Project Lifetime (from preparation to closure)</i>	MOIT/PMU
10.2	<p><b>PROJECT GRIEVANCE MECHANISM:</b> Prepare, adopt, maintain and operate a grievance mechanism, as described in the SEP.</p>	From effectiveness to closure	MOIT/PMU
<b>CAPACITY SUPPORT (TRAINING)</b>			
CS1	<p>Training will be delivered (as appropriate) for PIU staff, MOIT, transaction adviser, Provinces and EVN on the ESF and the specific application to the project, and the aspects of environmental and social assessment.</p>	From effectiveness to closure	MOIT/PMU