# 

Indigenous Peoples Plan

Strengthening the PA system in the Qilian Mountains-Qinghai Lake landscape.

China’s Protected Area System Reform (C-PAR) – 3

Draft Version 2

August 1st, 2022

**Disclosure requirements:** This Indigenous People Plan must be publicly disclosed within the Regional and Central Bureaux, Country Office websites, and [UNDP Transparency Portal](https://open.undp.org/). In addition to disclosing complete documents, summaries in local languages of the assessment’s key findings, benefits, mitigation measures will disclosed and consulted on at local level prior to implementation of activities

Index

[Executive Summary 3](#_Toc110256567)

[1. Description of the Project 4](#_Toc110256568)

[2. Description of Indigenous Peoples 8](#_Toc110256569)

[a. Description of the Communities Constituting the Affected Peoples 8](#_Toc110256570)

[c. Ethnic Minorities’ Connections with Lands, Territories and Resources 12](#_Toc110256571)

[d. Vulnerable groups within the affected peoples. 14](#_Toc110256572)

[3. Substantive Rights and Legal Framework 14](#_Toc110256573)

[a. International Regulation affirming and protecting the rights of indigenous peoples 14](#_Toc110256574)

[b. National regulation 15](#_Toc110256575)

[*c.* *Regulation at local level* 20](#_Toc110256576)

[d. Legally recognized rights to lands 20](#_Toc110256577)

[e. UNDP SES 6 on Indigenous People 20](#_Toc110256578)

[4. Environmental and Social Impacts to Ethnic Minorities, and Related Mitigation Measures 22](#_Toc110256579)

[a. Project risks to ethnic minorities 23](#_Toc110256580)

[b. Mitigation Measures 30](#_Toc110256581)

[Participation, Consultation, and FPIC Processes 38](#_Toc110256582)

[5. 38](#_Toc110256583)

[a. Definitions 38](#_Toc110256584)

[b. Consultations and Recording 39](#_Toc110256585)

[c. Project Outcomes Requiring FPIC 40](#_Toc110256586)

[6. Appropriate Benefits 41](#_Toc110256587)

[7. Capacity support 43](#_Toc110256588)

[8. Grievance Redress Mechanism 44](#_Toc110256589)

[9. Institutional Arrangements 45](#_Toc110256590)

[10. Monitoring, Reporting, Evaluation 47](#_Toc110256591)

Figure 1 - Summary of CPAR-3 activities 5

Figure 2 - C-PAR3 project area map 8

Figure 3 - Project risks and related Mitigation measures as outlined in the ESIA 16

Figure 4 - Herdsmen's response to resettlement 18

Figure 5 - Herdsmen's response to existing compensation policies 18

Figure 6 - Herdsmen's response to participating ecological works 20

Figure 7 - Project Organisation Structure 39

Table 1: Villages selected for project interventions, Qinghai Lake NNR 8

Table 2 - GRM procedures for CPAR-3 39

Table 3 - M&E System for CPAR-3 42

# 

# Executive Summary

This project (C-PAR3) is one of these six child projects of the China’s Protected Area System Reform (GEF-financed program) and is centered on consolidating the Qilian Mountains-Qinghai Lake landscape to conserve globally significant biodiversity and development of landscape level management. C-PAR3’s objective is to strengthen the effectiveness of the protected area system in the Qilian Mountains-Qinghai Lake landscape to conserve globally significant biodiversity, including snow leopard and *Przewalski’s gazelle*.

The UNDP SES policies concerning Indigenous Peoples recognize the distinct circumstances that expose Indigenous Peoples to different types of risks and impacts from development projects. As social groups with identities that are often distinct from dominant groups in their national societies, Indigenous Peoples are frequently among the most marginalized and vulnerable segments of the population. As a result, their economic, social, and legal status often limit their capacity to defend their rights to lands, territories, and other productive resources, and restricts their ability to participate in and benefit from development. At the same time, C-PAR3 recognizes that Indigenous Peoples play a vital role in sustainable development and emphasize that conservation should benefit Indigenous Peoples, thereby ensuring long-term sustainable management of critical ecosystems and national park. A scoping study was carried out as part of the C-PAR3 Project’s ESIA process. Some potential negative impacts and risks identified during the initial scoping process include: (1) local communities (including ethnic minorities) living in core areas can be resettled gradually and voluntarily (as part of the implementation plan for the NP system that was released in September 2017 which pre-dates and falls outside of the purview of the C-PAR3 project); (2) expansion of QMNP has the potential to affect the rights, culture, lands and livelihoods of local herders (including women and ethnic minorities); (3) some small-scale engineering construction activities may affect the native ecosystem and species conservation, and so on.

This IPP provides a more in-depth assessment of the potential impacts on Ethnic Minorities the project may cause through the planned activities. Management measures will be added into an environmental and social management plan (ESMP) to guide the implementation processes. These measures seek to provide an adequate response to the management of these risks in line with UNDP policy. A project-level GRM will be developed as part of this process. This IPP builds on the feasibility study, gender assessment and gender action plans prepared during the programme development phase and on the ESIA developed during early preparation. Potential social and environmental negative impacts and related mitigation measures of the programme are assessed against UNDP’s Social and Environmental Standards (SES) 6 gaps are reviewed to ensure full compliance.

This assessment will be taken forward by a site specific ESMP to be developed based on the results of this report in conjunction with local consultations, as well as more detailed field investigations in selected village clusters.

The main conclusions are that the construction of QMNP can effectively protect biodiversity and the ethnic minorities in Qilian Mountain. Although the construction of the NP has the potential to bring about some adverse impacts on the local social and biophysical environment, these impact risks can be minimized and mitigated through proper implementation of the relevant policies and measures.

GEF project and matching funds will not support any resettlement that may take place during the C-PAR3 implementation period. Any such resettlement would likely be under the auspices of the implementation plan for the NP system issued by the government in September 2017 which notes that any resettlement must be gradual and voluntary. In the process of the construction of NP, the government and NGOs will adopt a variety of methods to support community residents and develop alternative livelihoods, such as biodiversity friendly eco-tourism, ecological management and protection, and welder electrician and excavator operation. Developing these alternatives to traditional livelihoods can help local people adapt to any changes imposed by the project and can serve to mitigate potential impacts on their standard of life. The QMNP has actively recruited local residents as ecological officials, and consulted the park entrance attendants, so as to improve the livelihood of local residents. The QMNP also guided community residents to develop the tertiary industry in the general control area or around the Qilian Mountain National Park and encourages and supports them to engage in franchise activities.

Relevant governments at all levels in Qinghai Province, Qilian Mountain National Park Administration and the project management office will jointly carry out various activities and measures in the construction of Qilian Mountain National Park to alleviate the adverse impact of park construction on local communities, especially indigenous people, so as to protect the legitimate rights and economic income of local residents.

The Project has set up a participatory monitoring & evaluation mechanism to ensure that the communities affected by the project are informed regularly about progress and provided regular opportunities for community members to ask questions, raise concerns and review activities taking place on or near their land.

## Description of the Project

The Qilian Mountains-Qinghai Lake landscape is significant for the biodiversity that it harbors. More than 243 species of vertebrates are found in the Qinghai Lake area alone, including 41 species of animals, 189 species of birds, 3 amphibians and 8 species of fish (Li et al.,2018；project document of C-PAR3). The Lake is a major breeding site for Brown-headed Gull (Larus brunnicephalus) and several important endemic fish. Qinghai Lake is listed on the Ramsar List of Wetlands of International Importance. There are currently three nature reserves within the Qilian Mountains-Qinghai Lake landscape, namely the Qilian Mountains Nature Reserve, the Qinghai Lake National Nature Reserve, and the Datong National Nature Reserve. There is also one NP currently under construction (the Qilian Mountains NP pilot). Protecting globally significant biodiversity in this landscape will require the strengthening of the PA sub-system, primarily involving the strengthening of legislation and institutional frameworks and identifying ecological corridors to boost landscape connectivity and reduce population isolation of threatened species. In order to transform China’s national protected area (PA) system, the GEF financed six child projects of China’s Protected Area System Reform (C‐PAR) Program. This project is one of the six child projects and is centered on consolidating the protection of the Qilian Mountains-Qinghai Lake landscape. The project implementation period is 60 months, from January 31st, 2019, to January 30th, 2024. The total GEF investment of US$2,652,294 for this project will leverage a minimum of $18 million in co-financing from the Qinghai provincial government. The receipt of GEF resources channeled through a UN agency often facilitates the political commitment to take difficult decisions on issues such as reforming outdated legislation, making plans for extending the PA system network, strengthening inter-sectoral coordination, and adopting more environmentally friendly practices in related sectors. GEF funds will mainly support:

* Implementation of key forestry work in Qinghai Province;
* Participatory management of protected areas;
* Knowledge-sharing and gender mainstreaming;
* Development of the habitat protection model of rare and endangered wildlife of global significance through the protection of flagship species the snow leopard and przewalskii gazelle.

The matching government funds will be utilized to carry out additional key work such as ecosystem protection and restoration (including assistance with any potential voluntary resettlement and resulting compensation), supporting infrastructure construction and coordinated community development.

The Project Management Office (PMO) will be based at the Qinghai Forestry and Grassland Bureau (QFGB) in Xining. Coordination with other C-PAR child projects will be led by the Project Manager in liaison with the C-PAR Program Alignment Officer working under the C-PAR1 National Project. Coordination amongst provincial government agencies will be facilitated by the International Division of Qinghai Provincial Financial Department, and the C-PAR3 Advisory Group will be established to provide an avenue for coordination, information-exchange, and engagement with a wide range of provincial stakeholders. The UNDP is the GEF Agency for the project and the C‐PAR Program Coordination Agency. UNDP will be represented on Project and Program Steering Committees.

Consolidation of the protected area system in the Qilian Mountains-Qinghai Lake landscape to conserve globally significant biodiversity and development of landscape level management will promote resilience and a functional natural environment across these critical ecosystems. The project aims to strengthen enabling conditions both at the institutional and site level, and to enhance the participation of local communities in natural resource management to achieve mutually beneficial conservation and socioeconomic outcomes. Project activities are summarized in figure 1.

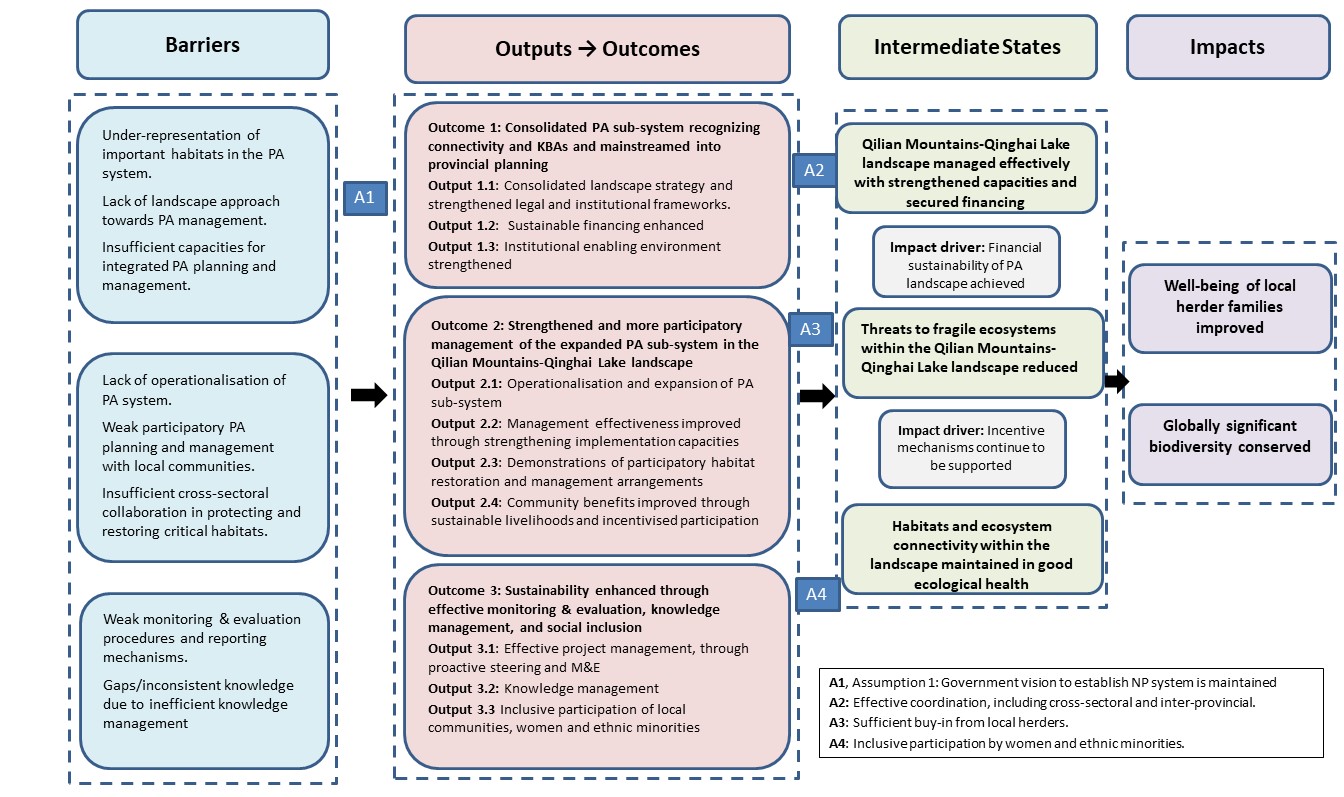


Figure 1 - Summary of CPAR-3 activities

This project is designed to increase participation through collaborative management and innovative conservation financing arrangements, including but not limited to: (1) expansion of the PA system and management under collaborative community arrangements; (2) community agreements to remove or adjust fencing to reduce threats to *Przewalski’s gazelle* and increase habitat connectivity; (3) development of community jobs in support of PA management; (4) support for sustainable alternative livelihoods linked to conservation incentives; (5) collaborative implementation of grassland restoration, utilizing local herders to patrol and manage the process; (6) collaborative livestock management in high mountain grasslands, reducing seasonal fragmentation of habitat for key species; and (7) pilot implementation of innovative conservation financing through conservation easement arrangements, including transfer of tenure and/or land use rights, to support restoration and improve habitat management. The Project’s objective is “to strengthen the effectiveness of the protected area system in the Qilian Mountains-Qinghai Lake landscape to conserve globally significant biodiversity, including snow leopard and Przewalski’s gazelle”. The project strategy can be broken down into the following three components:

* Component 1: Protected Area System Consolidation and Institutional Strengthening;
* Component 2: Implementation of Effective PA Management and Incentivizing Participatory Conservation;
* Component 3: Knowledge Management, Monitoring & Evaluation, and Gender and Social Inclusion.

**Component 1** will support consolidation of the PA system for Qilian Mountains-Qinghai Lake landscape through development of a package of strategies and action plans. A landscape scale consolidation strategy and action plan, incorporating the relevant elements of the climate resilient PA system plan that was developed under the GEF-4 financed project “*Strengthening the effectiveness of the protected area system in Qinghai Province, China, to conserve globally important biodiversity*”, will be prepared through a participatory process involving key provincial stakeholders. The strategy and action plan for the Qilian Mountains-Qinghai Lake landscape will be mainstreamed into the 14th 5-year Plan for Qinghai Province and linked to the Qinghai Provincial Biodiversity Strategy and Action Plan (QPBSAP) and will be aligned with the pilot plan for the inter-provincial Qilian Mountains NP (NP) Pilot. Species recovery and action plans will be prepared for flagship threatened species and recovery actions integrated within the landscape consolidation strategy and action plan. Project support will include adjustments and updates to the legal and institutional frameworks, enhancement of sustainable financing for PA management to accommodate increased demands, and improved capacities of the institutions and individuals responsible for stewardship of this KBA.

**Component 2** focuses on operationalization of the consolidated PA system, expansion of the PA sub-system including ecological corridor establishment, and incentives for conservation participation in local communities. The project will scale up work with local communities to reduce threats to biodiversity across the landscape. Operationalization of the consolidated PA system will include: (i) capacity development of field staff and community rangers; (ii) strengthened collaborative PA governance arrangements; (iii) enhanced biodiversity monitoring and PA enforcement systems; (iii) improved habitat management through participatory implementation of local pasture management plans; (iv) diversification of livelihoods of target communities; (v) pilot implementation of tourism partnership(s) and value-based eco-compensation; and (vi) expanded public participation, including through environmental education initiatives and partnerships with civil society. The project will provide community support and incentives for collaborative PA management. This support will include: (i) demonstration of value-based ecological compensation schemes at sites providing an incentive for conservation; (ii) community agreements to adjust fencing to reduce threats to Przewalski’s gazelle and increase habitat connectivity; (iii) development of community jobs in support of PA management; (iv) support for sustainable alternative livelihoods linked to conservation incentives (e.g., biodiversity friendly eco-tourism); and (v) pilots of innovative participatory conservation finance mechanisms to support restoration and improved habitat management.

**Component 3:** The requisite enabling conditions for sustaining the project results will be strengthened through targeted knowledge management, monitoring & evaluation, gender mainstreaming and social inclusion. A system for M&E and reporting from the community ranger contingent will be developed and demonstrated in the project intervention areas.

## Description of Indigenous Peoples

### Description of the Communities Constituting the Affected Peoples

The total population of Qilian Mountain National Park in Qinghai Province is about 110,000, including more than 7,000 permanent residents and more than 100,000 non-permanent residents. Among them, Tibetans account for about 60% of the total population. The total population of Qinghai Lake National Nature Reserve and its surrounding areas is 89,630. Therefore, most of the local communities that have the potential to be affected by the project are ethnic minorities

There are more than 30 ethnic groups in the whole QMNP (including Gansu and Qinghai portions of the total area) but there are only 6 ethnic groups in the Qinghai Province portion in particular. According to the preliminary survey results, there are 54,665 permanent residents in QMNP, including 37,257 people living in 198 villages of 33 townships in Gansu Province and 17,408 people living in 48 villages of 12 townships (towns) in Qinghai Province.

The Qinghai Lake area is largely inhabited by ethnic minorities. The counties surrounding the lake on the whole have a total population of 85,600 people. It is a multi-ethnic area, containing populations of 12 ethnic groups mainly Tibetan, but also Mongolian, Hui, Tu, Salar and Manchu. Ethnic minorities account for 70% of the population, among which the Tibetan is the largest, accounting for about 68.61% of the total population [19]. Fewer than 3,000 people live in the reserve itself. The Tibetan communities in the Qinghai Lake Area have virtually assumed the responsibility of protecting important species and maintaining the ecological system in alignment with their cultural and religious values.

Description of the affected ethnic minorities.

**Tibetan ethnic minority[[1]](#footnote-1)** - The Tibetans[[2]](#footnote-2) with a population of 4,593,100 mostly live in the Tibet Autonomous Region. There are also Tibetan communities in Qinghai, Gansu, Sichuan and Yunnan provinces. The Tibetan language belongs to the Tibetan sub-branch of the Tibetan-Myanmese language branch of the Chinese-Tibetan language family. According to geographical divisions, it has three major local dialects: Weizang, Kang and Amdo. The Tibetan script, an alphabetic system of writing, was created in the early 7th century. With four vowels and 30 consonants, it is used in all areas inhabited by Tibetans.

The areas where Tibetans live in compact communities are mostly highlands and mountainous country studded with snow-capped peaks. The Qinghai-Tibet Plateau rising about 4,000 meters above sea level is run through from west to east by the Qilian, Kunlun, Tanggula, Gangdise and Himalaya mountain ranges.

Animal husbandry is the main occupation in Tibet where there are vast expanses of grasslands and rich sources of water. The Tibetan sheep, goat, yak and pien cattle are native to the Qinghai-Tibet Plateau. The yak is a big and long-haired animal, capable of with-standing harsh weather and carrying heavy loads. Known as the "Boat on the Plateau," the yak is a major means of transport as well as a source of meat. The pien cattle, a crossbreed of bull and yak, is the best draught animal and milk producer. In farming, the fast ripening and cold and drought-resistant qingke, a kind of highland barley, is the main crop. Other crops include wheat, pea, buckwheat and broad bean. In the warmer places in the river valleys, there are rape, potato, turnip, apple and walnut. People also grow rice and cotton in river valleys in southern Tibet where the weather is very warm.

Before the reform was carried out (starting in the 50s), the Tibetan areas were dominated by the serf system that integrated political and religious powers. The local government consisted of two offices. One was called Zikang (auditor's office), which was formed by four lay officials who administered all affairs about lay officials and audited local revenue, corvee and taxes. The other was called Yicang, a secretarial office formed by four lamas who administered all affairs about religious officials. The Tibetan local government accepted, in name, the leadership of the Dalai Lama or a regent.

The basic administrative unit, equivalent to a county, was called Zong in Tibetan and the unit under it, equivalent to a district, was called Si, short for Sika or manor. Some large Sikas had the status of the Zong. Certain tribal organizations still existed on a few pastoral areas, which were subject to the leadership of the Tibet local government. In Qinghai, Gansu, Sichuan and Yunnan provinces, some Tibetan areas came under the administration of the provincial governments in the Qing Dynasty. But most of the areas remained under the jurisdiction of Tusi officials and big monasteries. Tibetan society was rigidly stratified. The people were divided into three strata in nine grades, according to the size of the land they possessed. The social ladder extended from senior officials, hereditary aristocracy and higher lamas all the way down to herdsmen, serfs and craftsmen. Generally speaking, these people fell into two major opposing classes -- the serf owners and the serfs.

The Tibet local government was legally the owner of all the land and pasture. It in turn parceled out the land to the aristocrats and monasteries as their manors. The officialdom, the nobility and the clergy thus became the three major categories of feudal lords. The manors held by the officialdom, called Zhungchi, were directly managed by the local government and contracted out to serfs for rent. Part of the rent was used as remuneration for senior officials and the rest portioned out to government offices as their operating expenses. The land and pasture in the Tibetan areas other than Tibet were controlled by headmen, local officials and other members of the ruling groups and monasteries.

A number of autonomous administrations have been established in Tibetan areas since the 1950s. They include:

* the Tibetan and Kazak Autonomous Prefecture in Qinghai Province,
* the Gannan Tibet Autonomous Prefecture and the Tianzhu Tibetan Autonomous County in Gansu Province, and;
* the Garze and Aba Tibetan autonomous prefectures and the Muli Tibetan Autonomous County in Sichuan Province.

In the Tibetan areas, reforms were introduced between 1955 and 1957 in the farming areas. Feudal land ownership and all feudal privileges were abolished after consultation between the laboring people and members of the upper strata. Land and other means of production including animals, farm implements and houses confiscated or bought by the state were redistributed among the poor serfs, serf owners and their agents, with priority given to the first group. The Government of Tibet and the Tibetan social structure remained in place in the Tibetan polity under the authority of China until the [1959 Tibetan uprising](https://en.wikipedia.org/wiki/1959_Tibetan_uprising), when the [Dalai Lama](https://en.wikipedia.org/wiki/Dalai_Lama) fled into exile and after which the Government of Tibet and Tibetan social structures were dissolved. Both the Dalai Lama and the PRC government in Tibet subsequently repudiated the [17 Point Agreement](https://en.wikipedia.org/wiki/Seventeen_Point_Agreement), and the PRC government in Tibet dissolved the Tibetan Local Government. The legacy of this action continues to the present day.

In compliance with the UNDP SES 6, affected Tibetan population comply with criteria for identification of IPs since they “have pursued its own concept and way of human development in a given socio-economic, political and historical context; has tried to maintain its distinct group identity, languages, traditional beliefs, customs, laws and institutions, worldviews and ways of life” are considered ethnic minorities the project will therefore apply requirements as outlined in the Standard 6 (see section 5 and 6 of the IPP).

The two villages proposed for the Qinghai Lake NNR, Dayu (Haiyan County) and Gonggongma (Gangcha County), have a cumulative total of 3,075 inhabitants, of which more than 90% are Tibetan ethnic minorities. The village of Dayu is situated within a key breeding habitat for the Przewalski’s gazelle and although there have been domestic and international initiatives on enhancing conservation efforts, overgrazing remains a problem, particularly in the winter months. The grasslands near the village of Gonggongma are also important breeding habitats for gazelle. These two villages are outside the administrative boundary of the Qinghai Lake NNR; the key stakeholders for project interventions in these areas include Haiyan Forestry Bureau, Gangcha Forestry and Forestry Police Bureau, and most importantly, the Haibei Autonomous Prefecture Forestry Bureau.

Table 1: Villages selected for project interventions, Qinghai Lake NNR

| **Village** | **Prefecture, County** | **Population (2016)[[3]](#footnote-3)** |
| --- | --- | --- |
| Dayu | Haibei, Haiyan | 986  (91% Tibetan) |
| Gonggongma | Haibei, Gangcha | 2,089  (100% Tibetan) |
| **Total:** | | **3,075 (2,990 Tibetan)** |

**The Hui ethnic minority** - With a sizable population of 8.61 million, the Hui ethnic group[[4]](#footnote-4) is one of China's largest ethnic minorities. People of Hui origin can be found in most of the counties and cities throughout the country, especially in the Ningxia Hui Autonomous Region and Gansu, Qinghai, Henan, Hebei, Shandong and Yunnan provinces and the Xinjiang Uygur Autonomous Region.

The name Hui is an abbreviation for "Huihui," which first appeared in the literature of the Northern Song Dynasty (960-1127). It referred to the Huihe people (the Ouigurs) who lived in Anxi in the present-day Xinjiang and its vicinity since the Tang Dynasty (618-907). They were forerunners of the present-day Uygurs, who are now culturally distinct from today's Huis or Huihuis. During the early years of the 13th century when Mongolian troops were making their western expeditions, group after group of Islamic-oriented people from Middle Asia, as well as Persians and Arabs, either were forced to move or voluntarily migrated into China. As artisans, tradesmen, scholars, officials and religious leaders, they spread to many parts of the country and settled down mainly to livestock breeding. These people, who were also called Huis or Huihuis because their religious beliefs were identical with people in Anxi, were part of the ancestors to today's Huis. Earlier, about the middle of the 7th century, Islamic Arabs and Persians came to China to trade and later some became permanent residents of such cities as Guangzhou, Quanzhou, Hangzhou, Yangzhou and Chang'an (today's Xi'an). These people, referred to as "fanke" (guests from outlying regions), built mosques and public cemeteries for themselves. Some married and had children who came to be known as "tusheng fanke," meaning "native-born guests from outlying regions." During the Yuan Dynasty (1271-1368), these people became part of the Huihuis, who were coming in great numbers to China from Middle Asia. The Huihuis of today are therefore an ethnic group that finds its origins mainly with the above-mentioned two categories, which in the course of development took in people from a number of other ethnic groups including the Hans, Mongolians and Uygurs.

The government defines the Hui people to include all historically Muslim communities not included in China's other ethnic groups; they are therefore distinct from other Muslim groups such as the [Uyghurs](https://en.wikipedia.org/wiki/Uyghurs). The Hui predominantly speak [Chinese](https://en.wikipedia.org/wiki/Varieties_of_Chinese),[[4]](https://en.wikipedia.org/wiki/Hui_people#cite_note-FOOTNOTEGladney199620-4) while maintaining some [Arabic](https://en.wikipedia.org/wiki/Arabic) and [Persian](https://en.wikipedia.org/wiki/Persian_language) phrases. The Hui ethnic group is unique among Chinese ethnic minorities in that it is not associated with a non-[Sinitic language](https://en.wikipedia.org/wiki/Sinitic_languages). The [Cultural Revolution](https://en.wikipedia.org/wiki/Cultural_Revolution) wreaked much havoc on all cultures and ethnicities in China. The quelling of Hui militant rebels at the hands of the [People's Liberation Army](https://en.wikipedia.org/wiki/People%27s_Liberation_Army) in Yunnan, known as the [Shadian incident](https://en.wikipedia.org/wiki/Shadian_incident), reportedly claimed over 1,600 lives in 1975.

Different Muslim ethnic groups in different regions are treated differently by the Chinese government in regards to religious freedom. A greater freedom is permitted for Hui Muslims, who can practice their religion, build mosques, and have their children attend mosques

Hui Muslims who are employed by the state are allowed to fast during [Ramadan](https://en.wikipedia.org/wiki/Ramadan), unlike Uyghurs in the same positions. The number of Hui going on [Hajj](https://en.wikipedia.org/wiki/Hajj) is expanding, while Uyghurs find it difficult to get passports to go on Hajj. Hui women are allowed to wear [veils](https://en.wikipedia.org/wiki/Hijab), while Uyghur women are discouraged from wearing them.[[102]](https://en.wikipedia.org/wiki/Hui_people#cite_note-Beech-102) Many Hui women wear veils and headscarves. There is a major halal industry and Islamic clothing industry to manufacture Muslim attire such as skull caps, veils, and headscarves in the Hui region of Ningxia.

China banned a book entitled Xing Fengsu ("Sexual Customs") which insulted Islam and placed its authors under arrest in 1989 after protests in Lanzhou and Beijing by Chinese Hui Muslims. During the protests, the Chinese police provided protection to the Hui Muslim protestors, and the Chinese government organized public burnings of the book.

**The** [**Kazakhs**](https://en.wikipedia.org/wiki/Kazakhs)**ethnic minority**: they are a [Turkic](https://en.wikipedia.org/wiki/Turkic_peoples) [ethnic group](https://en.wikipedia.org/wiki/Ethnic_group) . Some Kazakhs are nomadic herders and raise sheep, goats, cattle and horses. These nomadic Kazakhs migrate seasonally in search of pasture for their animals. During the summer, the Kazakhs live in [yurts](https://en.wikipedia.org/wiki/Yurt) while in winter, they are settled and live in modest houses made out of adobe or cement blocks. Others live in the urban areas and tend to be highly educated and hold much influence in integrated communities. The Islam practiced by the Kazakhs in China contains many elements of shamanism, ancestor worship and other traditional beliefs and practices.

**The Manchu ethnic minority** - The Manchu people form the largest branch of the Tungusic peoples and are distributed throughout China, forming the fourth largest ethnic group in the country.[[5]](#footnote-5) They can be found in 31 Chinese provincial regions. They also form the largest minority group in China without an autonomous region. The Manchu is often mistakenly confused as a nomadic people, but they were sedentary agricultural people who lived in fixed villages, farmed crops, practiced hunting and mounted archery.

Cultural, educational and public health facilities have been gradually developed. By 1981 the county had founded more than 500 schools of various kinds with a combined Tu student population of over 10,000. College graduates, engineers, artists, journalists, teachers and doctors of Tu origin are playing active roles on all fronts. Quite a few officials from the ethnic group have been promoted to leading positions at the provincial, prefectural and county levels.

**The Mongolian ethnic minority** - Mongolian ethnic minority[[6]](#footnote-6) - The Mongolians live mostly in the Inner Mongolia Autonomous Region, with the rest residing in Liaoning, Jilin, Heilongjiang, Xinjiang, Qinghai, Gansu, Ningxia, Hebei, Henan, Sichuan, Yunnan and Beijing. /Having their own spoken and written language, which belongs to the Mongolian group of the Altaic language family, the Mongolians use three dialects: Inner Mongolian, Barag-Buryat and Uirad. The Mongolian script was created in the early 13th century on the basis of the script of Huihu or ancient Uygur, which was revised and developed a century later into the form used to this day.

Some populations officially classified as Mongols by the government of the People's Republic of China do not currently speak any form of [Mongolic language](https://en.wikipedia.org/wiki/Mongolic_languages). Such populations include the [Sichuan Mongols](https://en.wikipedia.org/wiki/Sichuan_Mongols) (most of whom speak a form of [Naic language](https://en.wikipedia.org/wiki/Naic_languages)), the [Yunnan Mongols](https://en.wikipedia.org/wiki/Khatso) (most of whom speak [a form of Loloish language](https://en.wikipedia.org/wiki/Katso_language)), and the Mongols of [Henan Mongol Autonomous County](https://en.wikipedia.org/wiki/Henan_Mongol_Autonomous_County) in Qinghai (most of whom speak [Amdo Tibetan](https://en.wikipedia.org/wiki/Amdo_Tibetan) and/or [Chinese](https://en.wikipedia.org/wiki/Standard_Chinese)).

**The Salar Ethnic Minority:** with a population of 87,697, this group mainly lives in the Xunhua Salar Autonomous County in eastern Qinghai Province. There is also a sparse distribution in Gansu, Xinjiang and some other counties in Qinghai Province.

The Salar people have their own language which belongs to the Turkic Austronesian of the Altaic Phylum. As a result of frequent contact with the Han, Hui and Tibetan people, the language of the Salar contains quite a number of words taken from the Chinese and Tibetan languages. These days most young and middle-aged can speak Chinese. The language of the Salar people has no written form and Han character is widely used in daily life.

The Salar people take agriculture as their mainstay, and are adept at horticulture since gardening is well developed. They are especially famous for the planting of chili and red peppers, as well as the apiculture. The Salars live in mountainous areas in which rugged mountain paths diverge and the Yellow River flows by. Nowadays, you can still see the brave Salars steer their wooden rafts along the Yellow River.

All the Salar people believe in Islam. Like other Muslims, the Salar people strictly obey the rules of studying the Muslim scripture, attending religious service, and going on pilgrimages. Influenced by the Islamic culture, the Salar people mainly celebrate the Corban Festival, the Almsgiving Festival and the Kaizhai Festival.

**Tu ethnic group:** People of the Tu ethnic group are renowned for their talent for singing and dancing. Ballads with beautiful melodies, as well as oral literature with stirring plots can be heard everywhere in the Tu populated areas. A traditional ballad-singing festival is held once a year, when thousands upon thousands of singers and young people gather from all over the area to get together and sing to their hearts' content. They lives in the northwestern part of China -- to the east of Qinghai Lake and south of Qilian Mountain Range and along the banks of the Huangshui and Datong rivers. It is concentrated mainly in the Huzhu Tu Autonomous County in Qinghai Province, and also in the counties of Minhe and Datong. Others are scattered in Ledu, Menyuan and the Tianzhu Tibetan Autonomous County in Gansu Province. The language of the Tu people belongs to the Mongolian branch of the Altaic language family. Its basic vocabulary is either the same as or similar to that of the Mongolian language, but it is much closer to the languages of the Dongxiang and Bonan ethnic minorities. Quite a number of religious terms are borrowed from the Tibetan language, while a good portion of everyday words, as well as new terms and phrases, come from the Han language, which has long been the medium of communication among the Tus of Datong County. The Tu people do not have a written language of their own; they use that of the Hans instead.

### Ethnic Minorities’ Connections with Lands, Territories and Resources

QMNP is located at the junction of Gansu and Qinghai provinces in the northeast of the Qinghai Tibet Plateau, with a total area of 52,000 km2. The Qinghai Tibet Plateau is divided into two areas: Gansu Province and Qinghai Province. Gansu Province accounts for 34,400 km2 in Gansu Province, or 68.5% of the total area. The area of Qinghai Province is 15,800 km2, accounting for the remaining 31.5%. The administrative divisions include 10 counties[[7]](#footnote-7).

In 2017, the gross domestic product of the region was 50.56 billion yuan, and the output value of the primary, secondary, and tertiary industries was 9.98 billion yuan, 25.3 billion yuan and 15.28 billion yuan respectively. At the end of the year, there were 9.961 million livestock, and the total grain output was 3.11 billion jin. The per capita net income of farmers and herdsmen was 6,374.8 yuan, and the rural labor force employed 521,000 people in 14 counties involved in the planning area of Qilian Mountain National Park (Master Plan of QMNP).

Most of the counties are dominated by traditional agriculture and animal husbandry. In 2017, the local fiscal revenue in the region was about 4 billion yuan.

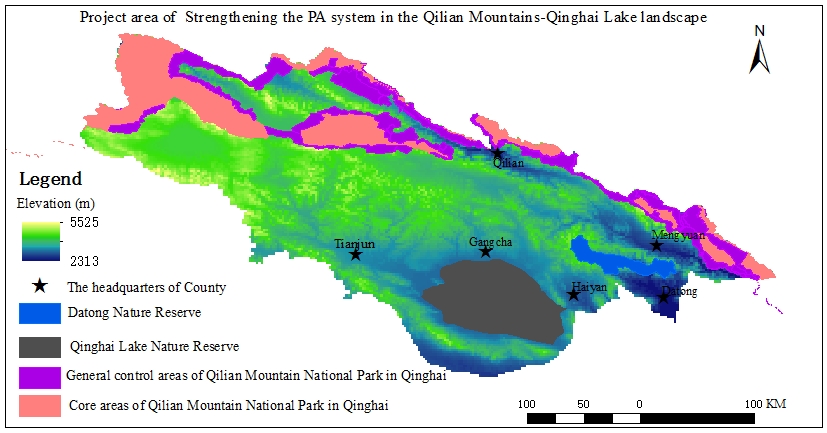


Figure 2 - C-PAR3 project area map

The land ownership in the river basin and its protected areas can be divided into two forms: state-owned land and collective land. Among them, collectively owned land accounts for a large proportion. According to the land survey results in 2017, the total land area of QMNP is 5,023,700 hectares, and the state-owned land area is 4,981,900 hectares, accounting for 99.17% of the total area. The collective land area is 41,800 hectares, accounting for the remaining 0.83% of the total area. State-owned land accounts for 98.82% of the total area in Gansu Province, and collective land accounts for the remaining 1.18% of the total area. State-owned land in Qinghai Province accounts for 99.97% of the total area, with collective and making up only 533 hectares.

The cultivated land area of QMNP is 3,281 hectares, accounting for 0.07% of the total area. The forest area is 631,819 hectares, accounting for 12.58% of the total area. The grassland area is 2,836,584 hectares, accounting for 56.46% of the total area including 40 hectares of special land (less than 0.01% of the total area). Water areas and water conservancy facilities make up 382,249 hectares, accounting for 7.61% of the total area. Sandy land, bare land, bare rock gravel land and other land collectively make up 1,168,620 hectares, accounting for 23.26% of the total area. Urban, rural, industrial, and mining land covers an area of 1,087 hectares, accounting for 0.02% of the total area (Master Plan of QMNP).

QMNP is the intersection zone of Han, Tibetan, Hui, Mongolian, Tu, Yugur, Kazak, Salar and other ethnic cultures. There are ancient sites, relics, religious buildings, and other features of a diverse ethnic cultures forming a unique "Qilian Mountain Cultural Circle". The main tourist destinations of QMNP are Tianzhu Three Gorges National Forest Park, Matisi Forest Park, Binggouhe Forest Park, Binggouhe Ecological and Cultural Tourism Scenic Spot, Menyuan Xianmi National Forest Park and Qilian Heiheyuan National Wetland Park. The neighboring tourist areas mainly include Danxia Landform Scenic Spot in Sunan, Yugu Style Corridor Scenic Spot, Balsi Snow Mountain Scenic Spot, Changgou Temple Scenic Spot, Danxia and Summer Tara Scenic Spot, Heihe Grand Canyon, Baili Sea Scenic Spot, Bayi Glacier, Donghai Grand Canyon in Menyuan Sigou, etc.

At present, most of the tourism activities are ordinary sightseeing, pastoral (agricultural) family entertainment, and horse riding. According to the "classification and evaluation of the quality level of scenic spots" proposed by the National Tourism Administration, the quality level of scenic spots is divided into five levels, which are (from high to low) as follows: 5a, 4a, 3a, 2a, 1a. Among the above significant sites: national 4A scenic spots include Matisi Forest Park, Danxia Landform Scenic Spot in Sunan, Yugu Style Corridor Scenic Spot, and Baili Sea Scenic Spot. Tianzhu Three Gorges National Forest Park is a national 3A scenic spot.

The Qinghai Lake is the largest inland saline lake in China.  Rights of use over collectively owned grasslands, grass mountains and grass slopes, can be contracted to individual households. The collective land under the jurisdiction of the reserve covers 68,800 km2, accounting for 13.8% of the total area of the reserve, and the water area is 462,400 km2. The economy of Qinghai Lake area around the lake is mainly based on animal husbandry production. Agriculture in a broad sense includes five industrial forms: planting, forestry, animal husbandry, fishery, and sideline. For generations, animal husbandry production has been the main industry. In the last ten years, individual transportation, retail, catering, tourism, and other service industries have gradually developed. The output value of animal husbandry accounts for about 70% of the total agricultural output value. Farmers and herdsmen make up the majority of the labor force. Since the 1960s, some provincial departments in the Qinghai Lake Basin have opened up land for cultivation. Later, some herdsmen have also reclaimed land with suitable climatic conditions.On the shore of Qinghai Lake, there are vast natural grasslands, which have long been inhabited by nomadic people. Animal husbandry has become the main economy of the Lake District, though there are several state-owned livestock farms in the area such as Hudong Sheep Farm, Jiangxi Gou Farm, Tiebujia Grassland Reforming Station, and Sanjiaocheng Sheep Farm. In addition, Qinghai Lake area is also suitable for agricultural development, but only about 6,000 people identify themselves as being part of an agricultural household.

Although tourism (especially ecotourism) has developed rapidly in recent years, the community around the lake has a relatively weak industrial economic foundation and maintains significant dependence on natural resources.

In 2004, the per capita annual income of farmers and herdsmen in Qinghai Lake was 2,673.9 yuan. This is higher than the per capita income of farmers and herdsmen in Qinghai province generally and lower than the per capita income of rural residents nationwide.

### Vulnerable groups within the affected peoples.

Large gender disparities persist in areas of education attainment, training opportunities, employment opportunities, participation, decision making, and wage equality. It is also known that gender differences also still exist in areas of participation, and decision making in urban areas. Due to traditional gender norms promoting the concept that men are responsible for outside affairs while women for domestic work and other social-cultural barriers, women continue to face disparities in access to training, employment participation opportunities, and decision-making opportunities, while taking up almost all housework. Men are usually in charge of external affairs, while women are responsible for domestic affairs. Women have a low level of involvement in public affairs and are often absent from participating in public affairs. Tibetan women have a more limited capability to communicate in Mandarin than men. A specific gender Mainstreaming and action plan has been developed and submitted as part of the ESIA (see annex B of the ESIA).

## Substantive Rights and Legal Framework

### International Regulation affirming and protecting the rights of indigenous peoples

China is signatory to the United Nations Declaration on the Rights of Indigenous Peoples, a comprehensive statement addressing the human rights of indigenous peoples. The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the General Assembly on 13 September 2007. The declaration specifically mandates the organs and specialized agencies of the United Nations system (including UNDP) to promote respect for and full application of the rights affirmed in UNDRIP. UNDP also follows the UN “Statement of Common Understanding” on Human Rights-Based Approaches to Development Cooperation providing that "human rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other international human rights instruments guide all development cooperation and programming in all sectors and in all phases of the programming process”. Nonetheless, China refuses to recognize the term “Indigenous Peoples” [[8]](#footnote-8)in its borders. Even though poverty levels have declined and the wellbeing of the general population has improved, ethnic minorities are left behind as indicated by low educational attainment, low participation in the labor force and lack of access to healthcare. Basic rights such as the right to self-determination, the right to peace and security, and the right to religious traditions and customs are violated at an alarming rate. [[9]](#footnote-9)

The UN Convention on Biological Diversity (CBD) also known as the Biodiversity Convention, is an international treaty adopted in Rio de Janeiro in June 1992. The treaty aims to conserve the earth’s biological diversity, promote the use of resources, and promote equitable sharing of benefits from the use of resources. Parties of the CBD adopted decisions related to protected areas, ecosystem approach, education and public awareness, and indigenous and local communities. Article 8(j) of the CBD states that “Subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biodiversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising.”

### National regulation

**The Constitution** (1982, revised in 2018) addresses the issue of PA through confirming the state and collective ownership of land and natural resources and prescribing the State’s responsibility in environmental and resource protection. The Constitution emphasizes that all nationalities in the People’s Republic of China are equal. The State protects the lawful rights and interests of minority nationalities and upholds and develops a relationship of equality, unity and mutual assistance among all of China’s nationalities. The State assists areas inhabited by minority nationalities in accelerating their economic and cultural development according to the characteristics and needs of the various minority nationalities. Regional autonomy is practiced in areas where people of minority nationalities live in concentrated communities; in these areas organs of self-government are established to exercise the power of autonomy. And in exploiting natural resources and building enterprises in the national autonomous areas, the State shall give due consideration to the interests of those areas. And all these provisions are reiterated in **the Regional Ethnic Autonomy Law** (1984, revised in 2001)[[10]](#footnote-10).

**The Rules of the State Council on the implementation of the Law of the People's Republic of China on Regional National Autonomy (2005)[[11]](#footnote-11)** stipulates that the state shall strengthen the poverty alleviation and development of the ethnic autonomous areas. Furthermore, these rules emphasize the role of government in developing farmland infrastructure in poor rural autonomous areas. Farmland infrastructure refers to facilities for the utilization of water, electricity, radio, television, and the transformation of thatched and dilapidated housing. All of these activities are to be conducted provided that the residents have communicated their consent.

Land in China is either owned by the state or by collectives, as outlined in Article 9 (Land Ownership) of the Constitution and Article 205, Part II of the Civil Law which further stipulates state ownership of forest and farmlands. In the project landscapes, the collectively held land is appropriated to local communities, regardless of their ethnic group.

The Outline of the **People’s Republic of China 14th Five-Year Plan for National Economic and Social Development and Long-Range Objectives for 2035**, adopted by the National People's Congress in March 2021, has a special section on “promoting equality between men and women and the comprehensive development of women”. The State Council published the Outline for Women’s Development in China (2021-2030) in August, setting out further objectives, measures and requirements for the coming 10 years to implement the State policy of gender equality in education, employment, entrepreneurship, participation in decision-making etc. The outline policies require full implementation of equal remuneration for men and women for work of equal value, increases in public services for the comprehensive development of women, improved social security for women's special needs, and a refined legal system for protecting women’s lawful rights and interests.

**The Human Rights Action Plan of China (2021-2025)**adopted in September 2021 confirms implementation of the basic national policy of gender equality, and enforcement of the Outline for the Development of Women in China (2021-2030) by improving the environment for women's development, facilitating the exercise of their rights, increasing their participation in socio-economic development, and ensuring their share of development benefits.

The results of the fourth Survey on Social Status of Women in China, which was organized by the All-China Women's Federation (ACWF) and the National Bureau of Statistics, were revealed on 28 December 2021 and concluded that China has created a better social environment for women's individual overall development and achieved wider recognition of gender equality over the past decade.

The above policies, action plans and survey data are meant to have a significant impact on the Indigenous Peoples and minority nationalities in China. However, upon closer scrutiny, the following can be observed:

* The policy outlines and 2021 survey lack relevant concerns regarding the issues and special needs or rights of minority ethnicities. The survey fails to present the general situation or the specific issues of minority ethnicities and unidentified ethnic groups. This noticeably differs from the first similar survey undertaken four decades ago, which contained relevant data on minority ethnicities. Together with the policy outlines, which do not address minority groups, it is a sign of a trend towards eliminating differences in the social reality of multiple ethnicities to consolidate Chinese Nation-building. CPAR 3 has conducted specific surveys with women’s groups to ensure gender considerations are adequately incorporated into the risks and mitigation measures outlined in section 4 of this report.
* While the provisions outlined above claim that their objective is to improve legal protection for women, there is no particular attention paid to the rights of women with a minority or Indigenous background. For example, among the 10 annually selected leading cases on women’s rights promoted by the All China Women Federation together with the Supreme Court and other agencies, there is not one case related to the specific rights of minority or Indigenous peoples. CPAR 3 intends to further strengthen the grievance redress mechanism as outlined in section 7 of this report to ensure that there is an appropriate mechanism in place to address grievances that have been raised by women and other vulnerable sub-groups within communities of indigenous or ethnic minority peoples.

**Land Rights:** China has a long history of establishing and implementing laws and regulations associated with displacement and resettlement. The National Construction Land Acquisition Measures, promulgated in 1953, was the first statute on land acquisition, demolition, removal and resettlement. These measures outlined the principles and procedures for land acquisition and set the standards for payment of compensation for acquired land, serving as the basis for the subsequent Land Administration Law. The Land Administration Law has been updated and amended several times, with regulations added to enhance the land law, including the Land Acquisition and Resettlement Regulation for Construction of Large and Medium-Sized Water Conservation Projects (1991 and 2006). The 2006 Regulations added subsidies for relocation and training for livelihoods, annual post-relocation fund support of RMB 600 per year per capita for 20 years, and community infrastructure rehabilitation and improvement based on the needs of resettled people. Additional guidelines promulgated in 2006 – Guidelines for Provision of Job Retraining and Social Insurance for Farmers that Lose Land – stipulated that the compensation and rehabilitation package also include a social security fund for rural farmers whose land is acquired and become urban citizens, and long-term compensation annually. The aim of both the 1991 and 2006 Regulations was to maintain or surpass pre-resettlement living standards which aligned China’s resettlement policy with the international standards of organizations such as the World Bank and Asian Development Bank.[[12]](#footnote-12)

**Public participation:** The Opinions of the General Office of the State Council on Advancing Public Disclosure of Government Information in the Field of Approval and Implementation of Major Construction Projects, and the Opinions of the General Office of the State Council on Advancing Public Disclosure of Government Information in the Public Resource Allocation Field require that major decisions and surveys should cover all local stakeholders, and fully collect their opinions, and information should be disclosed to the public as much as possible so as to improve the transparency and efficiency of the approval and implementation of projects.

China’s policies do not require the development and implementation of a stakeholder engagement plan (SEP) that describes the times and methods of contact with stakeholders in the whole project lifecycle. During the preparation of the CPAR-3 project, a stand-alone Stakeholder engagement plan has been prepared and attached to the ProDoc to identify all stakeholders, including vulnerable groups, women and minority residents, provide timely, relevant, understandable and accessible information to stakeholders, and fully consult with them as well.

**Administration of Resettlement**: The administration and implementation of resettlement policy is essentially decentralized. Under the decentralized model of resettlement administration and management, provinces issue their own administrative standards within the guidelines of national regulations. Different provinces and even different counties apply different standards of compensation. The county government sets the multiplication figure within the range of the national standard. Major projects of national interest, such as highways and energy development (including large dams), tend to attract lower compensation standards than commercial projects. Paddy fields attract a higher multiplication factor than mountainous woodlands, and orchards have a higher multiplication factor than economic woodlands. The 2006 Regulations are also weighted towards compensation as a means of restoring rights rather than benefit sharing or development.

There is no specific law or regulation regarding compensation for landowners or households resettled from their lands due to biodiversity conservation purposes. The laws and regulations on resettlement discussed above have been applied for cases of ecological migration. Central government notices have been issued that reinforce the land rights of farmers and restricts involuntary requisition of collectively held farmland; for example:

* Notice issued by the State Council on 27 December 2010 on Strictly Regulating a Balance between Urban Development and Practical Treatment of Rural Land Issues. Point No. 8 indicates that it is forbidden to encroach on farmers’ interests. Local communities need to be informed of planned developments and if exchange of land cannot be realized without consent by the local communities and farmers.
* Notice issued by the Ministry of Land Resources on 26 June 2010 on Land Requisition Management. Point No. 11 states that after a proposal for land requisition is approved, public notice and compensation planning may start synchronously. If farmers have different opinions regarding the arrangements, the government must provide further information to the farmers until their consent is granted. Involuntary land requisition is forbidden.
* Urgent Notice issued by the Ministry of Land Resources on 14 June 2006 on Strict and Impartial Law Enforcement to Restrain Illegal Land Uses. Point No. 4 indicates that the legal rights and interests of farmers whose land will be requisitioned must be protected. Prior to requisitioning collectively held farmland, farmers must be informed and agree to the arrangements. If compensation and a new residence is not provided, the planned land requisition will be stopped.
* Urgent Notice issued by the State Council on 30 April 2004 on Conflict Resolutions Associated with the Current Rural Land Contract. Point No. 21 indicates that it is forbidden to force farmers to transfer their land rights against their will.

Other applicable social laws and regulation that may affect ethnic minorities are summarized in table 2.

| No. | Name | Version | Applicability |
| --- | --- | --- | --- |
| I. General laws on social risk management | | | |
|  | Interim Regulations on Major Administrative Decision-Making Procedures | 2019 | Major administrative decisions shall be made under the principle of democratic decision-making, opinions shall be fully solicited from all parties, and it shall be guaranteed that the people participate in decision-making through various channels and forms.  If any major administrative policy may affect social stability and public security adversely, the undertaker or any other agency responsible for risk assessment shall assess the risk controllability of the draft decision. |
|  | Social Stability Risk Assessment for Major Fixed Asset Investment Projects | 2012 | The social stability risk assessment shall include: 1) if any major issue is meeting most people’s final needs, being financially affordable, and being understood and supported by most people; 2) if all major matters have been subject to consideration of various restrictions; 3) if any major security event will occur if local residents strongly object the project, and if there is any contingency plan; 4) potential major issues affecting social stability. |
| II. Laws on labor management | | | |
| 3. | Labor Law | Amended in 2018 | This Law applies to enterprises, individually-owned economic organizations (hereinafter referred to as the employer) and laborers who form a labor relationship with them within the boundary of the Peoples Republic of China. State departments, institutional organizations and social groups and laborers who form a labor relationship with them shall follow this Law.  Forced labor shall be prohibited. Any labor contract involved forced labor shall be illegal. Anyone who uses laborer by force, threat or illegal restriction of personal freedom shall be prosecuted criminally. |
| 4. | Labor Law  Labor Contract Law | Amended in 2018  Amended in 2012 | A labor contract should be entered into to define both parties’ rights and obligations.  When an employer hires an employee, it shall faithfully inform him of the work contents, conditions and location, occupational harm, work safety state, remuneration, and other information which the employee requires to be informed.  Where an employer formulates, amends or decides rules or important events which are directly related to the interests of the employees, such rules or important events shall be discussed at the meeting of employees' representatives or the general meeting of all employees, and the employer shall negotiate with the labor union or the employees' representatives on a equal basis. |
| 5. | Regulations on Labor Security Supervision | Amended in 2018  2004 | China has a sound labor dispute mediation system through a corporate committee under the formal trade union system. Workers may also appeal through the labor bureau directly.  the labor security supervision over enterprises and individual industrial and commercial households (hereinafter referred to as the employing entities) shall be governed by these Regulations. The labor security supervision over job intermediary institutions, occupational skills training institutions, and occupational skills assessment and authentication institutions shall be conducted in accordance with these Regulations.  The labor security supervision over an employing entity shall be under the jurisdiction of the labor security administration at the county level or at the level of a city divided into districts at the locality of employment by the employing entity.  Labor security supervision shall be conducted in such forms as routine inspection, written review, special inspection, and complaint investigation. |
| 6. | Trade Union Law | 2009 | All physical and mental workers of enterprises and public institutions shall have the right to join and organize trade unions, regardless of ethnic group, race, gender, occupation, religion and education. An enterprise or public institution shall establish a trade union according to law within one year after opening.  The trade union shall urge enterprises and public institutions to cover endowment, unemployment, medical, injury, maternity and other social insurance for workers according to law.  The trade union shall assist enterprises and public institutions in collective welfare, salary payment, social insurance, labor safety and health, etc. |
| 7. | Law of the PRC on the Protection of Rights and Interests of Women  Special Provisions on Labor Protection of Female Employees | Amended in 2018  2012  2017 | Special protection shall be offered to women and children, and they shall not be hired for dangerous jobs.  Women shall enjoy the same labor and social security rights as men, and receive equal pay for equal work.  The employer shall protect women’s safety and health at work, and not assign unsuitable jobs to women. Women enjoy special protection during menstruation, pregnancy, lying-in and breastfeeding periods.  The employer shall prevent sexual harassment on female workers, and protect their privacy when handling their appeals. |
| III. Policies on information disclosure | | | |
| 8. | Opinions of the General Office of the State Council on Advancing Public Disclosure of Government Information in the Public Resource Allocation Field | 2016 | The basic information, transaction process information, bidding information, contract execution and performance, etc. of a public resource project shall be disclosed by the administrative department or public institution managing or allocating public resources respectively; the administrative departments concerned should disclose law violation and discredit information along. |
| 9. | Regulations on Complaint Letters and Visits | 2005 | Transparent grievance redress channels have been established, and implementation measures for further appeals are in place. Citizens, legal persons or other organizations shall submit suggestions, opinions or appeal requests to governments at all levels by way of letter, e-mail, telephone or visit, etc., to be handled by competent administrative authorities according to law.  The department for letters and visits of the people's government at or above the county level shall, upon receiving a letter or visit, register the letter-or-visit matter presented and handle it on the merits of each case within 15 days. The matter presented by a letter-writer or visitor shall be handled within 60 days from the date it is accepted. If the matter is complicated, the time limit for handling it may be extended appropriately upon the approval by the responsible person of the administrative organ concerned, but the period extended shall not exceed 30 days, and the letter-writer or visitor shall be notified of the reasons for such extension. |

Table 2 - Other applicable social laws and regulation that may affect ethnic minorities

#### Regulation at local level

The regulations of the people's Republic of China on nature reserves were issued by the State Council of the people's Republic of China on October 9, 1994 and came into force on December 1, 1994. The regulation clearly stipulates that the construction and management of nature reserves should properly handle the relationship between the production and life of indigenous residents, delimit nature reserves, solicit the opinions of local communities and take into account the needs of production and life of indigenous residents. In 2019, China issued the guiding opinions on establishing a nature reserve system with national parks as the main body, which clearly proposed to protect the rights and interests of indigenous residents.

These laws and regulations fundamentally and systematically protect the rights and interests of local communities and indigenous residents in the process of national park construction. For some regions in China with 1 – 2 ethnic groups being the local majority population like Tibetan, Han, and Mongolia People, there are some local regulations for ensuring native ethnic groups’ rights and interests. Qinghai area of Qilian Mountain National Park mainly involves Menyuan County and Qilian County of Haibei Tibetan Autonomous Prefecture, Tianjun county and Delingha city of Haixi Mongolian Tibetan Autonomous Prefecture. The two Autonomous Prefectures have legislative competence to develop their own laws. On September 25, 2004, the 12th meeting of the Standing Committee of the Tenth People's Congress of Qinghai Province approved the regulations on the autonomy of Haibei Tibetan Autonomous Prefecture. On July 18, 1987, the 27th meeting of the Standing Committee of the Sixth People's Congress of Qinghai Province approved the regulations on the autonomy of Haixi Mongolian and Tibetan Autonomous Prefecture. These autonomy regulations are normative documents formulated by the people's congresses of China's national autonomous areas in accordance with the powers conferred by the Constitution and in accordance with the political, economic and cultural characteristics of the local nationalities. These regulations stipulate the basic organizational principles, institutional settings, functions and powers of autonomous organs, working system and other major issues related to the regional autonomy implemented in this region. They are the comprehensive activity guidelines for the implementation of regional national autonomy in national autonomous areas.

### Legally recognized rights to lands

The CPAR 3 entails activities that are contingent on establishing legally recognized rights to lands, territories or resources that ethnic minorities have traditionally owned, occupied and used or acquired. The National Park may affect the livelihood of some original residents, mainly in terms of land ownership, production mode and risk of resettlment. There are several aspects to clarify what contingent activities on establishing legally recognized rights to lands are:

* It is important to note that the funds of GEF project and matching funds will not support any resettlement that may take place during the C-PAR3 implementation period. Any such resettlement would likely be under the auspices of the implementation plan for the NP system issued by the government in September 2017 which notes that any resettlement must be gradual and voluntary. In accordance with international best practice, the risks that have the potential to eventuate through activities supported solely by associated facilities (not directly related to C-PAR3) have been included in risk assessment undertaken during the completion of the ESIA. Therefore, it is important to note that while this risk has been assigned a significance level of ‘high’, this is not a direct reflection of the probability and consequence/impact of this risk eventuating as a direct result of C-PAR3 activities.
* Land use right: the collective land within the scope of Qilian Mountain National Park has often been subcontracted to households. Planning and construction on this part of land or grassland involves the separation of land ownership and use right, which will have a certain impact on the grazing mode and intensity of herdsmen, and farmers need to be compensated in the past.

### UNDP SES 6 on Indigenous People

Table 6 summarized the list of objectives and requirements to be implemented to ensure the full compliance with the UNDP standard 6 on indigenous people. These have been incorporated into section 4 on Environmental and Social impacts to ethnic minorities, and related Mitigation measures and section 5 on Participation, consultation and FPIC Process.

Table - Pertinent SES 6 Requirements

|  |  |
| --- | --- |
| **S6: Indigenous Peoples** | |
| ***Objectives*** | * Recognize and foster full respect for IP human rights under Applicable Law (national law and international obligations, whichever higher) * Support countries to promote and protect IP rights * Ensure projects designed in partnership with full, effective IP participation, and securing FPIC where IP rights, lands, resources, territories of traditional livelihoods affected * Promote greater IP control and management of developments affecting their lands and resource, aligning with IP visions and priorities * Avoid adverse impacts, mitigate residual impacts, ensure just equitable benefits and opportunities in culturally appropriate manner |
| ***Requirements:*** |  |
| *Respect rights* | * Do not participate in projects that violate IP rights. * Assessments to include assessment of IP substantive rights |
| *Criteria for identification* | * No universal definition, criteria for identifying IPs may include:   + pursuit of own concept of human development   + have tried to maintain distinct group identity, language, beliefs, customs, way of life   + have exercised control/mgt over lands and resources historically used and occupied   + self-identify as IPs   + existence pre-dates those who colonized lands |
| *Lands, territories and resources* | * Recognize IPs have collective rights to own, use, develop, control lands, territories, resources, they have traditionally owned, occupied, otherwise used or acquired * Develop action plan for achieving legal recognition of IP ownership of land for projects contingent on such legal status. * If legal ownership necessary to avoid adverse impacts, work with government to delimit, demarcate, title lands, territories, and resources |
| *Legal personality* | * If activities contingent on recognition of IP legal personality, develop action plan for securing such recognition. Support such measures with consent of government |
| *Involuntary resettlement* | * No forcible removal of IPs from lands. No relocation without FPIC and only after just and fair compensation, with option of return where possible |
| *Full effective meaningful participation and FPIC* | * Guarantee meaningful participation throughout project cycle. Culturally appropriate FPIC process required on any matters that affect IP rights, interests, lands, resources, territories, traditional livelihoods, cultural heritage * Agreement through FPIC process required before activities commence which propose development, utilization or exploitation of mineral, forest, water or other resources on IP lands/territories or adversely affect existence, value, use, enjoyment of IP lands, territories resources * FPIC also required for relocation and use of IP cultural heritage |
| *Documentation* | * Document (a) mutually accepted process to conduct good faith negotiations, (b) outcomes, including all agreements reached as well as disagreements and dissenting views, and (c) efforts aimed at accommodating IP expressed interests and concerns in final design |
| *Prior assessment* | * Prior review and/or assessment required for all projects that may impact rights, lands, territories, resources, of IPs. Seek to avoid adverse impacts. Where significant adverse impacts remain, full ESIA required. * Independent capable entity undertakes assessment, and affected IPs have ample opportunities to participate |
| *Appropriate benefits* | * Ensure agreements on equitable benefit sharing reached with IPs in culturally appropriate and inclusive manner |
| *Support rights implementation* | * At request of government, support legal reform to strengthen compliance with international obligations |
| *Special considerations* | * Gender: ensure non-discrimination, pay particular attention to rights and needs of women and girls, while respecting IP norms, customs * Marginalized: pay particular attention to vulnerable and marginalized (elders, children and youth, persons with disabilities) and include special measures or their participation in decision-making * Uncontacted peoples: Respect right to remain in isolation (prohibit contact, respect territories, safeguard integrity of peoples). Where relevant, assist countries to limit access, regularize lands * Cultural heritage: respect, conserve, do not appropriate IP CH without FPIC |
| *Indigenous Peoples Plan (IPP)* | * IPP required for projects that affect IP rights, lands, territories, resources. IPP developed through meaningful participation. * IPP must be in place before any activities with adverse impacts |
| *Monitoring* | * Ensure meaningful collaboration of IPs in verifying that project designed and implemented per IP Standard. * Transparent participatory monitoring will be place whereby IPs jointly monitor project implementation |

## Environmental and Social Impacts to Ethnic Minorities, and Related Mitigation Measures

In accordance with UNDP SES, the Social and Environmental Screening Procedure (SESP) has been applied to C-PAR3 during the project development phase. Based on the assessments, some social and environmental risks have been identified for this project. The Environmental and Social Impact Assessment (ESIA) process is considered a key component for the implementation of the project and provides a solid base for the assessment of issues relating to IP, which includes consideration of the potential impacts of project activities on local people and their livelihoods. From December 2020 to January 2021, the scoping study of the project has been carried out to determine the significance of risks associated with the project. The environmental and social impact assessment (ESIA) was carried out during project inception to further evaluate potential impacts associated with the project activities. The assessment of social impacts within the boundaries (and sphere of influence of C-PAR3) has followed the methodology as prescribed by the Social Assessment for Protected Areas (SAPA)[[13]](#footnote-13). The SAPA approach is a multi-stakeholder assessment for use by PA/CA managers, communities living within and around a PA/CA or other stakeholders and rights holders at local and national levels. The goal of SAPA is to help more equitably to share the positive social impacts and reduce the adverse social impacts of conservation initiatives. This environmental and social impact assessment used a combination of the following methods: (i) community meetings to identify and investigate potential social impacts; (ii) farmers and herders’ questionnaires to explore these impacts and the associated socio-economic and cultural characteristics of households; and (iii) stakeholder workshops with multi-sectoral participation to discuss and interpret the survey results, explore other key issues and generate ideas for action to improve the situation.

The ESIA has identified 8 risks contingent on establishing legally recognized rights to lands, territories or resources that indigenous peoples have traditionally owned, occupied or otherwise used or acquired, Figure 2 summarize Project risks, and related mitigation measures.



Figure 3 - Project risks and related Mitigation measures as outlined in the ESIA

### Project risks to ethnic minorities

This section assesses the findings and recommendations of the required social and environmental impact studies (e.g. targeted assessment, ESIA) – specifically those related to ethnic groups, their rights, lands, territories and resources. This includes the manner in which the affected ethnic groups participated in such study and their views on the participation mechanisms, the findings and recommendations. Addressing project risks ethnic minorities serves to ensure compliance with UNDP standard 6 Guidance Note, specifically sections 5.1., 5.2.

**Risk 1: Local communities (including ethnic minorities) living in core area of QMNP may choose to resettle/relocate \****any voluntary resettlement will be supported by associated facility interventions outside of the purview of GEF/UNDP C-PAR3*

Significance: High

The implementation plan for the NP system issued by the government in September 2017 (which is not an element of the UNDP/C-PAR3 project) notes that in key conservation zones, resettlement of local communities would support the full achievement of conservation objectives and that any such resettlement must be gradual and voluntary in nature.[[14]](#footnote-14) Box 1. Highlights Standard 6 requirements on IP Displacement.

|  |
| --- |
| **Box 1 – SES 6 requirement on Analysing potential relocation and displacement risks and impacts:**  The UN Committee on Economic, Social and Cultural Rights has deemed that forced relocations are “incompatible” with the rights affirmed in the Convention on Economic, Social and Cultural Rights. Forcible relocation of indigenous peoples severs their relationship to their ancestral lands and, as observed by the UN Sub-Commission on Economic, Social and Cultural Rights, “where population transfer is the primary cause for an indigenous people’s land loss, it constitutes a principal factor in the process of ethnocide.” “For indigenous peoples, the loss of ancestral land is tantamount to the loss of cultural life, with all its implications.”[[15]](#footnote-15)  Standard 6 (paras. 8, 9) reflects the emphasis in international law that only under narrow and exceptional circumstances should relocation of indigenous peoples be considered. Forcible removal is prohibited and in all cases, no relocation of indigenous peoples concerned will take place without their free, prior and informed consent.[[16]](#footnote-16) Where there are potential risks of physical and economic displacement, the requirements of Standard 5 also need to be addressed (without prejudice to the requirements of Standard 6).  In the context of indigenous peoples, economic displacement might be implicated where project activities cause loss of critical assets. The assessment would need to identify the precise scope and extent of impacts on all potentially affected people. A survey of potentially affected indigenous peoples would need to be conducted together with socioeconomic analysis in order to determine eligibility for entitlements and baseline information for measuring restoration of incomes and living standards. |

In accordance with international best practice, the risks that have the potential to eventuate through activities supported solely by associated facilities (not directly related to C-PAR3) have been included in risk assessment undertaken during the completion of the ESIA. Therefore, it is important to note that while this risk has been assigned a significance level of ‘high’, this is not a direct reflection of the probability and consequence/impact of this risk eventuating as a direct result of C-PAR3 activities.

Through the household survey, it has been identified that local people (including ethnic minorities) generally hold two attitudes towards potential relocation/resettlement. Most of them (64%) among 60 respondents are willing to support resettlement outside of the core conservation zone (Fig. 4). On the other hand, others are concerned about whether their livelihood will be guaranteed after resettlement. While no resettlement is to be supported by GEF funding, the relevant project proponents will encourage associated facilities and local governments to adhere to the FPIC principles and processes outlined in section 6 when consulting with residents about the prospect of voluntary resettlement. A land commitment letter template is provided in Annex E, the use of which (by associated facilities) should also be encouraged by relevant project personnel.

In some resettlement cases that have occurred in China, local government will offer houses and compensation for migrants, and help to develop alternative livelihoods, thus improving their ability to adapt to the new environment. Such an approach has been suggested for any associated facility resettlement that would occur within the physical boundaries of the C-PAR3 project’s sphere of influence. The household survey that has been developed in compliance with UNDP standards indicates only 16% of the interviewed are not satisfied with existing compensation policies. Currently there are two sources of compensation funds. One source is that the local agriculture and animal husbandry bureaus compensate for impacts on different types of grasslands. The compensation standard is 14 yuan/mu in the grazing prohibition area and 2.5 yuan/mu in the grass and livestock balance area. The compensation in the grazing prohibition area and the grass and livestock balance area is made in five-year rotation[[17]](#footnote-17). The second source of compensation is that local herdsmen have the opportunity to serve as ecological management and protection personnel for which they receive compensation of 1,300 – 1,800 yuan/month[[18]](#footnote-18). This data shows that 64% of people are willing to move out from their villages if they can find alternative livelihoods.

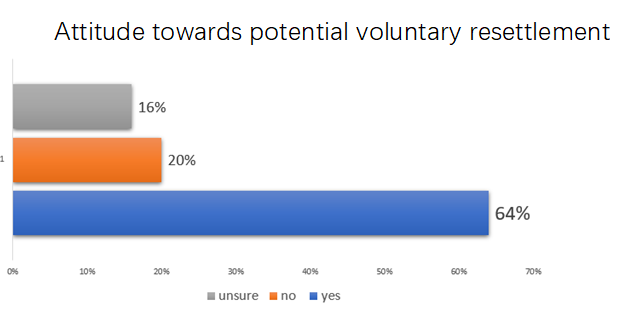


Figure 4 – Herdsmen’s response to resettlement

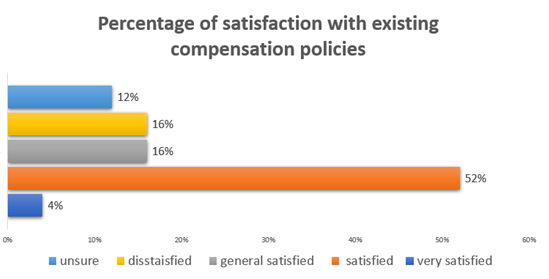


Figure 5 – Herdsmen’s response to existing compensation policies

This survey shows that 72% of local people are at a minimum generally satisfied with existing compensation policies.

**Risk 2: Due to the expansion of the QMNP and PA system, stronger PA controls and creation of ecological corridor areas, local herders in key conservation areas may face economic displacement, changes to land rights and/or restricted access to pasture.**

Significance level: Moderate

The total population of Qilian Mountain National Park in Qinghai Province is about 110,000, including more than 7,000 permanent residents and more than 100,000 non-permanent residents. Among them, Tibetans account for about 60% of the total population. The total population of Qinghai Lake National Nature Reserve and its surrounding areas is 89,630. Therefore, most of the local communities that have the potential to be affected by the project are inhabited by ethnic minorities. The establishment of NPs and the strengthening of conservation management may have impacts on the rights of some herdsmen, including those relating to access to pastures. Changes in their traditional grazing patterns and lifestyles of local people may affect the cultural heritage and livelihoods of ethnic minorities.

|  |
| --- |
| **Box 2:**  **SES 6 Requirement 1 –** **The perspective of the indigenous peoples concerned**; this is a critical starting point for impact assessment, and the indigenous peoples concerned should have ample opportunities as early as possible to participate in the assessment and development of avoidance and mitigation measures. Indigenous peoples’ traditional knowledge is a valuable resource for identifying and addressing potential environmental and social risks, including hazards and disaster risks, and should be incorporated throughout the project cycle.  **SES 6 Requirement 2 – Examine the short-and long-term, direct and indirect, and positive and negative impacts** of the project on the social, cultural and economic status and differential impacts of the project on their livelihood systems, culture and socioeconomic status of affected indigenous peoples (S6 para. 12). The assessment report (usually an ESIA report) should include confirmation and description of the attachment (via ownership, occupation and use or claims) of indigenous peoples to areas and resources that may be affected by the project's activities, Iing baseline socioeconomic profile, etc. In addition, the assessment report needs to summarize the participatory processes with affected indigenous groups on the conduct of the assessment, including, where required and already initiated, a summary of FPIC processes and the underlying IPP and documented outcomes. |

QMNP intends to implement a system of grazing prohibition in fragile grasslands. In order to reduce the impact of grazing on grassland vegetation, seasonal rest grazing has been adopted. The implementation area is 274,000 hectares. QMNP and the project team are proposing some innovative approaches, e.g., through conservation easements and other incentive mechanisms that would require changes in behaviour and current land use practices. The main purpose of any changes to grazing methods would be to promote the health of grassland ecosystems in order to strengthen biodiversity by providing more abundant food sources for species throughout the food chain. As long as herdsmen abide by the grazing intensity and grazing area of Qilian Mountain National Park, they will be able to carry out grazing. However, restricting the methods and volume of permitted grazing has the potential to result in economic displacement or other adverse impacts to the livelihoods of herders within the project area.

Participatory grassland restoration and livestock management arrangements are also proposed, with mutually beneficial conservation and socioeconomic benefits. In the project plan, C-PAR3 demonstrates participatory habitat restoration and management arrangements within the expanded PA sub-system in 2021 and 2022. C-PAR3 will deliver site-level trainings to PA staff, local government staff, village leaders, women's groups, and herders' groups focusing on the protocols developed under grassland restoration and habitat management.

The ESIA process has also included additional consultations with affected ethnic minorities regarding the planned project interventions and management measures. Throughout the consultations, local ethnic minorities have been informed of their rights and their ability to withhold consent for interventions of the project that may impact them. Free and Prior Informed Consent (FPIC) must be applied in line with the UNDP SES Guidance Note on Indigenous Peoples. Section 5 provides an overview of the FPIC principles and processes that must be adhered to. The purpose of this section is to provide a general guide for conducting and reporting on FPIC consultations. Additional measures (such as those in Mitigation Measure 2) may need to be taken, with consideration of the context in which consultations are taking place to ensure that these consultations are culturally appropriate and inclusive.

C-PAR3 shall organize and hold at least two meetings each year with the participation of representatives from provinces, counties, townships, villages, and herdsmen to solicit everyone’s opinions on the project activity plan in advance. At the end of the project, the project will consult with all stakeholders to reflect their suggestions in the relevant plans. More detail regarding the appropriate methods of consultation and recording are provided in Mitigation Measure 2 and in section 6.

**Risk 3：Expansion of existing PAs has the potential to affect the rights, lands and livelihoods (e.g. potential economic displacement, reduced access to resources) of ethnic minority populations adjacent to QMNP.**

Significance level: High

The potential for adverse social impacts to eventuate initially appears to be slightly more likely as they relate to residents within the project area as opposed to residents of QMNP-adjacent communities. The probability of this risk eventuating has nonetheless been determined to be ‘moderately likely’ for two reasons: (i) residents of adjacent communities may engage in livelihood activities within the bounds of the project area. Any such residents may face similar impacts to those faced by residents who live within the project area itself; and (ii) impacts on the grazing methods of herders who are resident within the project area may cause them to seek alternative grazing options outside of the newly restricted areas. Should this happen, residents of QMNP-adjacent communities may face increased competition for their customary grazing areas.

|  |
| --- |
| **Box 3:–SES6 – Requirements the substantive rights of the affected indigenous peoples:**  UNDP will ensure that the assessment process for projects involving indigenous peoples include an analysis of their substantive rights, as affirmed in Applicable Law and the status and challenges of implementation (S6 para. 4). The scoping process should include a comprehensive analysis of the legal framework and substantive rights of potentially affected indigenous peoples. A base understanding of the nature of the rights involved is needed in order to fully assess the project’s potential impacts on those rights. The status of the “legal personality” of indigenous peoples under domestic law should be included in this analysis as well as the status of land tenure related to the relevant areas that may be affected by the project. A national or international legal expert (from the UNCT or academia or other) would be able to undertake and provide this analysis in consultation with potentially affected indigenous peoples, their organizations and relevant civil society organizations (if any). |

In the process of the construction of protected areas, the government and NGOs will adopt a variety of support mechanisms for community residents to develop alternative livelihoods. The affected community residents will be given priority in appointment to ecological management and social service posts so that they have the opportunity (should they voluntarily accept it) gradually to change from natural resource users to ecological guardians. Free and Prior Informed Consent (FPIC) must be applied in line with the UNDP SES Guidance Note on Indigenous Peoples. As mentioned above, section 5 provides an overview of the FPIC principles and processes that must be adhered to throughout project implementation. The appropriateness of each consultation needs to be considered on a case-by-case basis with additional consideration given to the inclusion of marginalized sub-groups within the relevant community. During the implementation of the project, QMNP and C-PAR3 will hold regular meetings with the participation of county, township, and village leadership, as well as herdsmen, to inform them of relevant activities of the project and relevant compensation policies and standards. Survey results in figure 5 show that 52% of local people participated in ecological works.

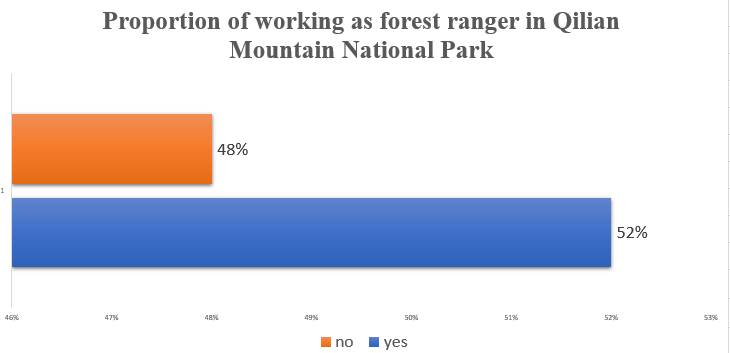


Figure 6 – Herdsmen’s response to participating ecological works

**Risk 4： Women and ethnic minorities in and around QMNP could face barriers to full, meaningful participation in project activities due to the language limitation, educational levels and cultural disparities in patriarchal Tibetan communities.**

Significance level：Moderate

There are large disparities between men and women in the patriarchal culture of many Tibetan communities. Literacy and Mandarin-language rates among ethnic Tibetan minority communities are considerably lower than the average rates in the province. The level of overall education attained by women is lower than that of men within these communities and is also significantly lower than the average level of education for women in the province and in China generally. The effect of this is that there is the potential that Tibetan and other ethnic minority peoples (and particularly women within these groups) will be excluded from meaningful participation in project consultations.

|  |
| --- |
| **Box 4. SES 6 requirement on analysing gender dimensions and impacts on marginalized groups:**  As part of the screening process (see the SESP screening checklist questions regarding human rights and gender equality), UNDP undertakes an initial mapping of the constituency that makes up the potentially affected indigenous peoples, including inter alia gender equality considerations, impacts on marginalized groups and individuals (including persons with disabilities, youth, poor, etc.) and risks of impacts on voluntarily isolated groups. Disaggregated data on the composition of potentially affected indigenous peoples should be collected as part of the scoping and assessment of potential adverse social impacts. Potential differentiated impacts on marginalized or vulnerable groups should be examined. In assessing potential gender and power relation impacts, opportunities for’women’s empowerment should be identified. It should be recognized that while often marginalized, women often play an indispensable role with respect to the management and use of indigenous lands and resources, protection of livelihoods, and the transmission of the communities’ culture. |

Project activities that may adversely affect the existence, value, use or enjoyment of indigenous lands, resources or territories shall not be conducted unless agreement has been achieved through the FPIC process. In accordance with UNDP SES compliance standards, the ‘informed’ aspect of FPIC requires that consultations must be:

* Delivered in appropriate language and format (including video, graphics, radios, documentaries, photos, etc.);
* Objective, covering both the positive and negative potential of activities and consequences of giving or withholding consent;
* Complete, covering the entire spectrum of potential social, financial, political, cultural, and environmental impacts, including scientific information with access to original sources in appropriate language; and
* Delivered in a manner that strengthens and does not erode ethnic minority cultures.

If appropriate mitigation measures are not undertaken, the literacy and gendered considerations of ethnic minority communities within the project area may undermine the sufficiency of FPIC consultations. This in turn increases the risk that project activities may impose substantive adverse impacts on the communities who have not been appropriately consulted. An example of proposed measures to ensure meaningful participation is that knowledge-sharing aids will be developed according to the literacy and cultural circumstances of the local project communities. Such aids will be produced in both Mandarin and Tibetan, with additional accommodations to ensure the inclusion of illiterate people. Tibetan-speaking facilitators are also planned to support activities during project implementation. A gender action plan has been developed (Annex B of the ESIA) in conjunction with mitigation measures in section 5b of this report to mitigate and manage the potential gendered impacts of project activities and ensure sufficiently gender-sensitive monitoring. Annex D provides an overview of the principles and processes that must be followed when conducting FPIC consultations. The ESMP (and Chapter 5 of this report) provide more detail regarding the specific protocols for managing continued involvement during project implementation, as well as monitoring, evaluation, and reporting.

One of the major commitments outlined in the Gender Action Plan is that at least 50% of women will be guaranteed in the management committee at the village level of the project model. In view of women’s participation, the project will carry out an evaluation every two years and update various implementation plans according to the evaluation results. The potential for gendered risks to eventuate and the associated mitigation measures are further assessed in Risk 6 (as outlined below) and in Annex B of the ESIA.

**Risk 5: Project appointed duty-bearers at the county and township level could lack the capacity to implement the project according to UNDP standards regarding human rights, public participation, gender mainstreaming and other relevant social and environmental safeguards.**

Significance level：Moderate

While Provincial level duty-bearers have reasonably high capacities, representatives at the county and township levels could lack capacity to implement the project activities to the required standards of UNDP. Furthermore, there is a relatively high level of uncertainty regarding the regulatory and management arrangements of the national park system, compared to the current arrangements associated with nature reserves, and therefore some unknowns remain about the extent to which these will require new skills/knowledge/ experiences.

Local staff at the county and township level will be offered training on safeguards, gender mainstreaming, and FPIC. Specific management measures designed in the ESMP for ensuring that duty-bearers are appropriately trained to facilitate implementation of the project activities in adherence to the required standards. C-PAR3 will adopt participatory management and adaptive management to adjust the implementation plan for strengthening duty-bearers’ capacities.

Despite the training that duty-bearers will undergo, the risk remains to some degree that some new staff members will be introduced and involved in project activities before they have completed sufficient training. Should this occur, project activities that are not in strict adherence with the UNDP’s standards may erroneously be authorised. However, with appropriate oversight, the probability of this risk eventuating is not particularly likely, hence the ‘not likely’ probability and resulting ‘moderate’ significance rating.

**Risk 6: There are large disparities between men and women in the patriarchal culture of most Tibetan communities in and around the project sites that could potentially be reproduced by project activities, limiting engagement and involvement of women in project implementation.**

Significance level：Moderate

In many traditional Tibetan societies, there are large disparities in the social and economic positioning of men and women. The traditional societal structure in these communities is patriarchal, resulting in males predominantly being considered the head of the household, wielding significantly greater control over the household’s economic affairs, and having a stronger participatory role within the community than their female counterparts. It is not uncommon for women to be expected to manage all of the childcare and other domestic responsibilities.

Considering these disparities, women may have less opportunity to obtain the same level of education or employment as men within these communities. The marginalized position of women with regard to their participation in community decision-making often means that their opinions are not heard, and the decisions reached without consideration of their perspectives will often serve to ensure their continued marginalization. In undertaking project activities, there is the potential for these disparities to be reproduced/perpetuated if preventative measures are not taken. All community consultations must take appropriate measures to ensure that women (and other marginalized people) are properly represented when the collective opinion or consent of a community is given. This is particularly the case when such a collective opinion is given by a representative of a larger community.

C-PAR3 engaged a gender expert to develop a gender action plan and carry out training for key project duty bearers on potential gender-related issues. This gender action plan will be implemented for the duration of the project. The gender action plan includes a gender analysis and associated activities/actions that should be undertaken, which in turn shall guide proactive women’s empowerment efforts during implementation. Gender mainstreaming actions have also be incorporated into the ESMP.

So far, 44% of the total 1,649 people directly involved in project activities are women, and they benefited from these activities from provincial level to community level in the period of July 2020 to June 2021. Three subcontractors from a total of six project service providers are led by female directors, including the Qinghai Environment Education Association, the Xuejing Ecological Awareness Education and Research Center, and the Beijing Fuqun Social Service Center. Given the current status of female participation in project activities and the relevant mitigation and management measures designed, the probability of this risk occurring has been determined to be ‘not likely’.

Further detail regarding the measures to be taken to ensure women’s full participation in project activities and consultations is provided in Chapter 7 of the ESIA.

**Risk 7: Project activities will occur within/adjacent to environmentally sensitive areas, posing potential risk to sensitive habitats and species if not designed and undertaken appropriately**

This risk has the potential to eventuate in several ways, outlined below as components (a) – (c).

* **Component (a): With the increasing success of conservation work, human wildlife conflict risk (HWC) has become an important issue of Qilian Mountain Qinghai Lake landscape.** Significance level: Moderate

The main types of human-wildlife conflict in Qilian Mountain National Park involve brown bears, wolves and snow leopards attacking livestock, interfering with grazing, and threatening the personal safety of herdsmen (Cheng et al., 2019). When wild animals destroy crops, attack livestock, and endanger personal safety, there is a potential for retaliation by affected people that is contrary to the ecological objectives of this project.

* **Component (b): Construction/civil works and related activities may bring about direct or indirect impacts on environments and biodiversity in QMNP.** Significance level：Low - Implication for Ethnic Minorities: very limited
* **Component (c): The increase of visitors to QMNP and the relevant activities without strict control may cause interference to the natural environment, wildlife habitats, behaviour, and also may potentially lead to the introduction of invasive alien species.** Significance level：Moderate - Implication for Ethnic Minorities: very limited

**Risk 8: Climate change has the potential to adversely impact species populations and targeted habitats/protected areas.** Significance level: Low - Implication for Ethnic Minorities: very limited

### Mitigation Measures

Where potential risks and adverse impacts to ethnic minorities, their lands, territories and resources are identified (as listed in Section 4 (a)) , the details and associated timelines for the planned measures to avoid, minimize, mitigate, or compensate for these adverse effects are described in this section. Mitigation measures also Include, where relevant, measures to promote and protect the rights and interests of the indigenous peoples including compliance with the affected peoples’ internal norms and customs.

During the process of conducting the ESIA, community interviews, questionnaire surveys, stakeholder workshops and other methods to assess the impact of national park construction were undertaken. The assessment results focus on 8 particular risks. For the purpose of presenting cross-cutting mitigation and management measures, these 8 risks have been categorized into the following 5 categories, for which all but risk 4 have been described has they entail direct implication for affected ethnic minorities.

* (1) Economic displacement, land rights and traditional lifestyles;
* (2) Gender-based barriers to participation in related project activities;
* (3) Human-wildlife conflict risk;
* (4) Disturbance to the natural environment, wildlife habitats and behaviors; and
* (5) Inability of responsible persons to appropriately implement the project.

Each of these categories have associated mitigation measures listed below. Listed before the specific actions in each category are the risks as identified in section 5 of this report and the project SESP that are relevant to each particular group of measures.

1. **Mitigating impacts on economic displacement, land rights, and traditional lifestyles of local herders**

***Relevant Risks: 1, 2, and 3***

1. Ensure recognition of legal personality: to guarantee the protection, respect and fulfilment of human rights of Tibetans and other ethnic minorities summarised above, an analysis of the substantive rights of ethnic minorities, including a review and resulting policy recommendations in respect of their legal personality (or lack thereof) under domestic law will be undertaken. The review should ensure that (i) such recognition is consistent with the norms, values and customary laws, (ii) the Tibetans concerned are not prevented from securing titles because they lack the recognized legal personality which permits them to hold titles in their name (collectively or individually), and (iii) they have sufficient access to domestic remedies despite the lack of legal personality.
2. Exploring new sources of incomes for local people in the national park: QMNP is exploring a new model of coordinated development between ecological protection and people's livelihood improvement in the protected areas. The specific measures include:

* Integration of the existing ecological management and protection posts into local communities, giving employment priority to the local residents. So far, 2,425 ecological forest rangers, 1,036 village grass Rangers and 1,014 Rangers have been employed in Gansu and Qinghai.
* Qilian Mountain National Park will train a practical skilled person for each household free of charge to ensure that the livelihood of each household is supported throughout project implementation.

1. Alternative livelihood training: This project plans to carry out alternative livelihood training for villagers in 9 demonstration villages (see activity 2.4.3), which will help improve the employment quality and skills of farmers and herdsmen in the Qinghai Lake-Qilian Mountain landscape area. The training contents include welder training, electrician training and excavator operation. After training, participants can obtain the primary operation certificates in each respective field, improving their employability and providing alternative options for maintaining and improving their livelihoods. The government can also set up Tibetan language schools around QMNP to assist local people with protecting their traditional culture and lifestyle while improving the prospects of village ecotourism. The project will work with relevant local governments and NGOs continuously to explore the community coordinated development mechanism for indigenous residents to integrate into the construction of the National Park, carry out multi-party alternative livelihood skills training, and vigorously support the protection and construction of Qilian Mountain National Park. Firstly, the project will organize Tibetan sheep breeding training, guide and teach ethnic minority families to carry out Tibetan sheep breeding and increase family income. Tibetan sheep are a key breed of livestock in the alpine region of Qinghai, and it is also an important source of residents' economic income. Secondly, the project and Qilian Mountain National Park will guide the indigenous people to develop the traditional handicraft industry. In choosing the continuous alternative industry, priority will be given to the traditional handicraft production industry with innate endowment, large employment demand and profound cultural heritage, such as Tibetan blankets, Tibetan embroidery, stone carving and other traditional crafts.
2. Promotion of franchising projects in the National Park: In September 2017, the State Council issued the overall plan for the establishment of national park system, which requires national parks to establish and improve the franchise system. The plan also requires national park authorities to encourage indigenous residents to participate in franchise activities. In November 2019, the Qinghai provincial government issued “The implementation plan guiding the establishment of a nature reserve system with NPs as the main body”, which stipulates that each protected area should establish a franchise mechanism to guide local communities to participate in and develop alternative livelihoods. QMNP promulgated the Interim Measures for the franchise management of Qilian Mountain National Park in August 2020, which encourages individuals to participate in the franchise projects of QMNP. National Park franchising involves the National Park Management Agency determining commercial operators and defining their rights and obligations while operating within NP areas. This approach facilitates commercial activity within the NPs while ensuring appropriate oversight (by the Management Agency) to prevent environmentally and socially harmful commercial practices. These franchised activities also provide employment opportunities for local residents that may serve as significant alternatives to traditional livelihoods. These franchising activities are only implemented in general control areas of QMNP and include ecotourism, transportation, catering services, cultural industry, environmental education, etc.
3. Accelerate the establishment of an ecological compensation system: In 2017, the State Council issued the overall plan for the establishment of national park system, which clearly proposed to establish and improve the ecological protection compensation mechanisms for those affected by development initiatives. In 2019, the State Council also issued the guiding plan on the establishment of a nature reserve system which pointed out that the ecological protection compensation system should be improved. Qinghai Province will actively promote the establishment and improvement of ecological protection compensation mechanisms in the areas relevant to the project (See Activity 2.4.5).

1. Promote and Strengthen communication materials to ensure and improve people's living standards: A number of entrance communities were set up in the villages and towns around the QMNP. Entrance communities are new residential areas built in the outskirts of the National Park. The entrance community has three functions: the first is the protection function; the second is the display function, which offers publicity and ecological protection information to tourists; and the third is the alternative livelihood promotion function – a variety of employment opportunities will be available to residents of the NP as alternatives to traditional livelihoods that may be impacted by project activities. With the help of Wechat and microblog, the project will produce publicity films, print bilingual brochures in Chinese and Tibetan, carry out multi-level and multi-channel publicity work in villages and households, broaden channels, ensure that the pilot work of Qilian Mountain National Park system is well known, and strengthen the education and guidance of ethnic minorities in Qilian Mountain National Park area. This increased publicity is aimed at promoting the deep integration of ethnic minority culture and national park construction.
2. Strengthen the protection and inheritance of cultural heritage: QMNP will protect and inherit cultural heritage through various measures, including (1) finding out the basic situation of intangible cultural heritage of all ethnic groups in NPs and preparing the special plan for the protection and utilization of NPs cultural protection resources; (2) Establish a digital platform for intangible cultural resources. Using modern advanced multimedia technology, establish a "Trinity" digital platform for intangible cultural resources of audio, video and text, so as to realize the interconnection of cultural relics information and the sharing and co construction of data resources; and, (3) Strengthen cooperation with scientific research departments and experts at home and abroad. The National Park will establish a scientific research partnership aimed at promoting academic exchange activities, training and lectures relating to cultural heritage. In addition, C-PAR3 will also invite experts to write environmental education articles, one of which focuses on the protection and inheritance of cultural heritage, and carry out relevant publicity activities in the project demonstration sites and relevant primary and secondary schools. The project will also carry out corresponding training for traditional culture, such as embroidery training for women.

|  |  |  |  |
| --- | --- | --- | --- |
| **Risk(s)** | **Mitigation/Control Activity** | **Monitoring (indicators and reporting)** | **Responsible Party** |
| **Risk 1:** Local communities (including ethnic minorities) living in the core area of QMNP may be resettled gradually and voluntarily.  **Risk 2:** Local herders in key conservation areas may face economic displacement, changes to land rights, or restrictions on access to pasture.  **Risk 3:** Expansion of existing Pas has the potential to affect the rights, lands, and livelihoods of ethnic minority populations within and adjacent to QMNP. | * 1. Ensure Recognition of legal personality | analysis of substantive rights of Tibetan ethnic minorities, including a review of the legal personality under domestic law | PMO |
| * 1. Exploring new sources of incomes for local people in the national park | Income surveys/interviews with affected people | QMNP |
| * 1. Alternative livelihood training | Production of reports including the curriculum of training, statistics regarding participants, and participant feedback.  Number of people receiving alternative livelihood training (disaggregated by sex and ethnicity) | PMO |
| * 1. Promotion of franchising and economic projects in the National Park | Number of “franchising” activities supported | QMNP |
| * 1. Accelerate the establishment of an ecological compensation system | Number of consultations on draft final compensation policy  Number of beneficiary households accessing funds from the newly implemented compensation policy | QMNP,  QFGB |
| * 1. Plan and build entrance communities | Number of buildings and towns constructed.  Number of jobs within these communities with gender and ethnic minority disaggregated data. In particular, the proportion of workers who live within the NP area must be monitored. | QMNP |
| * 1. Strengthen the protection and inheritance of cultural heritage | Number of local residents who feel that they are in touch with their cultural heritage as shown through community surveys. | QMNP |

1. **Mitigating gender-based barriers to participation in project activities**

***Relevant Risks: 4 and 6***

1. Hire a gender mainstreaming expert and appointed a gender liaison: C-PAR3 project office has hired a gender mainstreaming expert and appointed gender liaisons for Qinghai Lake National Nature Reserve and Qilian Mountain National Park. C-PAR3 formulates terms of reference and procedures for gender focal points to collect and report detailed gender information, including people affected by the project, project beneficiaries, participants in each project activity, etc. Gender management activities have been integrated into the project biennial/annual work plan through the monitoring and implementation of the gender mainstreaming action plan.
2. Conduct training on gender mainstreaming: In order to ensure women's equal participation in project activities, the GEF project office has invited the domestic social expert to carry out training on gender mainstreaming for relevant personnel and gender liaisons involved in the project. By 2021, 493 people had received training. In addition, when COVID-19 is under control in the future, international experts will be invited to carry out further training.
3. Ensure that the proportion of female participants in all project activities is at least 50%: The PMO and subcontractors will ensure that at least 50% of the participants are women in all ecotourism, sustainable alternative livelihoods, microfinance, community co-management and grassland restoration activities. From April to June 2020, 38 villagers from 7 villages in 2 townships participated in the pasture management survey, of which 52.5% were women. In addition, the PMO, project gender experts and gender liaisons, knowledge management sharing subcontractors, and other subcontractors, etc. will also jointly ensure women's equal participation in project activities. These activities include: annual project stakeholder seminars, formulation and implementation of HWC management plans, etc.
4. The UNDP-GEF project will promote to the concept of women's development: Organisation for local community women to learn entrepreneurship skills. For example, from October 8 to 10, 2019, the GEF project organized 20 female representatives from demonstration sites to visit Huzhu county and Huangzhong County for study. They learned about pan embroidery and Dui embroidery handicrafts, gradually forming an industry, and actively exploring the channels of entrepreneurship. These female representatives then made a preliminary action plan according to the particular situations of their communities to promote the development of female-led industry.
5. Gender and age inclusive consultation: To facilitate women’s participation in the villages, planned activities need to be mindful of women’s daily routines and where their activities take place. A critical issue is childcare. The project should budget for childcare to be provided at all meetings/consultations to ensure the involvement of women in project activities. It may be necessary at times to undertake differentiated approaches to engaging with certain groups and communities to ensure inclusion of marginalized and disadvantaged groups as well as to protect their safety and security. For example, private meetings that ensure a degree of anonymity may be needed. Gender and age inclusive consultations must include: female/elderly/youth-only interviews; gender or age specific focus groups and group consultations; separate meetings with women’s cooperatives or youth associations; reserved seating in steering committees, decision-making & monitoring bodies for females, youth & elderly; choosing consultation times & places that will increase gender and age inclusiveness; providing childcare during consultations; and tailored capacity building sessions.

|  |  |  |  |
| --- | --- | --- | --- |
| **Risk(s)** | **Mitigation/Control Activity** | **Monitoring (indicators and reporting)** | **Responsible Party** |
| **Risk 4:** Women and ethnic minorities in and around QMNP could face barriers to full, meaningful participation in related activities during the project implementation due to the language limitation, educational level and cultural disparities in patriarchal Tibetan communities.  **Risk 6:** There are large disparities between men and women in the patriarchal culture of most Tibetan communities in and around the project sites that could potentially be reproduced by project activities, limiting engagement and involvement of women in project implementation. | 1. Hire a gender mainstreaming expert and appointed a gender liaison officer. | Annual report from gender liaison officer | PMO |
| 1. Conduct training on gender mainstreaming | Reports on training curriculum, attendance, and feedback.  Number of workshops ran  Number of attendees (disaggregated by sex) | PMO,  Gender mainstreaming expert |
| 1. Ensure that the proportion of female participants in all project activities is more than 50%. | Reports on attendance and participation in all project activities.  Meeting minutes from stakeholder workshops | PMO |
|  | 1. Organizing women’s development workshops | Reports on workshops led including the content of workshops and the number of participants. | PMO, Gender mainstreaming expert |
| 1. Gender and age inclusive consultation | Reports on measures taken to ensure participation at all consultations. Such reports must include details of the measures taken, the resulting proportion of female participants, and the extent to which they actively participated. | PMO, Gender mainstreaming expert |

1. **Alleviating the negative impact of HWC in QMNP**

***Relevant Risks: 7***

Particularly in the areas within the QMNP where livestock activities take place, conflict between ethnic minorities and wildlife has become a common problem. The following measures can help alleviate the adverse impact of human animal conflict on local residents and wildlife alike.

1. Continued implementation of compensation for wildlife-caused accident and injury: In 2012, the Qinghai provincial government issued compensation measures for personal and property losses caused by terrestrial wildlife in Qinghai Province by order No. 81. By 2019, 10,335 cases of compensation for personal and property losses caused by wild animals had been accepted in the province, and the public compensation funds of more than 21 million yuan (excluding insurance compensation funds) had been paid at all levels. This system must continue in order to mitigate the impacts on livelihood faced by residents within the QMNP.
2. Develop a Bear and Wolf Proofing Handbook: C-PAR3 project entrusted Snow Environment Ecological Publicity, Education and Research Center to develop a Bear and Wolf Proofing Handbook, published in both Chinese and Tibetan. The handbook was printed in 17,000 copies and distributed widely not only to the two PAs but to areas far beyond them following the suggestions from QFGB divisions. Further distribution of this handbook and the production of similar educational materials in the future can help to mitigate avoidable instances of HWC.
3. Workshops on HWC to discuss relevant countermeasures: One joint workshop on HWC governance and capacity development was held from 5th -9th July of 2021 in Xinning City by Qinghai and Gansu GEF projects together. The participating experts conducted in-depth exchanges and discussions on the progress of human animal conflict management in Gansu and Qinghai provinces, along with their general discussions of their respective experience in the field of HWC. Continuing to conduct similar workshops can aid in identifying and managing the impacts of HWC as they develop throughout the project’s lifecycle.
4. Supplement feeding for *przewalskii gazelle* in winter: Every winter, there is a shortage of grass around Qinghai Lake. It is difficult for *przewalskii gazelle* to find food due to factors such as snowfall and herdsmen migration. The local government has actively taken measures to ensure that the *przewalskii gazelle* can survive the spring famine and to alleviate the competition between the *przewalskii gazelle* and the livestock of herdsmen. C-PAR3 also purchased 154.05 tons of winter supplementary feed for *przewalskii gazelle* in 2019, with a value of 285,000 yuan. In 2021, 53 tons of concentrate and 103 tons of oat grass were purchased with a value of 368,500 yuan.

|  |  |  |  |
| --- | --- | --- | --- |
| **Risk(s)** | **Mitigation/Control Activity** | **Monitoring (indicators and reporting)** | **Responsible Party** |
| **Risk 7:** Project activities will occur within/adjacent to environmentally sensitive areas, posing potential risk to sensitive habitats and species if not designed and undertaken appropriately. Given the spatial boundaries of the project, instances of HWC could also occur | 1. Continued implementation of compensation insurance for wildlife accident and injury | # of insurance/ compensation claims made  Funds disbursed to affected peoples | QFGB,  QMNP |
| 1. Develop “Bear and Wolf Proofing” Handbook | Development and publication of handbook  # of copies disbursed  # of workshops undertaken to socialize the handbook | PMO |
| 1. Workshops on HWC to discuss relevant countermeasures | # of workshops undertaken (participant numbers disaggregated by sex and ethnicity)  Meeting minutes from HWC workshops | PMO |
| 1. Supplement feeding for *przewalskii gazelle* | Total amount of supplementary feed purchased and the associated cost. | PMO |

1. **Improve the ability of the responsible persons to appropriately implement the project**

***Relevant Risks: 5***

While Provincial level duty-bearers have reasonably high capacities, representatives at the county and township levels could lack sufficient capacity to implement the project activities according to UNDP standards regarding human rights, public participation, gender mainstreaming and project management. The following measures can help improve their capabilities:

1. Gender mainstreaming training organized by the project office: The C-PAR3 project office has hired a gender mainstreaming expert and appointed gender liaisons for Qinghai Lake National Nature Reserve and Qilian Mountain National Park. They will carry out a series of activities to enhance women's ability to participate in projects. The responsible persons appointed by the project will been involved in these trainings to ensure the holistic application of measures put in place to ensure equal participation by women in all project activities.
2. Learning through online networks: Although the QMNP area is remote, the villages have access to electricity and fibre optic networks. C-PAR3 office personnel can conduct online training remotely to improve their project management ability regarding human rights, public participation, gender mainstreaming, etc. Project personnel can also learn various policies through some mobile apps such as Learning Power and Faxuan Online, so as to continuously improve their knowledge of UNDP SES requirements.
3. Study through Qinghai Cadre Network College: Qinghai Cadre Network College is a cadre network training platform established by Qinghai provincial party committee and Qinghai provincial government to implement the relevant requirements of the Central Committee[[19]](#footnote-19). The college is committed to building an online training platform integrating intellectual development which gathers a large number of cutting-edge, high-end and high-quality learning resources, and can carry out convenient, fast, diverse, flexible and effective online training for project managers at all levels. Relevant personnel can access a variety of knowledge from this network platform including topics related to ecological compensation, financial and file management, and sustainable development.
4. Duty-bearers can participate in all trainings organized by C-PAR3: To improve the awareness of managers at all levels of nature reserves in the project area, the project will organize relevant managers to visit Sichuan, Hunan and Gansu in 2021 to explore the ecological experience and obtain environmental and community co-management education. In addition, C-PAR3 will organize a five-day participatory leadership training in 9 demonstration villages in November 2021, including Eri, Reshui, Dayu, Tangqu, Sujwan, Beishan, Maying, Dontan and Xitan.

|  |  |  |  |
| --- | --- | --- | --- |
| **Risk(s)** | **Mitigation/Control Activity** | **Monitoring (indicators and reporting)** | **Responsible Party** |
| **Risk 5:** Project appointed duty-bearers at the county and township level (e.g. community mobilisers) could lack the capacity to implement the project according to UNDP standards regarding human rights, public participation, gender mainstreaming and attention to social and environmental safeguards. | 1. Gender mainstreaming training organized by the project office | # of gender mainstreaming activities conducted  Annual reports by Gender liaison officer  Online gender sensitive training developed  # of attendees for online training  # of attendees for in-person leadership training | PMO |
| 1. Learning through online networks | QMNP,  PMO |
| (d) Duty-bearers can participate in all trainings organized by C-PAR3 | PMO |

## Participation, Consultation, and FPIC Processes

### Definitions

Ethnic minority communities’ decision-making processes must be respected and allowed to operate in an open and transparent manner. The right of these communities to choose how they want to live will be respect. If consent compliant with all the above principles and definitions is not given, this shall be respected without exception.

Both the GEF and the UNDP recognize the importance of incorporating indigenous (and ethnic minority) peoples into the formulation and implementation of projects in a manner that is consistent with their rights and cultural values. This recognition serves to ensure that project activities do not have adverse impacts on these communities and that they are considered as stakeholders during the formulation and implementation of the Project. This is to be achieved by recognizing traditional management practices, as well as identifying those communities whose identity and culture are linked to the land, territories and natural resources on which they depend.

No activities that may adversely affect ethnic minority communities, their lands, resources, or cultural heritage will be permitted without explicit agreement of the potentially affected communities. Such agreement must adhere to the following definition of Free, Prior, and Informed Consent (FPIC) in order to be sufficient to permit the relevant activities to take place. The project outcomes for which FPIC must be obtained are listed in Section C below.

FPIC is the acronym of Free, Prior and Informed Consent and for the purposes of this project it is defined as follows:

**Free** means the process will be self-directed by the relevant ethnic minority communities from whom consent is sought. Such consent must be unencumbered by coercion, expectations, or timelines that are externally imposed. The process of seeking and obtaining consent will, throughout the entirety of the process:

* Will be free from coercion, bias, conditions, bribery, or rewards;
* Will ensure that the decision-making structure is determined by stakeholders;
* Will give information transparently and objectively;
* Meetings and decisions will take place at locations and times, and in languages and formats determined by the stakeholders; and
* All community members will be free to participate regardless of age, gender, or standing.

**Prior** means that no project activity implementation will take place before a decision by the relevant ethnic minority community has been made. The process will ensure that enough time is provided to customary landowners to understand, access, and analyse information on the proposed activities.

**Informed:** Information will be provided in a manner that is accessible, clear, consistent, accurate, and transparent. Such information will be:

* Delivered in appropriate language and format (including video, graphics, radios, documentaries, photos, etc.);
* Objective, covering both the positive and negative potential of activities and consequences of giving or withholding consent;
* Complete, covering the entire spectrum of potential social, financial, political, cultural, and environmental impacts, including scientific information with access to original sources in appropriate language; and
* Delivered in a manner that strengthens and does not erode ethnic minority cultures;

**Consent** is:

* Made by ethnic minority communities through their customary decision-making process.
* A freely given decision that may be a “Yes” or a “No”, including the option to reconsider if conditions agreed upon are not met, there are changes in the proposed activities, or if new information relevant to the proposed activities emerges;
* A collective decision determined by affected people in accordance with their customary forms of decision making (e.g. consensus, majority, etc.);
* Based on full understanding of opportunities and risks associated with the proposed activity;
* Given or withheld in phases, over specific periods of time for distinct stages or phases of the project;

### Consultations and Recording

The collective right to give or withhold consent applies to all project activities that may directly impact the lands, territories, resources, and livelihoods of ethnic minority communities. Consent must be sought and granted or withheld in accordance with the unique decision-making processes of each community.

FPIC consultations will be comprehensively documented. Ideas, questions, and concerns raised by different stakeholders, including related government institutions, NGO, CSOs, and women’s groups, private institutions, ethnic minority communities and/or resource-owners, shall be captured, well documented, and made available to relevant stakeholders.

Documentation of consultations shall include the following information:

* What information was provided to local communities in consultations;
* The language and method of information-sharing that was used;
* Measures taken to ensure the participation/representation of women and other marginalized sub-groups; and,
* The number of participants present at community consultations (including gender and ethnic minority disaggregated statistics).

Other information that must be recorded, updated, and made available includes:

* The manner in which consent (or the withholding of consent) is recorded;
* Any instances of previously given consent being withdrawn; and
* Any other grievances raised and subsequent action taken by project management and other relevant stakeholders.

FPIC Consultations shall be carried out in a culturally appropriate manner, delivered by culturally appropriate personnel, and in culturally appropriate locations. Consultations shall be delivered with sufficient time to be understood and verified, and measures must be taken to ensure that consultations reach and account for the particular challenges faced by, the most marginalized and vulnerable within potentially affected communities. Consultations and the associated reporting must be undertaken on an on-going and continuous basis throughout the lifecycle of the project.

During the implementation stage of the project, the Project Management Office and Executing Entities will take the following participation and consultation process to ensure the above indigenous groups’ rights and interests:

* The project will apply an appropriate process to reach Free, Prior and Informed Consent (FPIC) when working with ethnic minorities/Indigenous Peoples.
* Develop the Management Regulations on Safeguarding Indigenous People’s Rights and Interests as one of the project management documents at the very beginning of implementation. The regulation should be printed and hung on the wall of the project office especially those at the site level.
* Train every staff member and expert engaged by the project on UNDP-GEF Indigenous Peoples’ policy during whole implementation.
* A community expert will be hired by the project. Ensuring appropriate participation and consultation of Ethnic minorities’ takes place will be listed on the expert’s TOR.
* Project Executing Entity and its local partners all should appoint a project staff member to be responsible for liaising with communities and for promoting community participation and consultation.
* The project will organize a special team (as a project activity) to document traditional knowledge and culture of the Ethnic Minorities. A feasibility study on utilizing traditional knowledge and culture into national park management and income-generating will also be conducted.
* Nine communities in C-PAR3 might be selected to demonstrate community participatory resource management and rehabilitation of culture. The community selection standard will be developed with participation and consultation of Ethnic Minority representatives. Only Indigenous People (as defined by UNDP SES 6 criteria) communities are qualified to be evaluated by the standard.

### Project Outcomes Requiring FPIC

This section lists project outcomes to which the FPIC principles, definitions, and processes outlined above must be applied and implemented. Any project activity that contributes to the achieving the outcomes listed below requires that FPIC from ethnic minority communities that have the potential to be affected be reached. However, it must be noted that this list is not necessarily exhaustive. Any project activity that could reasonably be assumed to have the potential to impact ethnic minority communities must adhere to the principles, definitions, and processes relating to FPIC outlined above.

|  |  |
| --- | --- |
| **Component** | **Actions Under Project requiring FPIC** |
| **Component 1** | * Consolidation of PA system in Qilian Mountains-Qinghai Lake landscape, with supporting strategies, management, and sustainable financing plans in place, indicated by: PA system expanded by at least 120,000ha (from current 1,405,100 ha to at least 1,525,100 ha), increasing coverage of identified Key Biodiversity Areas (KBAs) and increasing connectivity. |
| **Component 2** | * Improved habitat protection and restoration in at least 110,000 ha within the expanded PA system as indicated by: (i) 20,000 ha of degraded habitat restored; (ii) 30,000 ha of critical habitat fully protected; and (iii) 60,000 ha under improved management. * Community support and incentives and innovative co-management agreements piloted results in reduced threats indicated by: (i) increased or stable populations of snow leopard and Przewalski’s gazelle; and (ii) improved perception of local communities towards PAs and conservation. |
| **Mitigation and Management Measures Requiring FPIC:** | * Mitigating impacts on economic displacement, land rights, and traditional lifestyles of local herders   + Exploring new sources of incomes for local people in the national park   + Alternative livelihood training   + Plan and build entrance communities to ensure and improve people’s living standards * Alleviating the negative impact of HWC in QMNP   + Supplement feeding for *przewalskii gazelle* in winter |

## Appropriate Benefits

Proposed project activities benefitting ethnic minority communities and providing capacity support are outlined in the matrix below. These activities will be further tailored to preferences of potentially affected persons through meaningful consultations made during project implementation and FPIC processes.

|  |  |  |
| --- | --- | --- |
| **Project Output** | **Indicative activities** | **Preventive actions** |
| 1.2.1. | Develop a sustainable financing plan for the consolidated Qilian Mountains-Qinghai Lake landscape; some preliminary aspects that could be considered include but are not limited to the following:   1. Channelling eco-compensation funds for PA management within the landscape. 2. Introducing new ecotourism activities associated with the Przewalski’s gazelle. 3. Sustainable alternative livelihoods linked to conservation incentives. 4. Strengthen enabling conditions regarding participation of the civil society. 5. Innovative conservation financing scheme for reducing threats associated with fencing in Przewalski’s gazelle habitat. | * Include multi-stakeholder consultation and social inclusion approach as part of the sustainable financing plan based on international experience; * Include representatives of ethnic minorities or relevant Ethnic and Religious Affairs Commission/Bureau into the cross-sectoral strategy and action plan; * re-imagine the notion of “Sustainable management” and include a dimension of evolving women and ethnic minorities into the community-based co- management and participatory approach and natural resources management |
| 2.1.1. | Provide technical assistance for the establishment of ecological corridors to consolidate Przewalski’s gazelle habitats that are contiguous with the current layout of the Qinghai Lake NNR, and support documentation of lessons learned from the demonstration corridor to support replication. | * Incorporating the notion of “social inclusion of ethnic minorities” into the “participatory” landscape approaches and ensure equitable participation of ethnic minorities; * The capacity building of PA managers also includes their capacity in involving ethnic minorities into wildlife conservation and eco-compensation. |
| 2.1.2. | Update the management plan for the Qinghai Lake NNR, including recognition of the established ecological corridors and improvements to law enforcement and habitat/biodiversity monitoring protocols to address threats facing the Przewalski’s gazelle and other globally significant biodiversity. | Principles of FPIC applied as wildlife conservation strategy and planning; and alternative livelihood for ethnic minorities. |
| 2.2.1. | For the Qinghai Lake NNR, facilitate establishment and operation of project village committees in the Dayu and Gonggongma villages, with representation by village leaders, women’s groups, local government representatives, institutional partners, local NGOs and the PA focal point. | * Incorporating the notion of “social inclusion of ethnic minorities” into the “participatory” landscape approaches and ensure equitable participation of ethnic minorities; * The capacity building of PA managers also includes their capacity in involving ethnic minorities into wildlife conservation and eco-compensation. |
| 2.2.2. | For the Qilian Mountains NR, facilitate establishment and operation of herder groups within the territory supervised by the Liuhuanggou and Laohugou management stations. | * Conduct meaningful consultations with women and ethnic minorities affected ensure results are adequately incorporated in the pasture management plan * Pursuing equal opportunity policy during recruitment of community labour for habitat restoration or ecological corridor construction |
| 2.3.2. | Implement the pasture management plans to restore degraded grasslands, through restoration measures such as natural regeneration, planting native grassland species, rodent control and supplementary fodder etc. Implementation will be led by the village committees and herder groups, facilitated by the PA coordinators and community mobilisers, and in collaboration with provincial and local governments. | Pursuing equal opportunity policy during recruitment of community labour for habitat restoration or ecological corridor construction |
| 2.3.3. | Implement the pasture management plans to improve management of habitats, through measures such as voluntary de-fencing, installation of wildlife gates, non-fence property delineation, establishment of conservation set-asides etc. Implementation will be led by the village committees and herder groups, facilitated by the PA coordinators and community mobilisers, and in collaboration with provincial and local governments. | * Principles of FPIC applied as wildlife conservation strategy and planning; and alternative livelihood for ethnic minorities * Pursuing equal opportunity policy during recruitment of community labour for habitat restoration or ecological corridor construction |
| 2.4.1. | Support community-based sustainable livelihood activities through a small grants program, with priority given to women’s and ethnic minority groups. A local partner will be contracted, e.g., local NGO or foundation, to design and manage the micro-financing program. | * Principles of FPIC applied as wildlife conservation strategy and planning; and alternative livelihood for ethnic minorities * Pursuing equal opportunity policy during recruitment of community labour for habitat restoration or ecological corridor construction |

Table 3 - Appropriate Benefits

The consultation and consent processes that lead to the determined benefit sharing arrangements took place during 2020 and 2021, and consists of the following list of online conferences, community meetings, stakeholder meetings, and households surveys. These are:

* The online conference of stakeholder analysis was held on August 8, 2020. C-PAR 1, 2, and 3 child project staff include CTA, ESIA experts, project manager, and the project coordinator. 20 participants (12 female) joined this online meeting and Dr. David Annandale shared valuable experiences and provided important project materials for national experts, local experts and project coordinators to conduct ESIA scoping report.
* On December 24-26, 2020, several community meetings were held in Eri Village, Reshui Village and Sujiwan Village. There were more than 40 villagers and members of the project workforce who joined this community meeting introducing local social, economic and environmental situations and shared their opinions about national park establishment.
* On June 4-6, 2020, community meetings were held Qinghai Lake Nature Protection Administration, Nan'an protection station, natural resources bureau of Menyuan County. The project workforce visited local officials and discussed current policies on protected areas, national park, local livelihoods and local economic development.
* On August 12-13, 2020, stakeholder meetings were held in Haiyan County, Gangcha County and Qinghai Lake NNR. There were 30 local officials (12 females) and project workforce participated in this meeting and discussed eco-compensation policies or mechanisms on forest and rangeland protection.
* On August 18-19, 2020, community meetings and household surveys were conducted in Dayu Village, Dongtan Village, Xitan Village, Maying Village Tanqu Village and Beishan Village. More than 50 villagers (20 women) from each village participated in these meetings on different days and discussed their expectations for national parks and shared current difficulties in their lives.
* On December 24-26, 2020, Household surveys were conducted in Eri Village, Reshui Village, and Sujiwan Village. Project workforce visited 12 households with distinguished socio-economic background to understand their difficulties in winter, their conflicts with wildlife and their expectations from national parks, 38 villagers participated (16 females).
* On April 13-18, 2021, Household surveys and semi-structured interviews were conducted in Zhugusi Village and Taola Village. 50 villagers participated in this research and 40 (15 women) valid surveys were obtained from these two villages. 39 of the villagers are Tibetans. In this survey, interviews related to local people’s livelihood changes in the past five years, national park’s impacts on local livelihood, local people’s engagement with environmental protection work, and local people’s perceptions and expectations for their future livelihoods.

## Capacity support

In order to support social, legal, technical capabilities of ethnic minorities to strengthen their livelihood, this project plans to carry out alternative livelihood training for villagers in 9 demonstration villages, which will help improve the employment quality and skills of farmers and herdsmen in the Qinghai Lake-Qilian Mountain landscape area. The training contents include welder training, electrician training and excavator operation. After training, participants can obtain the primary operation certificates in each respective field, improving their employability and providing alternative options for maintaining and improving their livelihoods. The government can also set up Tibetan language schools around QMNP to assist local people with protecting their traditional culture and lifestyle while improving the prospects of village ecotourism. The project will work with relevant local governments and NGOs continuously to explore the community coordinated development mechanism for indigenous residents to integrate into the construction of the National Park, carry out multi-party alternative livelihood skills training, and vigorously support the protection and construction of Qilian Mountain National Park. Firstly, the project will organize Tibetan sheep breeding training, guide and teach ethnic minority families to carry out Tibetan sheep breeding and increase family income. Tibetan sheep are a key breed of livestock in the alpine region of Qinghai, and it is also an important source of residents' economic income. Secondly, the project and Qilian Mountain National Park will guide ethnic minorities to develop the traditional handicraft industry. In choosing the continuous alternative industry, priority will be given to the traditional handicraft production industry with innate endowment, large employment demand and profound cultural heritage, such as Tibetan blankets, Tibetan embroidery, stone carving and other traditional crafts.

On the other hand, to support the Qinghai Forestry Department capacities to effectively ensure legal and customary rights of ethnic minorities are effectively implemented, the following capacity building activities are being implemented during implementation:

* Develop the Management Regulations on Safeguarding Indigenous People’s Rights and Interests as one of the project management documents at the very beginning of implementation. The regulation should be printed and hung on the wall of the project office especially those at the site level.
* Train every staff member and expert engaged by the project on UNDP-GEF Indigenous Peoples’ policy during whole implementation.
* A community expert will be hired by the project. Ensuring appropriate participation and consultation of Indigenous Peoples’ takes place will be listed on the expert’s TOR.

## Grievance Redress Mechanism

The project management office will establish and implement, as described in the Project Document, a transparent, fair and free-to-access project-level Grievance Redress Mechanism (GRM), approved by stakeholders, which will be put in place at the start of implementation. Interested stakeholders may raise a grievance at any time to the Project Management Office, the Executing Agency, Implementing Agency (UNDP), or the GEF. The grievance mechanisms must take into account Ethnic Minorities’ customary laws and dispute resolution processes, as well as the effective capacity of ethnic minorities under national laws to denounce violations and secure remedies for the same in domestic courts and administrative processes.

Due diligence efforts will be made by the local project representatives to first resolve grievances locally, in a manner sensitive to local social and cultural norms. If the local process does not result in resolution of a grievance, the case will be upgraded to the PMO, with the process managed by the Project Manager and National Project Director providing guidance and signing off on written responses to grievances.

|  |  |  |  |
| --- | --- | --- | --- |
| **Mechanism for filing complaints by communities in and around protected areas** | **Goal** | **Main responsible organizations** | **Time** |
| Step 1: provide contact information of the protected areas and a description of how to file a complaint to communities that are affected by the project. | Enable affected communities to access project information and resolve any complaints as soon as possible. | Project implementation unit | Immediately effective after the meeting |
| Step 2: The affected stakeholder submits a complaint to the PA administration. Complaints can be made by phone and recorded by the telephone operator. Complaints can be made in minority language and a community liaison officer will translate the content into Mandarin. | Give every stakeholder, regardless of gender, ethnicity, literacy (or lack thereof), a fair chance to appeal. | Project implementation unit | Any time during project implementation |
| Step 3: the PA administration responds to the complainant and forwards the response to the project office. | Guarantee the complainant's right for consideration. | Project implementation unit | Complaints received within 15 business days |
| Step 4: if the complainant is not satisfied with the response from the PA administration, they can submit a second appeal to the project office. |  | Project office | Response received within 7 business days |
| Step 5: project office responds to the complainant and forwards the response to the PA administration and UNDP. | Guarantee the complainant's right for reconsideration. | Project office | Complaints received within 15 business days |
| Step 6: if the complainant is not satisfied with the response from the project office, then they can submit a third appeal to UNDP for another reconsideration. |  | UNDP | Response received within 7 business days |
| Step 7: UNDP gives a final response to the complainant and forwards the response to the project office and the reserve administration. |  | UNDP | Received reconsideration within 7 business days |

Table 4 - GRM procedures for CPAR-3

## Institutional Arrangements

Roles and responsibilities of the project’s governance mechanism: The project will be implemented following UNDP’s national implementation modality, according to the Standard Basic Assistance Agreement between UNDP and the Government of the People’s Republic of China, and the United Nations Development Assistance Framework for the People’s Republic of China (UNDAF 2016-2020).

The **Implementing Partner** for this project is the Qinghai Forestry Department. The Implementing Partner is responsible and accountable for managing this project, including the monitoring and evaluation of project interventions, achieving project outcomes, and for the effective use of UNDP resources.

The project organisation structure is illustrated in **Figure 7.**



Figure 7 - Project Organisation Structure

Key figures for the implementation of the IPP are described below

* **Monitoring & Evaluation/Safeguards Officer** is responsible for facilitating project M&E activities and for overseeing implementation of the environmental and social management framework for the project and preparation of the project environmental and social impact assessment and management plans and their subsequent approval by the PSC and implementation. The M&E/Safeguards Officer will also act as gender/social inclusion focal point for the project. The M&E/Safeguards Officer is budgeted as a full-time position, fully charged against the GEF grant through a long-term contractual arrangement with the Implementing Partner.
* **Chief Technical Advisor** provides technical advisory support. The Chief Technical Advisor position will be contracted through a long-term consultancy arrangement; the position is budgeted for 3 months per year for each of the 5 years of implementation.
* **Protected Area (PA) Coordinators**, based in the offices of the Qinghai Lake NNR and Qilian Mountains NR, will provide local coordination of activities implemented under Component 2. The PA Coordinators are budgeted as full-time positions (54 months per coordinator), fully charged against the GEF grant.

To facilitate community-based activities at the two pilot villages of Dayu and Gonggongma located near the Qinghai Lake NNR, two **Community Mobilisers**, one per village, are budgeted for 6 months per year in years 2, 3, 4, and 5. The community mobilisers will be contracted through agreements with local consultancies or NGOs. Under direction of the PA Coordinator and PA Focal Point, the community mobilisers will work with existing village committees in working out the details for the project interventions, oversee implementation, liaise with local partners, and support monitoring and evaluation activities.

The Qinghai Lake NNR and Qilian Mountains NR will each designate a **Protected Area (PA) Focal Point**. The PA Focal Points are staff members of the nature reserve management agencies, seconded in part-time arrangements funded through subnational cofinancing contributions, providing support for project activities at the local level.For certain specialised services, including leading the two independent evaluations and supporting the ESIA and ESMP, recruitment will be made internationally, using the UNDP procurement system.

## Monitoring, Reporting, Evaluation

The implementation of the IPP has been integrated into the ESIA and will be monitored and evaluated through the 6-year project timeframe. Details will be captured in project reports, meeting memorandums and through various knowledge products. Adaptive management measures will be put in place, as needed, to adjust the plan to current circumstances and according to the findings of monitoring and evaluation efforts. The monitoring plan will also ensure that:

* long-term monitoring plan to assess impacts on living standards of resettled persons and whether objectives of action plans achieved is established
* Projects involving resettlements are not considered complete until adverse impacts are addressed and plans fully implemented
* independent experts are utilized, and undertake completion analysis whether livelihoods and living standards were improved or at least restored and where necessary propose corrective actions
* Ensure meaningful collaboration of Ethnic Minorities in verifying that project designed and implemented per IP Standard.
* Transparent participatory monitoring will be placed whereby Ethnic Minorities jointly monitor project implementation

Monitoring and evaluation of the implementation of the IPP are part of the project M&E plan as outlined in the ESIA,

The IPP monitoring and evaluation plan is outlined below.

| **M&E Activity** | **Description** | **Timeframe** | **Responsibility** |
| --- | --- | --- | --- |
| Track progress of IPP implementation | Ensure implementation of the IPP is coordinated and completed in a timely manner, with results reported to the Project Board and shared among the project landscapes. | Continuous | National Project Coordinator, Gender-Safeguards Consultant |
| Learning | Knowledge, good practices, and lessons will be reviewed and used to inform decisions on improving project performance and inclusiveness. | At least annually | National Project Coordinator, Gender-Safeguards Consultant |
| Annual project implementation review (PIR) reports | Include description of progress of IPPF and IPP, as warranted, in the annual PIR reports, including a summary of avoidance and mitigation of potential impacts, sharing lessons and good practices across the landscapes | Annually | National Project Coordinator, Gender-Safeguards Consultant |

Table 5 - M&E System for CPAR-3

C-PAR3 will ensure that the communities affected by the project are informed regularly about progress and provided regular opportunities for community members to ask questions, raise concerns and review activities taking place on or near their land. Key aspects that ensure an effective monitoring, reporting and evaluation process are as follows:

* The project will set up a participatory monitoring and evaluation mechanism. At the end of project implementation, about 10 indigenous people/ethnic minorities from demonstration villages will be selected as representatives to participate in project evaluation. After introduction of project document and IPP, they will discuss and identify 5-10 critical questions and then provide information to judge the project’s effectiveness.
* Inclusion of diverse voices across the spectrum of rights-holders and other stakeholders, including marginalized groups such as women, the poor, the landless and herdsman i.e., to ensure their rights are equally respected.
* The project will investigate the impact of relevant project activities and mitigation measures carried out by QMNP on local herdsmen through different forms of questionnaires. The project management team and experts will ensure the anonymity of respondents and maintaining anonymity of inputs where requested.
* Solicit feedback on the findings. The project will hold public meetings to share and discuss the results of the monitoring process, which will give community members the opportunity to confirm or challenge the findings and ask other teams to repeat the process if necessary.
* During the FPIC process, and after it has been completed, any lessons learned that can improve future actions will be well documented. This can better guide the actions of the project and reduce future risks and challenges. For the indigenous community, this documentation underscores the commitment of the project to respect Indigenous Peoples’ rights and reinforces the trust-based relationship. Therefore, the project team will work together with the community to document what was learned throughout each stage of the FPIC process, including both strengths and weaknesses.

1. s://www.fmprc.gov.cn/mfa\_eng/ljzg\_665465/3584\_665493/t17918.shtml [↑](#footnote-ref-1)
2. s://www.fmprc.gov.cn/mfa\_eng/ljzg\_665465/3584\_665493/t17918.shtml [↑](#footnote-ref-2)
3. Source: demographic records provided by the Qinghai Forestry Department. [↑](#footnote-ref-3)
4. <https://www.fmprc.gov.cn/mfa_eng/ljzg_665465/3584_665493/t17889.shtml> [↑](#footnote-ref-4)
5. s://www.fmprc.gov.cn/mfa\_eng/ljzg\_665465/3584\_665493/t17918.shtml [↑](#footnote-ref-5)
6. <https://www.fmprc.gov.cn/mfa_eng/ljzg_665465/3584_665493/t17904.shtml> [↑](#footnote-ref-6)
7. Subei Mongolia Autonomous County, Aksai Kazak Autonomous County, Sunan Yugur Autonomous County, Minle County, Yongchang County, Tianzhu Tibetan Autonomous County, Liangzhou District, zhongnongfa mountain Danma farm, state-owned yuerhong ranch and state-owned Baoping River Ranch, Delingha City, Haixi Mongolian Tibetan Autonomous Prefecture, Qinghai Province Tianjun County, Qilian County, Haibei Tibetan Autonomous Prefecture and Menyuan Hui Autonomous County 4 counties (cities). [↑](#footnote-ref-7)
8. “The Indigenous World 2017.” IWGIA, 2017, [www.iwgia.org/images/documents/indigenous-world/indigenous-world2017.pdf](http://www.iwgia.org/images/documents/indigenous-world/indigenous-world2017.pdf). [↑](#footnote-ref-8)
9. <https://www.culturalsurvival.org/sites/default/files/UPR%20Report%20China%202017%20%20.pdf> [↑](#footnote-ref-9)
10. State Ethnic Affairs Commission of the People’s Republic of China. *Regional Ethnic Autonomy Law (second amendment),* 28 February 2001*).*  http://www.seac.gov.cn/art/2011/6/29/art\_4901\_128701.html [↑](#footnote-ref-10)
11. General Office of the State Council. *Rules of the State Council on the implementation of the Law of the People's Republic of China on Regional National Autonomy*. Issued on 11 May 2005. <http://www.gov.cn/xxgk/pub/govpublic/mrlm/200803/t20080328_31650.html> [↑](#footnote-ref-11)
12. <https://www.ecologic.eu/sites/default/files/publication/2021/B1_Restoriation-measures.pdf> [↑](#footnote-ref-12)
13. https://pubs.iied.org/sites/default/files/pdfs/migrate/14659IIED.pdf? [↑](#footnote-ref-13)
14. General Comment No. 4, The Right to Adequate Housing (Art. 11(1) of the Covenant), adopted at the Committee’s Sixth session, 1991, para. 18. [↑](#footnote-ref-14)
15. The human rights dimensions of population transfer, including the implantation of settlers. Preliminary report prepared by Mr. A.S. Al-Khasawneh and Mr. R. Hatano. UN Doc. E/CN.4/Sub.2/1993/17\*, at para. 101 and para. 336. [↑](#footnote-ref-15)
16. Among others, ILO 107, art. 12, ILO 169, art. 16(2), UNDRIP, art. 10, and Committee on the Elimination of Racial Discrimination, General Recommendation XXIII. [↑](#footnote-ref-16)
17. General Office of Qinghai Provincial People's government, notice on Forwarding the Interim Measures of Qinghai Provincial Department of agriculture and animal husbandry on the management of grassland ecological management and protection personnel, Qing Zheng ban [2012] No. 247 (165) [↑](#footnote-ref-17)
18. the Department of agriculture and animal husbandry of Qinghai Province, Notice on the Interim Measures for the management of grazing prohibition and balance between grass and livestock on natural grassland of Qinghai Province (Qing Nong Cao [2012] No. 19 (170). [↑](#footnote-ref-18)
19. The registered domain name is www.qhce.gov.cn [↑](#footnote-ref-19)