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|  | **ANNEX 10: ENVIRONMENTAL & SOCIAL MANAGEMENT FRAMEWORK** |  |

For a UNDP-supported, GEF-financed Project in Togo:

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| --- | --- | --- | --- |
| **GEF ID:** | 10416 | | |
| **Country** | **Togo** | | |
| **Project Title:** | Sustainable Management of Land and Semi-arid Ecosystems of Northern Togo | | |
| **GEF Agency:** | UNDP | **GEF Agency Project ID:** | PIMS 6425 |
| **Type of Trust Fund:** | GEF TF | **GEF Focal Area (s):** | BD, LD |
| **GEF-7 Focal Area/ LDCF/SCCF Objective (s):** Congo Basin IP child project | |  | |
| **Anticipated Financing PPG:** | 150,000 | **GEF Project Grant:** | 5,448,173 |
| **Co-financing:** | 9.489.230 | **Total Project Cost:** |  |
| **PIF Approval:** | 03 June 2020 | **Council Approval/Expected:** | 02  3 June 2022 |
| **CEO Endorsement/Approval** | 03 June 2022 | **Expected Project Start Date:** | 01 July 2022 |

**DRAFT FOR FEEDBACK**

**Period of Disclosure:**

**Send written comments to: [Name] (email address)**

**United Nations Development Programme**

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# ABBREVIATIONS AND ACRONYMS

|  |  |
| --- | --- |
| DGEPN | Direction Générale de l’Environnement et de la Protection de la Nature |
| ESIA | Environmental and Social Impact Assessment |
| E&S | Environment and Social |
| ESMF | Environmental and Social Management Framework |
| ESMP | Environmental and Social Management Plan |
| FPIC | Free, prior and informed consent |
| GEF | Global Environment Facility |
| PIF | Project Identification Form (GEF) |
| PIR | GEF Project Implementation Report |
| PPG | Project Preparation Grant (GEF) |
| SECU | Social and Environmental Compliance Unit (UNDP) |
| SES | Social and Environmental Standards (UNDP) |
| SESP | Social and Environmental Screening Procedure (UNDP) |
| SRM | Stakeholder Response Mechanism (UNDP) |
| UNDP | United Nations Development Programme |

1. **EXECUTIVE SUMMARY**

This Environment and Social Management Framework (ESMF) applies to the GEF-financed project “Sustainable Management of Land and Semi-arid Ecosystems of Northern Togo” (UNDP PIMS 6626; GEF ID: 10729), which is a multisectoral and community-oriented forest conservation project. The ESMF was prepared based on the social and environment screening procedure (UNDP’s SESP) that was completed as part of the project design phase, and consultations carried out on behalf of UNDP during the project preparation phase with the project partner and stakeholders in Government, Ethnic Groups, Local Communities and civil society entities, following FPIC approach.

The ESMF outlines the processes that will be undertaken during the project inception/implementation phases for the additional assessment of potential impacts, and identification and development of appropriate risk management measures, consistent with UNDP’s Social and Environmental Standards (SES). It contains measures and plans to avoid, and where avoidance is not possible, to reduce, mitigate and/or offset adverse risks and impacts. The ESMF specifies the most likely applicable social and environmental policies and requirements and how those requirements will be met through procedures for the screening, assessment, approval, mitigation, monitoring and reporting of social and environmental risks and impacts associated with the project activities.

The UNDP Social and Environmental Screening Procedure (SESP) identified 16 potential social and environmental risks associated with this Project. Two risk of these has been assessed as Substantial risk, and 14 as moderate risk, with the overall SESP risk categorization rating as “SUBSTANTIAL”.

Substantial risks identified with the Project are:

* Presence of various ethnic groups in the project landscape
* Risk of community dissatisfaction and protests

Moderate risks identified with the Project are:

* Reduced access to land and natural resources outside protected areas.
* Concerns or grievances raised by communities/stakeholders not being properly addressed.
* Gender-based violence in some households
* Consultation may not be comprehensive
* Non-compliance with labour standards
* Capacity gaps towards Safeguards standards
* Impacts of climate change.
* Impact on potential critical habitats
* Impact on areas with cultural value
* Introduction of invasive plant species
* Exposing communities to COVID-19 and other disease outbreaks
* Use of chemicals and pesticides
* Over-extraction of groundwater
* Human-wildlife conflict (HWC)

The project document (ProDoc) includes the SESP template that details the specific environmental and social risks identified (See Annex 5 to the ProDoc). The risks apply only to project components 1, 2 and 3.

1. **PROJECT DESCRIPTION**
   1. **Project Objectives**

The present GEF-funded project aims to build on the lessons learnt from previous GEF project (Strengthening the Conservation Role of Togo's National System of Protected Areas / GEF ID 4026; PIMS 4420), which was implemented from 2012-2018. This Project integrates lessons related to the need for:

* substantial emphasis on ensuring adherence to FPIC processes;
* extensive outreach and awareness raising;
* facilitating dialogue among community members and local and national government representatives as a tool for conflict prevention;
* active engagement of local communities in sustainable forest/land/PA management activities while demonstrating livelihood benefits, and;
* addressing risks related to increased potential of human-wildlife conflicts.

Four site landscape areas have been identified. The site landscape areas are:

* The complex of protected areas of the dry savannas of northern Togo: Covering approximately 540,000 ha of the Savanes region, this landscape includes ecosystems located around the complex of the Oti- Kéran - Mandouri (OKM) protected area and other protected areas such as Barkoissi and Galagachi listed in the area of Pénil Yagou, Naki East , East Mandouri , West Mandouri , West Kindohou and South Kindohou.
* The degraded land zone of the extreme north-west of Togo: Covering some 180,000 ha, this portion of the Savanes region includes agricultural land and ecosystems in the areas of Cincasse, Nadjoudi and North Tandjouare. It also includes Fosse aux Lions protected area and a number of community and sacred forests, together covering at least \_\_ ha.
* The high summits of the eastern Kara region: This area, encompassing some 280,000 ha, is organized around the complex of hilly terrain surrounding the Kabyè Mountains. It includes the protected areas of Sirka, the classified forest of Mount Kindja, ecosystems around the Kara River and its tributaries, community forests supported by the PALCC program and a number of sacred forests. The area also includes substantial charcoal production areas, such as at the level of Kpessidè antenna (Kanté).
* Fazao-Malfakassa National Park and adjacent landscapes: This includes landscapes and ecosystems within, and in the periphery of, the national park, including protected habitats, agricultural and agroforestry areas, and community and sacred forests. Together, this site landscape area covers some 140,000 ha.

Project efforts within these four identified landscapes will restore 22,000 ha of highly degraded forest areas, promote sustainable management of 32,000 ha of agro-sylvo-pastoral lands and 5,000 ha of lands in wildlife corridors (total 37,000 ha equivalent to about 2.5% of the total degraded area of Togo), and contribute to improved management of Protected Areas (total of 371,000 ha).

The project is organized around four central components:

1. improving forest land and resource governance with more collaborative approaches;
2. adopting landscape-level and integrated perspectives in land and resource planning, including broadening and strengthening of area-based conservation approaches;
3. strengthening community-level organization and diversifying livelihoods by engaging with the private sector at local level; and
4. ensuring project-based learning and knowledge exchange, regional coordination, gender mainstreaming, along with constructive project monitoring and evaluation.
   1. **Project Implementing Partner**

The Implementing Partner is the entity to which the UNDP Administrator has entrusted the implementation of UNDP assistance specified in this signed project document along with the assumption of full responsibility and accountability for the effective use of UNDP resources and the delivery of outputs, as set forth in this document. For this Project, the Implementing Partner is the Ministry of the Environment and Forest Resources of Togo (Ministère de l’Environnement et des Ressources Forestières).

The Implementing Partner is responsible for executing this project. Specific tasks include:

* Project planning, coordination, management, monitoring, evaluation and reporting. This includes providing all required information and data necessary for timely, comprehensive and evidence-based project reporting, including results and financial data, as necessary. The Implementing Partner will strive to ensure project-level M&E is undertaken by national institutes and is aligned with national systems so that the data used and generated by the project supports national systems.
* Risk management as outlined in this Project Document;
* Procurement of goods and services, including human resources;
* Financial management, including overseeing financial expenditures against project budgets;
* Approving and signing the multiyear workplan;
* Approving and signing the combined delivery report at the end of the year; and,
* Signing the financial report or the funding authorization and certificate of expenditures.
  1. **Project Components**

The overall structure of the project has four main component parts, as described below:

**Component 1: Strengthening of the enabling environment and capacities for sustainable land management and biodiversity conservation**

Outcome 1: Land use and management decisions are informed by monitoring data and gender-responsive land use plans that mainstream LDN and biodiversity conservation, while relevant institutions have capacities to manage and implement the associated management processes

* Output 1.1: Policies reviewed to identify gaps, weaknesses and strengths, and corresponding guidelines produced, to enable spatial-data-driven planning and sustainable land management, with incorporation of LDN and biodiversity conservation considerations.
* Output 1.2: Regional land management action plans for the Savanes and Kara regions, based on community-driven, inclusive and gender responsive consultations on land use, biodiversity conservation and protected area management.
* Output 1.3: Participatory and gender-responsive integrated watershed and landscape management plan to inform land use planning in the Oti basin.
* Output 1.4: Online, open access GIS- and remote sensing-based system for monitoring land use and progress towards achieving LDN established and operational.
* Output 1.5: Training and tools provided to MERF, Office for Forest Development and Exploitation (ODEF) and Environmental Management Agency (ANGE) staff, regional land management committees and other targeted stakeholders to implement planning, management, and monitoring processes relevant to achieving LDN, improved PA management and biodiversity conservation.
* Output 1.6: Dedicated platform established to enable strategic coordination of Ministries (e.g. MERF, Agriculture, Livestock and Fisheries, Finance, Tourism, Infrastructure), Agencies (e.g. ANGE, ANPC, etc), institutions, and private sector for effective implementation of land use plans.
* Output 1.7: Government extension service units reinforced and operational at central and decentralised level.

**Component 2: Implementation of sustainable land management, restoration of degraded land and forests, and biodiversity conservation at site level**

Outcome 2: Ecosystem services restored, and land degradation avoided through SLM and SFM practices in the Savanes and Kara regions in Northern Togo, including Oti-Kéran / Oti-Mandouri Biosphere Reserve and Fazao-Malkafassa National Park.

* Output 2.1: Assessment conducted on ecosystem services provided by key landscapes in Savanes and Kara, using participatory mapping and natural capital accounting methods.
* Output 2.2: Training provided to targeted stakeholders on using the findings of ecosystem service assessments for informed decision making.
* Output 2.3: Participatory prioritization exercises conducted to select target landscapes for project-supported restoration and SLM/SFM interventions, based on agreed criteria including those relevant to ecosystem services and biodiversity conservation values (e.g. presence of endangered species, wildlife corridors).
* Output 2.4: Restoration practices implemented in targeted degraded forest areas covering ≧ 22,000 ha.
* Output 2.5: SLM and SFM practices implemented in targeted landscapes covering ≧ 37,000 ha.

**Component 3: Promotion of sustainable nature-based livelihood opportunities**

Outcome 3. Increased capacity for sustainable agricultural/agroforestry production and post-harvest management in a climate smart manner for farmers (men, women) in the project area for products promoting biodiversity conservation and LDN

* Output 3.1: Nature-based livelihood opportunities upscaled/developed to support environmentally sustainable socio-economic development in pilot sites identified under Component 2.
* Output 3.2: Value chain analysis conducted for prioritized agricultural and agroforestry commodities, including identification of viable national/international markets and investors.
* Output 3.3: Cooperative units established and/or strengthened and members trained on climate-smart, environmentally sustainable agricultural entrepreneurship and post-harvest, value-adding methods.
* Output 3.4: Local processing and packaging units built and operational (target: 50 units).
* Output 3.5: Bankable public-private partnership investment opportunities developed and submitted to impact funds.

**Component 4: Gender equality mainstreaming, knowledge management and M&E**

Outcome 4. Gender considerations fully integrated in project implementation, lesson learning and identification of good practices are consistently integrated into project implementation and outreach is undertaken to inform and enable adaptive management, replication and upscaling.

* Output 4.1: Gender Gap Assessment and Gender Action Plan available; recommendations systematically integrated into project activities; disaggregated monitoring data is collected for relevant indicators.
* Output 4.2: Participatory M&E and learning system developed and implemented with inputs from beneficiaries and stakeholders to enable adaptive, results-based project management.
* Output 4.3: A learning and diffusion network developed and implemented in each of the project landscapes.
* Output 4.4: Communication & outreach strategy developed and implemented, with clear linkages to the M&E system to enable knowledge management, as well as dissemination of project lessons learned, good practices and successes to enable policy linkages, replication and upscaling.
  1. **Purpose and Scope of this Environmental and Social Management Framework (ESMF)**

An ESMF is used to predict, evaluate, avoid, and where avoidance is not possible mitigate the adverse social and environmental impacts of activities. This ESMF is therefore a tool that can assist in managing potential adverse social and environmental impacts associated with activities of the Project, in line with the requirements of the UNDP Social and Environmental Standards (SES). The implementing partner of the project and its Project Management Unit (PMU) will follow the recommendations outlined in this ESMF to ensure that environmental and social risks and impacts are fully assessed and that appropriate risk/impact management measures are in place prior to the implementation of the relevant Project activities.

The ESMF will also identify the steps for detailed screening and assessment for the project’s potential social and environmental risks, and for preparing and approving the required management plans for avoiding, and where avoidance is not possible, reducing, mitigating, and managing these potential adverse impacts. The ESMF outlines the processes that will be undertaken during project inception and implementation, and highlights where additional assessments regarding potential impacts and the development of appropriate risk mitigation or management measures are needed, consistent with UNDP’s Social and Environmental Standards (SES).

In terms of the technical scope, the ESMF reviewed environmental and social impacts, focusing mainly on the activities of Outcomes 2 and 3 of the Project (as presented in section 2.3).

1. **POTENTIAL SOCIAL AND ENVIRONMENTAL IMPACTS**

The UNDP Social and Environmental Screening Procedure (SESP) was used to identify potential social and environmental risks associated with this Project. The screening highlighted the Project intentions as they related to mainstreaming human rights, gender equality and women’s empowerment, environmental sustainability and accountability. An impact risk assessment was undertaken using the UNDP Social and Environmental Screening Procedure to assess the probability and the impact of the risk. From the scoring of probability and impact, a significance value of low, moderate, substantial or high was attributed to the potential impact of these risks.

The SESP identified a total of 16 potential risks, of which 14 has been assessed as moderate risk, two as substantial risk, with the overall SESP risk categorization rating as “Substantial”. The risks apply only to project components 1, 2 and 3.

The risks that were identified are presented below.

Risk 01 – Reduced access to land and natural resources outside protected areas.

To that end, the project will select, with community participation, some sites to be reserved for natural regeneration and land conservation/restoration over certain period. During that time, access to those lands will be restricted and subject to rules. There is a risk that some individuals may experience at various levels reduced access to resources.

Risk 02 – Presence of various ethnic groups in the project landscape

There is a presence of groups with different ethnic groups in the project area (including project area of influence) who have strong links with the surrounding territories and natural resources. The Project’s SLM and SFM practices to be implemented in targeted landscapes, as well as the land restoration practices to be implemented in targeted degraded forest areas, will impact (positively or negatively) the human rights, lands, natural resources, territories, and traditional livelihoods of these ethnic groups.

Risk 03 - Concerns or grievances raised by communities/stakeholders not being properly addressed.

Project-affected people (PAP), including Ethnic Groups, might not be able to effectively claim their rights, raise their concerns or file grievances, due to limiting factors and barriers. Such barriers include, but are not limited to, awareness, logistics, language, culture, literacy, and technology. If the questions, concerns, grievances and/or objections raised by the PAPs are not properly addressed, the achievement of the Project’s objectives could be jeopardized.

Risk 04 – Risk of community protests

There is a risk that some violent protests may occur at the project sites that overlap with the landscape of the late GEF-funded project (Projet de Renforcement du rôle de conservation du système National d’Aires Protégées du Togo / PIMS 4420), which was about the creation of Oti-Kéran Mandouri (OKM) complex (Protected Area). Even though this project is not for the creation of a Protected Area, violence may reoccur if, at any moment, communities feel that this project is doing or planning to do the activities that led to the OKM protests (creation of a Protected Area, land grab, displacement, etc).

Risk 05 – Gender-based violence in some households

The Project puts a focus on supporting women through income-generating activities. An increase of women’s income (through project-sponsored activities) could lead to gender-based violence in some households. The project might perpetuate existing or lead to new discriminations against women in their access to natural resources, especially where communications are hampered by cultural and language barriers.

Risk 06 - Consultation may not be comprehensive

Full participation of potentially affected stakeholders in the design and implementation of the Project is critical. However, because of logistical and/or cultural barriers, there is a risk that consultations with indigenous people, as well as local women and men (incl. FPIC process) may not be comprehensive.

Risk 07 – Non-compliance with labour standards

Project activities (e.g. agriculture / agroforestry supply chain, land restoration, erosion control) could potentially involve practices that fail to comply with national and/or international labour standards or safety standards.

Risk 08 – Capacity gaps towards Safeguards standards

Project implementation partners (e.g. Government ministries, agencies, NGOs, private sector partners, as well as cooperative units established as part of this Project) may not have all the capacity and tools needed to meet their obligations in the project, especially those related to their roles and responsibilities in the project cycle, as well as the social and environmental safeguarding.

Risk 09 – Impacts of climate change.

The project outcomes could be compromised by the impacts of climate change. .The Project will carry out SLM/SFM activities that could be subject to hazards such as severe winds, storms and floods, etc. The interventions of the Project could also be impacted by disasters. This could have negative impact on both the communities and the environment.

Risk 10 - Impact on potential critical habitats

The Project will carry out activities within or near potential protected areas and could create adverse impacts to the fauna and/or flora species living there and the ecosystems that support them.

Risk 11 – Areas with cultural value

The Project could be carrying out activities within or near protected areas which have touristic and/or cultural value, and potentially impact tangible and/or intangible cultural assets in those areas.The Project activities will also intersect with community and sacred forests. Tangible and/or intangible cultural assets in those areas could be impacted on all those sites

Risk 12 – Introduction of invasive plant species

Project activities supporting regreening of drylands could encourage planting of exotic plant species, which then leads to adverse environmental effects through becoming invasive or lowering the water table. This risk may also exist in private nurseries that will eventually be supported by the Project.

Risk 13 - Exposing communities to COVID-19 and other disease outbreaks

The COVID-19 and other potential disease outbreaks could pose serious difficulties for effective project implementation and benefit sharing. The project activities (e.g. frequent meetings, field visits, travelling, etc.) could inadvertently cause significant spread of the COVID-19 virus.

Risk 14 – Use of chemicals and pesticides

The farming and product transformation initiatives supported by the Project could be using pesticides or other chemicals that may have a negative effect on the environment of human health. These activities could also waste (e.g. human waste, metal scraps, plastic, batteries, chemicals, etc.). Any poor waste management at these places could cause environmental pollution and pose a threat to the health of the community.

Risk 15 - Over-extraction of groundwater

Support to groundwater extraction using solar photovoltaic-powered pumps might lead to over-extraction and dry up wells in communities.

Risk 16 - Human-wildlife conflict (HWC)

Project-sponsored activities could increase the frequency of interactions between humans and wildlife, especially in the Protected Areas buffer zones, consequently increasing the likelihood of conflicts between people and animals in agricultural contexts. (Output 2.4).

Table 1 summarizes the risks by the SESP **Table 1: Social and Environmental Principles and Standards triggered by the SESP**

| **Risk reference** | **Risk Rating** | **Principles** | | | | | **Social and Environmental Standards** | | | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **P1** | **P2** | **P3** | **P4** | **P5** | **S1** | **S2** | **S3** | **S4** | **S5** | **S6** | **S7** | **S8** |
| **Risk 01**  Reduced access to resources outside protected areas | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 02**  Presence of various ethnic groups in the project landscape | Substantial |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 03 -** Concerns or grievances raised by communities / stakeholders not being properly addressed. | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 04**  Risk of community and protests | Substantial |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 05**  Gender-based violence in some households | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 06**  Consultation may not be comprehensive | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 07**  Non-compliance with labour standards | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 08**  Capacity gaps towards Safeguards standards | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 09**  Impacts of climate change. | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 10**  Impact on potential critical habitats | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 11**  Areas with cultural value | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 12**  Introduction of invasive plant species | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 13**  Exposing communities to COVID-19 and other disease outbreaks | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 14**  Use of chemicals and pesticides | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 15**  Over-extraction of groundwater | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |
| **Risk 16**  Human-wildlife conflict (HWC) | Moderate |  |  |  |  |  |  |  |  |  |  |  |  |  |

1. **POLICY, LEGAL AND INSTITUTIONAL FRAMEWORK**
   1. **Policy Framework** 
      1. **National Policy Framework**

The Togolese Government has prepared and adopted a few policy documents that contribute to the effective management of natural resources and the environment with a view to sustainable development. These policy and planning documents are therefore guidelines for projects to draw inspiration from for their implementation.

National Environmental Policy in Togo.

Adopted by the Government on 23 December 1998, the National Environment Policy in Togo provides a comprehensive policy framework to promote the management of the environment and natural resources and stimulate the economic, ecological and social viability of development actions.

Togo's Forestry Policy.

Togo developed its National Forest Policy in November 2011 to curb deforestation caused by current patterns of forest exploitation and management.

National Biodiversity Strategy and Action Plan

Togo developed in 2003 its National Strategy for the Conservation of Biological Diversity accompanied by a National Action Plan in accordance with its commitments under the United Nations Convention on Biological Diversity.

National Strategy for the Implementation of the United Nations Framework Convention on Climate Change

Togo ratified the United Nations Framework Convention on Climate Change on 8 March 1995 and the Kyoto Protocol on 2 July 2004. It developed and validated its Third National Communication on Climate Change and updated its National Strategy 18 for the implementation of the United Nations Framework Convention on Climate Change in 2015.

National Sustainable Development Strategy

Togo adopted its National Sustainable Development Strategy in 2011. This strategy was developed in accordance with the recommendations of Agenda 21 adopted by the world community in Rio in 1992. It aims to consider the environmental dimension in development policies, strategies, plans, programmes and projects.

National Environmental Action Plan

The National Action Plan for the Environment adopted by the Government on 6 June 2001, in its strategic orientation 3, calls for "effectively taking into account environmental concerns in the planning and management of development".

National Action Plan for Adaptation to Climate Change in Togo

Adopted in September 2009, the goal of the National Action Plan for Adaptation to Climate Change (PANA) in Togo is to contribute to the mitigation of the harmful effects of climate variability and change on the most vulnerable populations, with a view to sustainable development.

* + 1. UNDP's Social and Environmental Standards **(International policy framework)**

This ESMF has been prepared in line with UNDP's revised Social and Environmental Standards (SES), which came into effect on 1st January 2021. These standards underpin UNDP's commitment to mainstream social and environmental sustainability in all of its programs and projects and they are integral in UNDP's quality assurance and risk management approach to programming. Through the SES, UNDP meets the requirements of the GEF's Environmental and Social Safeguards Policy. The objectives of the SES are to:

* Strengthen the social and environmental outcomes of Programs and Projects
* Avoid adverse impacts to people and the environment
* Minimize, mitigate, and manage adverse impacts where avoidance is not possible
* Strengthen UNDP and partner capacities for managing social and environmental risks
* Ensure full and effective stakeholder engagement, including through a mechanism to respond to complaints from project-affected people.
  1. **Legal Framework** 
     1. **International legal framework**

It concerns international and regional conventions and treaties to which Togo is a Party and which are considered relevant within the framework of this ESIA.

United Nations Framework Convention on Climate Change

The United Nations Framework Convention on Climate Change was adopted in New York on 9 May 1992 and aims "to stabilize, in accordance with the relevant provisions of the Convention, concentrations of greenhouse gases in the atmosphere at a level that prevents dangerous anthropogenic disturbance of the climate system".

Kyoto Protocol

Togo acceded to the Kyoto Protocol to the United Nations Framework Convention on Climate Change on 2 July 2004 affirming its commitment to fight against climate change by opting for low-greenhouse gas emission development.

United Nations Convention on Biological Diversity

Togo signed this Rio Convention and ratified it on 4 October 1995. It enshrines the commitment of States to conserve biological diversity, to use biological resources in a sustainable manner, and to share equitably the benefits of the utilization of genetic resources.

United Nations Convention to Combat Desertification

Adopted in Paris on 14 October 1994, the United Nations Convention to Combat Desertification entered into force on 26 December 1996 for Togo. It was ratified by Togo on 4 October 1995. This convention stresses the need for transversal and integrated approaches to combating desertification through development projects to take into account the multiple causes of the phenomenon.

ILO Convention 187 on Health and Safety at Work

ILO Convention 187 on Health and Safety was adopted on 15 June 2006 in Geneva. It deals with the effects of work-related injuries, occupational diseases and deaths and the need to ensure adequate protection of workers' lives and health.

Paris Climate Accord

Signed by Togo on 19 September 2016, the Paris Climate Accord plans to contain global warming well below 2°C and to continue efforts to limit the rise in temperatures to 1.5°C through actions to create greenhouse gas absorption sinks during the second half of the century.

* + 1. **National Legal Framework**

The National Legal Framework consists of all legislative and regulatory provisions for the protection and management of the environment and natural resources.

Togolese Constitution of the 4th Republic

The Togolese Constitution of the Fourth Republic of 14 October 1992 is the first piece of legislation to enshrine environmental protection. The right to a healthy environment recognized for the benefit of Togolese citizens is explicitly enshrined in this constitution, which provides in article 41 that "everyone has the right to a healthy environment" and that "the State shall ensure the protection of the environment".

Law No. 2008-005 of 30 May 2008 on the Framework Law on the Environment in Togo

Title III, Chapter 1, Section 2 (environmental impact assessments and environmental audits) of the Framework Law on the Environment in Togo requires the environmental impact assessment, in paragraph 1, Articles 38 to 40 of the said Law for a category of activities.

Law No. 2008-009 of 19 June 2008 on the Forest Code

Adopted on 19 June 2008, the Forest Code aims to "define and harmonize the rules for the management of forest resources with a view to balancing ecosystems and the sustainability of the forest heritage".

Decree No. 2017-040/PR of 23 March 2017 laying down the procedure for the environmental and social impact assessment

Article 6 of the decree defines the projects subject to an environmental and social impact assessment (ESIA).

Order No. 0151/MERF/CAB/ANGE of 22 December 2017

This Order establishes the list of activities and projects subject to environmental and social impact studies.

Order No. 0150/MERF/CAB/ANGE of 22 December 2017

This Order lays down the procedures for public participation in environmental and social impact studies.

The Decree No. 45-2016 of 1st September 1945 regulating expropriation in the public interest

This Decree stipulates in its article 1 that "expropriation takes place in Togo by the authority of justice". Article 5 states that an order designates the properties to which expropriation in the public interest is applicable. The owners of the dwellings that will be affected by the work will be compensated pursuant to this decree.

Togo Labor Code

On December 29, 2021, Togo adopted a new Labor Code (the New Code) repealing and replacing Act N°2006-010 of December 13, 2006 on the labor code in Togo (the Old Code). The adoption of the New Code comes in a context of globalized economy, flexibility in the labor market, increase of new information and communication technologies and the need to improve social security and dialogue. The New Code is more comprehensive than the Old Code and covers new issues such as the regulation of internships, telecommuting or telework, and compulsory health insurance for the formal private sector for the benefit of employees.

Women’s Rights

Positive developments for women’s rights in Togo over recent years, include:

* The ratification of the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol) in October 2005.
* The adoption of a law on sexual and reproductive health in 2007. This law prohibits rape, female genital mutilation (FGM), early and forced marriage, exploitation and sexual harassment.
* The adoption of measures to promote the access of girls and women to education and employment, including lower tuition fees for girls and the establishment of quotas in sectors that are traditionally reserved to men (police, water services, forestry and the army). Text books have been revised to remove discriminatory portrayals of women.
* The adoption in 2009 of a law on legal aid.

Togo ratified in 1983 the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), but it has not ratified the Optional Protocol to CEDAW.

Despite these developments, discrimination and violence against women still persist in Togo in law and practice.

Law n ° 005-2018 of June 05, 2018 on the Land Code

The purpose of the Land Code is to determine the rules and fundamental principles applicable in land and property matters and to govern the organization and operation of the land and property system in Togo (Article 3). It applies to various real and immovable rights and "to the public and private domains of the State and local authorities; to the national land domain… and to the real estate of private persons”, (article4). The code enshrines a panoply of general principles, including the obligation for the State to preserve the integrity of the national territory; the guarantee of the property rights of natural and legal persons; the guarantee of the property rights of individuals and communities acquired according to customary rules; equitable access to land; securing real property rights established or acquired according to custom; the fight against land speculation; the fight against the anarchic and abusive fragmentation of land; sustainable use of land; etc.

* 1. **UNDP’s Social and Environmental Screening Procedure (SESP)**

This ESMF has been prepared in line with UNDP’s revised Social and Environmental Standards (SES), which came into effect on 1st January 2021. These standards underpin UNDP’s commitment to mainstream social and environmental sustainability in all of its programs and projects and they are integral in UNDP’s quality assurance and risk management approach to programming. Through the SES, UNDP meets the requirements of the GEF’s Environmental and Social Safeguards Policy. The objectives of the SES are to:

* Strengthen the social and environmental outcomes of Programs and Projects
* Avoid adverse impacts to people and the environment
* Minimize, mitigate, and manage adverse impacts where avoidance is not possible
* Strengthen UNDP and partner capacities for managing social and environmental risks
* Ensure full and effective stakeholder engagement, including through a mechanism to respond to complaints from project-affected people.
  + 1. **UNDP SES Programming Principles**

In accordance with UNDP SES policy, the Social and Environmental Screening Procedure (SESP) has been applied to the Project during the project development phase. It highlights the Project requirement to mainstreaming UNDP’s Programming Principles (Leave No One Behind, Human Rights, Gender Equality and Women’s Empowerment, Sustainability and Resilience, and Accountability).

* + 1. **Applicable Social and Environmental Principles and Standards**

In accordance with UNDP SES policy, a SES principle or standard is ‘triggered’ when a potential risk is identified and assessed as having either a ‘moderate’, ‘substantial’ or ‘high’ risk rating based on its probability of occurrence and extent of impact. Risks that are assessed as ‘low’ do not trigger the related principle or standard.

The screening exercise conducted during the PPG phase identified a total of sixteen (16) risks of which two (2) have been assessed as substantial significance, twelve (14) as moderate significance.,. All the SES Principles and Standards were triggered. The overall SESP risk categorization rating is “Substantial”.

In accordance with UNDP SES Policy, a SES principle or standard is ‘triggered’ when a potential risk is identified and assessed as having either a ‘moderate’, ‘substantial’ or ‘high’ risk rating based on its probability of occurrence and extent of impact. Risks that are assessed as ‘low’ do not trigger the related principle or standard.

The screening exercise conducted during project development triggered the following social and environmental principles and standards:

* *Principle 1: Leave No One Behind*

This Principle is triggered because project-affected persons, including Indigenous Peoples (Ethnic Groups), might not be able to effectively claims their rights, file grievances, or raise their concerns due to various limiting factors and barriers (logistics, technology, language, culture, literacy, etc.).

* *Principle 2: Human Rights*

This is due to potential limitations in terms of ability of the Project to conduct inclusive consultations with stakeholders, especially potentially marginalized groups such as Indigenous peoples and women. This Principle is also triggered because Ethnic Groups)might not have the capacity to claim their rights due to their own limited knowledge, capacity and power.

* *Principle 3: Gender Equality and Women's Empowerment*

This Principle is triggered because the project might perpetuate existing or lead to new discriminations against women especially in regard to their access to natural resources and/or ability to participate and derive equal benefits from project-related outcomes including the outcomes targeting livelihoods, especially where communications are hampered by cultural and language barriers.

* *Principle 4: Sustainability and Resilience*

Project activities and land use options promoted by the project may be vulnerable to climate change (flood, increased precipitation, extreme events), which triggers this Principle.

* *Principle 5: Accountability*

The fact that grievances could be raised about project activities is one of the elements that triggers this Principle.

* *Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management*

This is an integral part of the Project design, however negative effects on natural ecosystems could arise from poorly implemented activities.

* *Standard 2: Climate Change Mitigation and Adaptation*

Due to the risk that project outcomes will be vulnerable to impacts of climate change, for example where areas become more prone to landslides or flood due to increased rainfall intensity. The impact of climate change is rarely balanced with women facing greater burdens due to their heavy role at the household level.

* *Standard 3: Community Health, Safety and Working Conditions*

The project activities (e.g. frequent meetings, field visits, travelling, etc.) could inadvertently cause significant spread of the COVID-19 virus. Worker influx due to project activities might expose local communities, and particularly women, to Gender-Based Violence, unwanted pregnancy, etc.

* *Standard 4: Cultural Heritage*

Because the Project sites overlap with lands and territories claimed and/or used by Ethnic Groups, there is risk that tangible and intangible element of cultural value will be impacted by the project activities. Non-ethnic elements of cultural value could also be impacted.

* *Standard 5: Displacement and Resettlement*

While the project will not engage in or support in any way forced evictions, the implementation of some of the Project-sponsored activities may lead to economic displacement of people.

* *Standard 6: Indigenous Peoples*

While the project has an explicit focus on strengthening the human rights, participation, and self-determined development of local and forest dependent communities, there is the risk that the Project could face grievances or concerns about project activities affecting the rights of Ethnic Groups. There is also a risk that project activities can conflict with the development priorities of those Ethnic Groups, as defined by them.

* *Standard 7: Labour and Working Conditions*

Because the Project activities will involve the use of labour. Project activities (e.g. agriculture / agroforestry supply chain, land restoration, erosion control) could potentially involve practices that fail to comply with national and/or international labour standards or safety standards.

* *Standard 8: Pollution Prevention and Resource Efficiency*

To a limited extent, the promotion of activities such as fisheries or agriculture may generate waste and/or involve the use of other chemicals. If they are not adequately controlled, these aspects could also pose a risk to environment and community health.

The SESP was informed by document reviews, field observations and most importantly by consultations with stakeholders, including relevant Government agencies, and Local Communities, private sector actors and civil society actors. These risks are described in detail in the SESP template **(Annex 6 of the ProDoc**).

1. **PROCEDURE FOR SCREENING, ASSESSMENT AND MANAGEMENT**

The SESP was conducted during PPG and is reported in **Annex 6 of the Project Document (ProDoc)**. It was conceived to achieve the following objectives:

* integrate the SES Programming Principles to maximize social and environmental opportunities and benefits and strengthen social and environmental sustainability.
* identify potential social and environmental risks and their significance.
* determine the project's risk category (Low, Moderate, Substantial, High); and,
* determine the level of social and environmental assessment and management required to address potential risks and impacts.
  1. **Screening Procedures**

The SESP has been conducted on the basis of the broad scope of project activities currently envisaged. This has identified the project as being of Substantial impact, and as such it requires scoped Environmental and Social Impact Assessment. While regions of operation have been established, exact locations for on-the-ground activities (and hence the project’s direct beneficiaries and project-affected communities), have not entirely been specified at the present stage of project development. Additionally, some specific activities with a physical footprint are not currently defined and may in themselves present additional risks/impacts.

Further screening is required to identify risks’ site-specific significance, and to effectively target any required further impact assessment or management. Locations, and proposed project activities specific to those locations will be defined during the first year of the project. Once the initial project activities are fully specified and exact locations selected, further screening using the SESP will be required to ground-truth and update the SESP, and to determine whether additional social and environmental impacts may be present that will require further assessment and management.

In addition, during the course of the project, activities, outputs and potentially additional locations not already covered by the existing SESP, will be proposed and developed. Such proposed activities will, as they arise, require screening, assessment and management, using the SESP methodology to ensure that any impacts are identified, their significance is established, and any required impact-specific management actions are developed and applied.

* 1. Screening will be the responsibility of the PMU and the Safeguards Officer.**Measures for ongoing screening**

During implementation, the project could be re-screened, in accordance with the UNDP SESP, in one of the following circumstances:

* when determined necessary by the Project Management Unit (PMU),
* when determined necessary by UNDP,
* when such requirement is outlined in the Environmental and Social Management Plan (ESMP) to be developed on the basis of the Environmental and Social Impact Assessment (ESIA) that will be conducts in Year One, and/or
* when project circumstances change in any substantive and relevant way.

Over the course of the Project, further project activities which have not yet been included in the existing SESP may be proposed. All additional proposed activities will be subject to screening using the SESP template, impacts identified ad categorized as “High”, “Substantial”, “Moderate” or “Low”.

Additional screening will be carried out on a site-specific basis, to ground-truth and update the existing SESP. This is required as soon as prosed locations and on-the-ground activities are proposed, and must take place during the first year of the project operations. The SESP may also be used as part of the site-selection process.

Further screening of all newly proposed will be carried out as they are proposed during the project, on a location- and activity-specific basis.

**Table 2: Summary on ongoing screening requirements**

|  |  |  |  |
| --- | --- | --- | --- |
| **Screening focus** | **Purpose** | **Timing** | **Responsible** |
| Existing SESP | Re-screening for ground truthing, identification of project-affected people and beneficiaries, and site-specific impacts. | During Year 1, as specific sites, beneficiaries and project-affected communities are identified. | Safeguards Officer |
| Proposed additional activities | Updating existing SESP | At least annually, throughout the project, as specific activities are appraised. | Safeguards Officer |

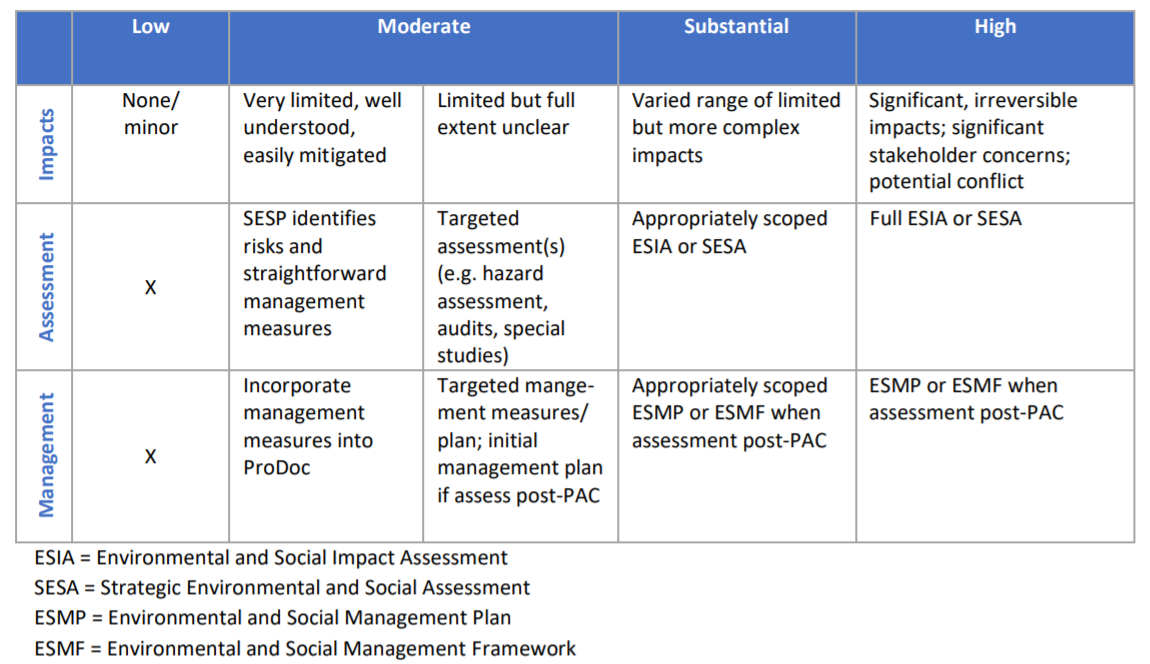
* 1. **Procedures for Unidentified/Emerging Risks**

Due to activities that will be defined during project implementation, and with COVID-19 global pandemic related economic, health and travel impacts, project risks may emerge during implementation after the ESIA and ESMP are completed. The annual Project Implementation Reports (PIRs) will highlight these risks and mitigation and monitoring measures, quarterly reports and the Mid-Term Review (MTR) will also screen for risks that develop during project. Any additional risks identified will be added to monitoring, and mitigation measures designed by the Project Management Unit (PMU), in discussion with the Project Steering Committee and UNDP Country Office.

* 1. **Assessment Procedures**
     1. **Principles**

Based on the project risk categorization and the specific risks, UNDP Social and Environmental Screening Procedure specifies the appropriate levels of assessment and management measures. These are presented in Table 3 below:

**Table 3: Risk levels and overall assessment and management measures/plans**



The SESP has identified the project as being Substantial risk. As such, scoped environmental and social impact assessment is required in order to identify and assess impacts and develop management mechanisms to mitigate identified risks.

However, potential impacts from “upstream” project activities (component 1), which involve planning support, capacity building, policy advice and reform, will be assessed through a Strategic Environmental and Social Assessment (SESA). Environmental and Social Impact Assessment (ESIA), assessing planned downstream, on-the-ground activities with a physical footprint (Outcomes 2 and 3), will address direct impacts to communities and individuals from on-site project activities.

Both assessments will develop strategies for avoiding, reducing and managing adverse impacts and enhancing positive impacts, and the outputs of both assessments will inform the Environmental and Social Management Plan(s).

* + 1. **Strategic Environmental and Social Assessment**

The UNDP Country Office will commission appropriate experts to conduct a Strategic Environmental and Social Assessment (SESA), at the beginning of the implementation phase. The SESA will assess potential impacts from, and strategies for, upstream policy-level project activities. The SESA will evaluate the effect of policy changes on a broad, cross-sectoral basis with the aim of making policy decisions and other upstream actions more sustainable. The assessment of upstream impacts will integrate environmental and social considerations into policies, plans and programmes and evaluate their interlinkages with economic and sustainability considerations. The SESA process will examine the linkages between the two and anticipate the potentially adverse impacts of policies at the site level. Information and strategies identified will inform decision-making and will be used to guide subsequent assessments of downstream activities. As a high-level document, the SESA is based on the broad scope of envisaged high-level project activities. As these are already identified and broadly defined, work on the SESA will commence at an early stage. The detailed scope of the SESA will be refined by the experts conducting the assessment. The report will identify strategies for effective management of identified impacts, which will inform the impact management approach adopted.

* + 1. **Environmental and Social Impact Assessment (ESIA)**

In accordance with UNDP SES Policy, Substantial Risk projects require an appropriately scoped Environmental and Social Impact Assessment (ESIA) to analyze the range of identified social and environmental risks and impacts.

Considering the geographical structure of this Project, a scoped Environmental and Social Impact Assessment (ESIA) will be carried out for downstream activities in each of the four (4) project landscapes:

* The complex of protected areas of the dry savannas of northern Togo.
* The degraded land zone of the extreme north-west of Togo.
* The high summits of the eastern Kara region.
* Fazao-Malfakassa National Park and adjacent landscapes.

Each Environmental and Social Impact Assessment (ESIA) will be carried out, according to the outline presented in **Appendix 2.**

The ESIAs will commence in the first year following project inception, and should commence as soon as specific project locations are selected. It will focus on, but not be restricted to, the potential impacts identified during the SESP screening process, which are a result of proposed on-the-ground project activities in their location specific contexts. The assessment therefore requires that sites and locations are specified, and proposed activities specific to those sites are identified. As such, the ESIA can take place only when those proposed sites and activities are specified.

The ESIA will be developed and carried out by independent experts in a participatory manner with stakeholders during the first year of the project. Comprehensive stakeholder consultation, commensurate with FPIC principles, will be required at all stages of the ESIA. See also Section 7 below on Stakeholder Engagement and Information Disclosure.

The ESIA will:

* Screen social and environmental issues and impacts specific to the local context.
* Further clarify the applicable social and environmental standards (including UNDP SES) triggered by the project activities.
* Take steps necessary in the context of the ESIA to fulfil those requirements and make recommendations on how such compliance is to be carried out through the life of the project.

The UNDP SES and SESP require that in all cases required social and environmental assessments and adoption of appropriate mitigation and management measures must be completed, disclosed and discussed with stakeholders prior to implementation of any activities that may cause adverse social and environmental impacts.

Assessment of further activities will be commensurate with the magnitude of the envisaged risks especially considering risks to poor, vulnerable or marginalized communities and individuals.

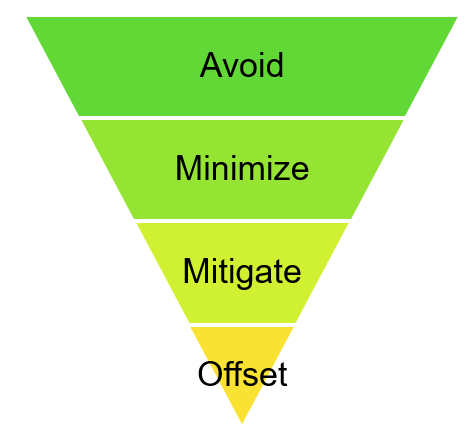
The SESA and ESIA(s) will be conducted in a manner consistent with national regulations and the UNDP SES and lead to the development of appropriately scaled management measures and plans to address the identified risks and impacts.

**Tableau 4: Summary of Assessment Requirements**

|  |  |  |  |
| --- | --- | --- | --- |
| **Focus** | **Assessment** | **Timing** | **Responsibility** |
| Upstream Activities | Strategic Environmental and Social Assessment | To commence within 6 months of project inception | UNDP PMU and external consultants |
| Downstream Activities | Environmental and Social Impact Assessment | To commence as specific project locations are proposed, at the latest within 1 year of project inception. Completion within 6 months. | UNDP PMU and external consultants |
| Specific additional Project Activities | SESA/ESIA as appropriat | As required by additional or updated SESPs. | UNDP PMU and external consultants |

* 1. **Management Procedures**
     1. **Mitigation Hierarchy**

As part of the management procedures, risk reduction measures follow a mitigation hierarchy that favours avoidance of potential adverse impacts over minimization, mitigation where adverse residual impacts remain, and, as a last resort, application of offset and compensation measures. If the proposed activity would cause considerable environmental/social harm, total avoidance and foregoing the proposed activity might be the best option, as presented in the mitigation hierarchy below (**Figure 1**).



**Figure 1: UNDP’s SES Mitigation Hierarchy**

Impact avoidance step is most effective when applied at an early stage of project conceptualization and planning. This can be achieved by taking actions such as: not undertaking certain projects or elements that could result in adverse impacts, by avoiding areas that are environmentally or culturally sensitive, and putting in place preventative measures to stop adverse impacts from occurring.

Impact minimisation step is to limit or reduce the degree, extent, magnitude, or duration of adverse impacts. This can be achieved by taking actions such as: scaling down or relocating the proposal, redesigning elements of the project, or taking supplementary measures to manage the impacts.

Impact mitigation actions begin once impacts have already occurred. Mitigation consists of rectifying the impact by repairing, rehabilitating, or restoring the affected environmental or social feature.

Collectively avoidance, minimisation and mitigation serve to reduce, as far as possible, the residual impacts of the Project. Typically, however, even after their effective application, additional steps will be required to achieve no net loss.

Impact compensation step is usually applied to remedy unavoidable residual adverse impacts. It is important to insist on the fact that compensation or offsets may be considered only after appropriate avoidance, minimization, and mitigation measures have been applied. The design of offsets adheres to the “like-for-like, or better” principle and is carried out with best available information and current best practices.

* + 1. **Details on Management Procedures developed during the PPG Phase**

to explain that all these plans will be implemented throughout the project and updated based on further assessments as needed.

Environmental and Social Management Framework (ESMF)

The present ESMF has been developed as part of UNDP’s due diligence process in the project cycle.

Stakeholder Engagement Plan (SEP)

A Comprehensive Stakeholder Engagement Plan has been developed during the project’s design phase. It constitutes the **Annex 9** to the Project Document (ProDoc) and will guide actions pertaining to SES implementation. It will also describe consultations which started in the project design phase.

Gender Action Plan (GAP)

A Gender Action Plan has also been developed during the project’s design phase. It constitutes the **Annex 11** to the ProDoc and will help inform and guide actions pertaining to SES implementation.

Indigenous People Planning Framework (IPPF)

An Ethnic Groups Planning Framework (EGPF), in lieu of anIndigenous People Planning Framework will be developed to ensure that women and men from the ethnic groups living in the Project landscape are sufficiently and meaningfully consulted, and that these ethnic groups are given the opportunities to give or withhold their free, prior and informed consent (FPIC) for project interventions. The EGPF constitutes the **Appendix 1** to this document, and will form a basis for project implementation and for monitoring and evaluation of how the project deals with issues related to ethnic groups identified in the project landscape.

* + 1. **Details on Management Procedures to be developed/refined in the Implementation Phase**

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Environmental and Social Management Plan (ESMP)

Along with each scoped ESIAs, an Environmental & Social Impact Management Plan (ESMP) will be prepared. The ESMPs will:

* Provide time-bound specific recommendations for avoiding adverse impacts, and where avoidance is not possible, for reducing, mitigating, and managing those impacts for all project activities.
* Further identify project activities that cannot take place until certain standards, requirements and mitigation measures are in place and carried out (complimenting and updating what has already been identified in this draft ESMF).
* Develop site-specific management plans, as necessary and as required by the applicable UNDP SES. These will outline the management objectives, potential impacts, control activities and the environmental performance criteria against which projects will be evaluated (e.g. audited). Recommendatons will be adopted and integrated into the project activities, monitoring and reporting frameworks and budget.
* Stakeholder engagement, including FPIC consultations with ethnic groups, and plans for stakeholder engagement during implementation of management measures.
* Actions to implement mitigation measures for each identified risk and impact.
* A monitoring and reporting plan.
* Summary of identified adverse social and environmental impacts and any residual risks remaining after impact avoidance/mitigation/minimization.
* Capacity development and training.
* Stakeholder engagement plans including FPIC procedures.
* Defined roles and responsibilities.
* Implementation schedule, cost estimates and funding sources.

Impact management will adhere to the “mitigation hierarchy” model. Where possible, adverse impacts will be “designed out” – i.e. design of project activities will be amended or adjusted so as to avoid the identified impacts. Where this is not possible, measures will be developed, in conjunction with stakeholders, to reduce, minimize, mitigate or manage those impacts.

The above required assessments and management plans must be prepared and mitigation measures in place as per those plans, prior to the initiation of any project activity that may cause adverse impacts, including any actions that may lead to or cause economic displacement and/or impacts on Ethnic Groups.

The ESMPs will outline the specific impacts and mitigation and management methods required for each site. Each of these is dynamic and will require amending as new project activities are identified, screened, and assessed in accordance with the procedures described. Additional required mitigation and impact management measures must be integrated into management plans, and in some cases may require, or benefit from, input from the Project Safeguards Officer.

Project-affected stakeholders will be consulted on the scope and parameters of the assessment processes and their findings, including proposed mitigation and management measures. It may be necessary to undertake targeted consultations to ensure that marginalized or disadvantaged groups and individuals affected by the project have the opportunity to participate. FPIC approach will be employed.

Assessment reports and adoption of appropriate mitigation plans/measures will be completed, disclosed, and discussed with stakeholders prior to initiation of any project activities that may cause adverse social and environmental impacts.

It is worth specifying that the Safeguards Officer, who will be hired to the environmental and social unit of the implementing partner, will have primary responsibility for tracking the ESMP implementation, which needs to be responsive to changes in project circumstances, unforeseen events, and the results of monitoring.

An indicative template is appended to this document **(Appendix 3)**, outlining the required ESMP sections.

Project-level Grievance Redress Mechanism (GRM)

A gender-sensitive Grievance Redress Mechanism (GRM) will be developed early during the project’s implementation phase. This detailed GRM will present a set of arrangements that enable local communities, and other affected stakeholders to raise grievances with the Project and seek redress when they perceive or predict a negative impact arising from the project’s activities. The GRM is a key tool to mitigate, manage, and resolve potential or actual negative impacts, as well as fulfil Project’s obligations to key stakeholders.

**Appendix 4** of this ESMF presents the terms of reference for a project-level Grievance Redress Mechanism.

Ethnic Groups Plan (EGP)

SES Standard 6 requires that where a project may affect the rights, lands, resources or territories of indigenous peoples, an Indigenous Peoples’ Plan (IPP), must be developed, and integrated into the design of the project. The field investigations and consultations during the PPG phase confirmed that some areas targeted by project interventions intersect with lands claimed by Ethnic Groups (Indigenous Peoples).

Because precise locations for downstream activities have not been selected at the current stage of project development, the project will identify the presence of Ethnic Groups at each of the specific sites, and further establish the nature of the risk(s), including any gender-related issues specific to indigenous groups. Where the potential for such impacts is confirmed through the ESIA, an Ethnic Groups Plan (EGP) will be developed, simultaneously with, and integrated into the ESMP.

The EGP will define how best to engage with Ethnic Groups in the project landscape (and by extension the entire community), considering the potential need to adopt different strategies in order to ensure they benefit equally from the project’s positive impacts. As required under Standard 6 of the SES, this will include a plan for culturally appropriate consultation with the objective of achieving agreement and Free Prior and Informed Consent (FPIC). No activities that may adversely affect the existence, value, use or enjoyment of customary/traditional lands, resources or territories will be permitted without the explicit agreement of affected Ethnic Groups.

FPIC, for the purposes of the project, is defined as follows:**Free** means the process will be self-directed by the customary landholders from whom consent is being sought, unencumbered by coercion, expectations or timelines that are externally imposed. 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 language and formats determined by the stakeholders; and
* all community members will be free to participate regardless of gender, age or standing.

**Prior** means that no project activity implementation takes place before a decision by the customary landowners and local communities 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. It will be:

* delivered in appropriate language and format (including video, graphics, radios, documentaries, photos, etc.);
* given to the landowner communities about their rights as relevant to the project and possible impacts;
* objective, covering both the positive and negative potential of activities and consequences of giving or withholding consent;
* complete, covering the spectrum of potential social, financial, political, cultural, environmental impacts, including scientific information with access to original sources in appropriate language;
* delivered in a manner that strengthens and does not erode indigenous or local cultures;

**Consent** is:

* made by the customary landowners 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 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;

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, landholder groups, local village community and/or resource-owners, shall be captured, well documented. The PMU will determine how and when to shared this with the relevant national government agencies.

FPIC Consultations shall be carried out in a culturally appropriate manner, be delivered by culturally appropriate personnel, in culturally appropriate locations, and include capacity building of indigenous or local trainers. Consultations shall be delivered with sufficient time to be understood and verified, and measures must be taken to ensure that consultations reach the most remote, rural customary landowners, women, marginalized and vulnerable and are provided on an on-going and continuous basis throughout the FPIC process.

The EGP will enable and map out the communication to take place with affected Ethnic Groups throughout the decision-making process, facilitating information exchange during integrated landscape management processes.

During the project’s first year, discussions on upstream elements of the project will include Ethnc Groups representatives, and will build upon the initial consultations held with them during the PPG. As specific landscapes and activities are proposed, further FPIC discussions will take place at grass roots level with affected communities.

The EGP must be developed during the first year of the project. No activities that may affect the rights, customs, lands, resources or territories of Customary People will commence without their explicit prior, freely given consent.

The EGP will have the same structure as a standard Indigenous Peoples Plan. **Appendix 5** of this ESMF presents an indicative Outline of the Ethnic Groups Plan.

Livelihood Action Plans (LAP)

Livelihood Action Plan(s) will be necessary where/if project activities cause economic displacement, whereby the livelihoods of individuals or communities are restricted, partially or fully, and either directly or indirectly, in their access to land or resources to support their economic well-being. These action plans will address beneficiary participation in economic displacement decision-making, adequate (full and fair) compensation and assistance, as well as risk management to ensure that livelihoods are at least as good as prior to the program implementation and that the livelihoods of poor and marginalized are improved. Plans will include independent monitoring procedures, clarification of land rights consistent with applicable law, and outline capacity, training, and development actions targeting beneficiaries’ livelihoods. It will ensure that UNDP SES requirements, best practice standards and mitigation measures are being met, such that Program activities involving economic displacement cannot proceed until completion of the full ESIA and livelihood action plans that are site-specific.

**Appendix 6** of this ESMF presents a Livelihood Action Plan Template

Gender Action Plan (GAP)

The GAP is already in place and included as Annex 10 to the Project Document. Updates will be informed by the SESA/ESIAs.

Stakeholder Engagement Plan:

A SEP has been developed and will be updated, informed by SESA and ESIAs. Sequential updates of the SEP will enable project officers to ensure that selection is carried out in synergy with the related legal and policy governance structure and that the implementation and selection procedures meet the required norms and standards. The plan will specifically consider how to equitably and meaningfully engage marginalized and vulnerable populations including specific measures to include women within the project areas. The plan will also provide terms of reference and modalities for managing stakeholder engagement in project activities at each site and with each community.

* + 1. **Additional Procedures for** **partnering with Third Parties**

The Project will involve personnel from several third parties (various Government agencies, Non-Governmental organisations, Civil Society Organisation, Community Associations, Cooperatives, Private Sector, etc.) for its implementation, especially under Component 1 and Component 3. The Project will ensure that such partnerships are established with renowned organizations, that can demonstrate some level of experience and expertise in the subject matter. The SESA and ESIAs will conduct further assessment on risks associated with partnering with Third Parties and integrate specific procedures into the ESMPs. At a minimum, these will include requirements for partners to:

* adhere to the UNDP social and environmental standards (SES),
* subject all on-the-ground activities to screening, using the SESP
* clear all proposed activities with the Project Safeguards expert
* ensure that gender considerations are fully integrated into all activities, and that activities proactively promote women’s empowerment and human rights.
* prepare bi-annual reports on progress, including status of their compliance with UNDP environment, social, and gender policies

When necessary, the Project will organize trainings and/or workshops to build the capacity of key project implementation partners and equip them with necessary knowledge and tools needed to achieve the objectives of the Project effectively and efficiently. This is key to ensuring continued success over the course of the project implementation, and beyond. Such capacity building activities will start before the implementation of the first activity and will include a combination of the following topics :

* UNDP Social and Environmental Standards (SES)
* Stakeholder Engagement and FPIC (Free Prior and Informed Consent),
* UNDP Accountability Mechanism (Grievance Redress Mechanism, SRM, SECU),
* Understanding UNDP Project Cycle,
* Monitoring and Evaluation of UNDP Projects,
* Gender,
* Human Rights

UNDP requires that social and environmental assessments and adoption of appropriate mitigation plans/measures must be completed, disclosed, and discussed with stakeholders prior to initiation of any project activities that has the potential to cause adverse social and environmental impacts.

The FPIC approach will be applied throughout all the consultation process and the development of resulting management procedures, regardless of the community in presence. FPIC will be built into the fabric of those management procedures, to ensure that it is applied throughout implementation of the entire project, as required by UNDP SES.

* + 1. **Recap of all management procedures**

**Table 5** below recaps the management procedure and timeline of their development.

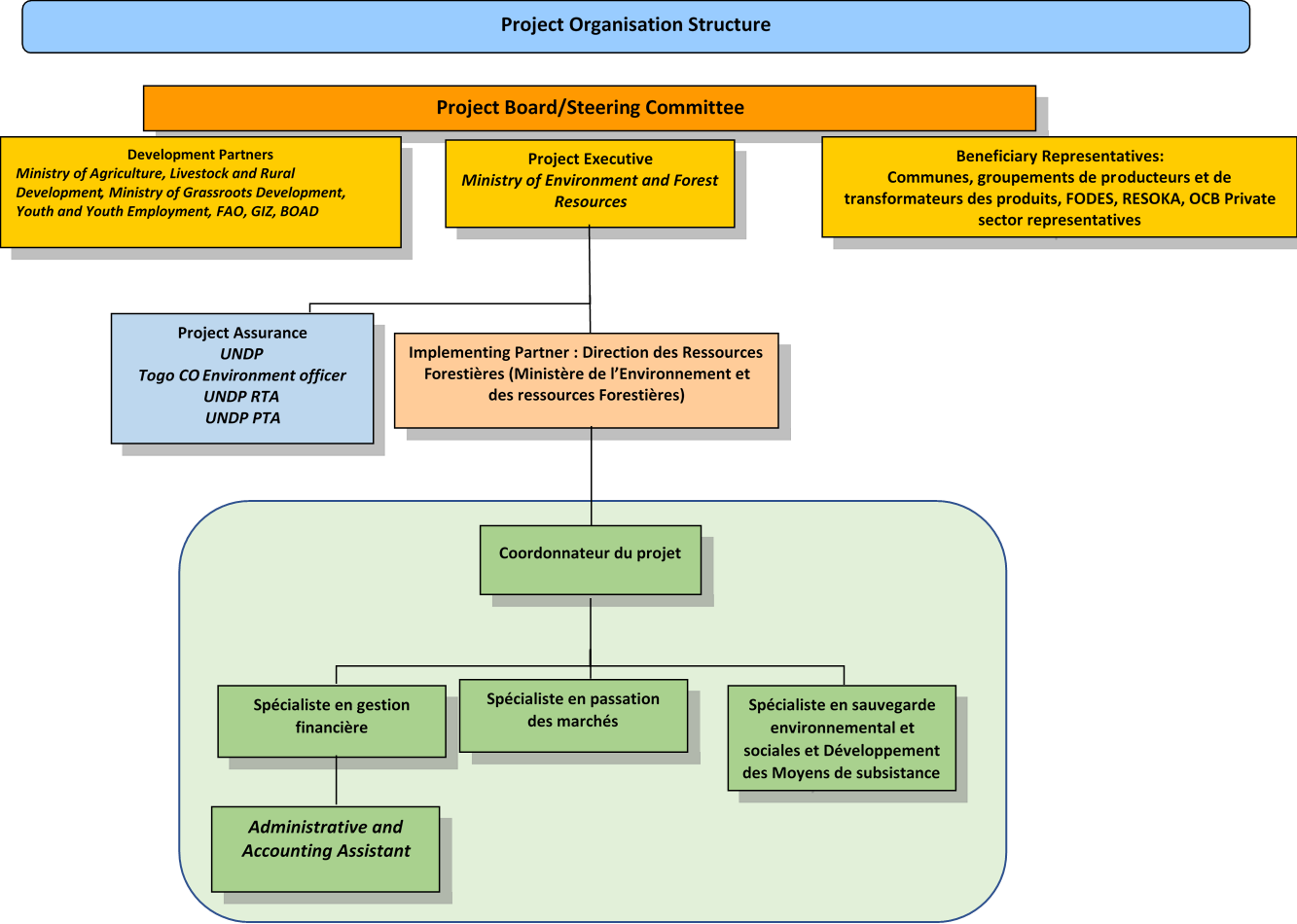
**Table 5: Recap of management procedures**

| **Step** | **Timing** |
| --- | --- |
| Environmental and Social Management Framework (ESMF) | Project design phase – before validation |
| Stakeholder Engagement Plan (SEP) | Project design phase – before validation |
| Gender Action Plan (GAP) | Project design phase – before validation |
| Ethnic Groups Planning Framework (EGPF) | Project design phase – before validation |
| Strategic Environmental and Social Assessment (SESA) | First draft completed within the first year of project implementation. |
| Environmental and Social Impact Assessments (ESIAs) of each of the four project landscape | First drafts of the four ESIAs completed within the first year of project implementation. |
| Environmental and Social Management Plans (ESMPs) | First draft of the four specific ESMPs completed within the first year of project implementation  (as outcome of the ESIAs) |
| Grievance Redress Mechanism (GRM) | First draft completed within the first year of project implementation.  (subsidiary to the ESMPs, detailed attention) |
| Ethnic Groups Plan (EGP) | First draft completed within the first year of project implementation.  (subsidiary to the ESMPs, detailed attention) |
| Livelihood Action Plan (LAP) | First draft completed within the first year of project implementation.  (subsidiary to the ESMP, detailed attention) |

The first draft of the SESA, ESIAs, ESMPs, GRM, EGP and LAP will be completed within the first year of project implementation, with stakeholder consultations providing inputs to their design as well as reviewing draft documents. The documents will then be finalized in the first half of the second year, with possibility to amend, having incorporated an ‘adaptive management’ approach. In any case, these documents will be finalized before project activities that may potentially cause adverse social and environmental impacts are carried out.

1. **INSTITUTIONAL ARRANGEMENTS AND CAPACITY BUILDING** 
   1. **Project Structure**

The Project Structure is represented in the **Figure 2** below:

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**Figure 2: Project Structure**

* 1. **Roles and responsibilities for ESMF implementation**

The roles and responsibilities of project staff and associated agencies or groups in implementation of this ESMF are as follows.

* + 1. **Implementing Partner**

The Implementing Partner (the Ministry of the Environment and Forest Resources) will work closely with the Project Management Unit (PMU) to implement project components and outputs, with other project partners, to ensure the following:

* The required ESIA is completed, and the required management plans are developed, disclosed for public consultation and approved, and management measures are adopted and integrated during project implementation;
* Report, fairly and accurately, on project progress against agreed work plans in accordance with the reporting schedule and required formats;
* Maintain documentation and evidence that describes the proper and prudent use of project resources in conformity to the signed Project Document and in accordance with applicable regulations and procedures (e.g. SES);
* Ensure all requirements of UNDP’s SES and national regulatory/policy frameworks and relevant international standards have been addressed;
* Provide oversight on all matters related to safeguards;
* Inform all the stakeholders involved in, or potentially impacted, positively or negatively, by the Project, about the UNDP’s corporate Accountability Mechanism (described below);
* Ensure that the Compliance Review and the Stakeholder Response Mechanisms are operational during the lifetime of the project;
* Ensure technical control on implementation of this ESMF and administrative assistance in recruiting and/or contracting expert safeguards services (as required), and monitor adherence of each project to the ESMF and to UNDP policies and procedures.
  + 1. **Project Management Unit (PMU)**

The PMU will be led by the Project Manager (PM) with delegated authority to administer the project on a day-to-day basis on behalf of Implementing Partner and UNDP, within the parameters determined by the project’s highest oversight structure, the PSC. The PMU’s responsibility includes the following:

* Supervise and manage implementation of measures defined in this ESMF;
* Assign specific responsibilities within the Implementing Partner, particularly in the PMU, for implementation of this ESMF;
* Maintain relevant records associated with management of environmental and social risks, including updated SESPs, impact assessments, evidence of consultations and FPIC, a log of grievances together with documentation of management measures implemented;
* Report to UNDP and the Project Steering Committee on the implementation of the ESMF;
* Ensure that all service providers also are informed of their responsibilities for the day-to-day compliance with the ESMF.
  1. **Capacity Assessment**

The project will be implemented by the Ministry of the Environment and Forest Resources of Togo, with delegated authority to the PMU for project implementation. However, it is here noted that Department in question has limited human, material and financial resources for the accomplishment of this mission. Staff at the Department are not yet fully familiar with UNDP's Environmental and Social Safeguards Policies. The need for capacity building with regards to stakeholder engagement, FPIC approach and gender considerations, has also been identified as lacking and will need to be addressed early and throughout the project, as those are key competencies needed to lead this project and achieve the expected results. The capacity building activities described above will be delivered by competent specialists throughout the project.

Community-based structures also have low capacities and insufficient information available on land management, land restoration, and management safeguards implementation. Training will also be delivered to this group

* 1. **Capacity Enhancement**

Specialists with relevant expertise in social and environmental safeguards including expertise and experience in gender-related issues will be engaged to support completion of impact assessments and develop the management plans. A Safeguards Officer will be hired to the Environmental and Social Unit of the implementing partner.

The UNDP and GEF units will provide further advice to the project team as needed to support implementation of the ESMF and the preparation, implementation and monitoring of social and environmental management plans.

The Project Management Unit (PMU) will have the final responsibility for the integration of the management plans in execution of the project. The integration of those plans will need to be considered, particularly the institutional needs within the implementation framework for application of the management plan(s), including a review of required budget allocations for each measure, as well as the authority and capability of institutions at different administrative levels (e.g. local, regional, and national) and their capacity to manage and monitor management plan implementation. Where necessary, capacity building and technical assistance activities will be included to enable proper implementation of the management.

1. To better involve local communities and other vulnerable or marginalized groups in managing the social and environmental risks of the Project as well as being involved more broadly across the multiple aspects of the Project, informational and awareness raising sessions will be held for the stakeholders who are expected to be involved in the Implementation of the Environmental and Social Management Framework (ESMF) and the Environmental and Social Management Plan (ESMP) and subsequently derived Action Plans as well as involved in key outputs and activities organized under the Project.**STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE**
   1. **Community consultations during project implementation**

Discussions with project stakeholders, including local communities at project sites, commenced during the project development phase. The project also has an individual Stakeholder Engagement Plan (SEP) and Gender Action Plan (GAP), which is annexed to the Project Document, along with the summary reports of stakeholder consultations. These Plans will be followed to ensure that stakeholders are engaged in project implementation and particularly in the further assessment of social and environmental impacts and the development of appropriate management measures. The SEP and the GAP will be updated during project implementation based on the assessments and management plans conducted in line with this ESMF, as needed.

Potentially affected stakeholders will be engaged during the implementation of this ESMF. This will include FPIC consultations with Ethnic Groups.

As part of the stakeholder engagement process, UNDP’s SES require that project stakeholders have access to relevant information. Specifically, the SES (SES, Policy Delivery Process, para. 21) stipulates that, among other disclosures specified by UNDP’s policies and procedures, UNDP will ensure that the following information be made available:

* Stakeholder engagement plans and summary reports of stakeholder consultations
* Social and environmental screening reports with project documentation
* Draft social and environmental assessments, including any draft management plans
* Final social and environmental assessments and associated management plans

As outlined in the SES and UNDP’s Social and Environmental Screening Procedure (SESP), the type and timing of assessments and management plans vary depending of the level of social and environmental risk associated with a project as well as timing of the social and environmental assessment.

This ESMF (and the project SESP) will be disclosed via the UNDP website in accordance with UNDP SES policy. The subsequent project ESMPs or stand-alone management plan(s) will also be publicly disclosed via the UNDP website once drafted and finalized and adopted only after the required time period for disclosure has elapsed. These requirements for stakeholder engagement and disclosure will be adhered to during the implementation of this ESMF, and the subsequent implementation of the resulting ESMPs and any stand-alone management plans.

* 1. **Stakeholder Engagement Plan**

A Stakeholder Engagement Plan is annexed to the ProDoc. This plan will be followed to ensure that all relevant stakeholder groups, both men and women, are appropriately engaged in project implementation, in particular in further assessment of social and environmental impacts and the development of appropriate management measures. Potentially affected stakeholders will be engaged during the implementation of this ESMF and in project activities, in each instance following FPIC requirements. The Stakeholder Engagement Plan will be updated during project implementation based on the assessments and resulting high-level management plan and the more detailed action plans that will be developed in context of this ESMF as needed.

Discussions with project stakeholders, including both women and men, commenced during the field missions in the project preparation phase (PPG) and also at the Inception Workshop. Thus, formal and informal meetings have taken place across the project landscape and with stakeholders deeply familiar with this landscape.

The SEP will enable and ensure that stakeholders are appropriately engaged in the project’s implementation including in the assessment of social and environmental impacts and the development of appropriate project management (e.g. mitigation) measures. Stakeholder engagement discussions should be planned and organized in ways that not only allow but also positively encourage and facilitate individual stakeholders’ and subgroups’ opinions to be freely expressed. Separate meetings are key for women. This can be explained to local authorities and community leaders during initial courtesy visits as well as at the time of particular meetings, interviews, focus group discussions, etc.

The requirements for stakeholder engagement and disclosure will be adhered to during the implementation of this ESMF, and in subsequent implementation of the resulting ESMP and other more focused action plans. Disclosure requirements are detailed in the section below.

* 1. **SES disclosure requirements**

As part of the stakeholder engagement process, UNDP’s SES require that project stakeholders have access to relevant information. Specifically, the SES (SES, Policy Delivery Process, para. 21) stipulates that UNDP will ensure the following information be made available in formats understandable for all relevant stakeholders, including accommodating levels of education and literacy as well as considering use of different mechanisms to disseminate information in order to account for challenges that some groups such as women may face in accessing and understanding the information provided:

* Information on the project’s purpose, its nature, scale and duration, its main proposed activities, and the potential risks and impacts of these activities and the project as a whole;
* Stakeholder engagement plans and summary reports from stakeholder consultation events;
* Social and environmental screening reports with project documentation
* Draft social and environmental assessments, including any draft management and action plans;
* Final social and environmental assessments and associated management and action plans;
* All related social and environmental monitoring reports.

Considering the challenges of making information genuinely available to some stakeholder groups, e.g. remote communities without regular phone or internet connections, the PMU will also work closely with relevant local organizations that are more regularly in contact and communication with such communities, who may both serve as representatives, as well as assist in liaison roles such as supporting dissemination and feedback.

Further, this ESMF (and the project SESP) will be disclosed via the UNDP Togo website in accordance with UNDP SES Policy, making information and project approaches even more widely available to national and international public. The subsequent management plan(s) will equally be publicly disclosed via the same website once drafted, and they will be finalized and adopted only after the required time-period for disclosure has elapsed (**Table 6**). The Project Management Unit will ensure that someone is specifically responsible for developing and disseminating these updates to the stakeholders in an understandable and accessible format.

All stakeholder consultation and FPIC-related documentation will be stored by UNDP Togo and made available on request, following standard procedures.

**Table 6: Information Disclosure Guidance**

| **WHAT to Disclose** | **WHEN to Disclose** | **HOW to Disclose** |
| --- | --- | --- |
| Final (and Revised) Social and Environmental Screening Procedure (SESP) | Post PAC, when Project Document disclosed (SESP included as an Annex to the Project Document) | As an Annex to the Project Document, the SESP will be disclosed on open.undp.org once it is uploaded in the Corporate Planning System. |
| Environmental and Social Management Framework (ESMF), as well as GAP, SEP, EGPF | Must be disclosed and consulted on at least 120 days prior to implementation of any activities that may cause adverse social and environmental impacts. | A summary report of the ESMF, the GAP and EGPF are translated into French and made available in an accessible location.  Disclose ProDoc.  Posted on UNDP Togo website. |
| Draft SESA, ESIAs, ESMPs, including any draft standalone management plans. This report must include a non-technical summary that can be understood by many stakeholders in order to facilitate and encourage comments. | At least 120 days prior to implementation of any activities that may cause adverse social and environmental impacts | At minimum, the non-technical summary report of the SESA and the ESIAs is translated into French and made available in  an accessible location together  with the draft ESMPs and other standalone management plans.  Posted on UNDP Togo website |
| Final SESA and ESIAs and all associated Management Plans including ESMPs, LAP, EGP as well as updated SEP and updated GAP. | Before implementation of any activities that may cause adverse social and environmental impacts | At minimum, the updated version of the non-technical summary report of the SESA and the ESIAs is translated into French and made available in an accessible location together with the Final SESA, ESIAs and Management Plans (ESMPs, LAP, EGP), as well as updated SEP and updated GAP.  Posted on UNDP Togo website. |

These requirements for stakeholder engagement and disclosure will be adhered to during project implementation, including this ESMF and the resulting targeted management plans.

1. **ACCOUNTABILITY AND GRIEVANCE REDRESS MECHANISM**
   1. **UNDP’s Accountability Mechanisms**

UNDP’s SES recognizes that even with strong planning and stakeholder engagement, unanticipated issues can still arise. Therefore, the SES are underpinned by an Accountability Mechanism with two key components at the UNDP institutional level:

* A Social and Environmental Compliance Unit (SECU) to respond to allegations that UNDP is not in compliance with applicable environmental and social policies; and
* A Stakeholder Response Mechanism (SRM) that ensures individuals, peoples, and communities affected by projects have access to appropriate grievance resolution procedures for hearing and addressing project-related complaints and disputes that are advanced beyond the project-level Grievance Redress Mechanism.

UNDP’s Accountability Mechanism is available to all of UNDP’s project stakeholders.

The SECU investigates concerns about non-compliance with UNDP’s Social and Environmental Standards and Screening Procedure raised by project-affected stakeholders and recommends measures to address any pertinent findings related to non-compliance.

The SRM helps project-affected stakeholders, UNDP’s partners (governments, NGOs, businesses) and others jointly address grievances or disputes related to the social and/or environmental impacts of UNDP-supported projects that cannot internally be addressed by the project-level Grievance Redress Mechanism (GRM).

SECU and SRM Requests can be submitted via:

* An online webform: <https://secure.ethicspoint.eu/domain/media/en/gui/104895/index.html>
* WhatsApp, Viber and Signal using +1 (917) 207 4285, or through our WeChat Account @SECUSRM
* Call (costs are incurred by caller) using +1 (917) 207 4285. [Skype](https://www.skype.com/en/) is an affordable way to place such a call.
* By post:

Attn: SECU/SRM, OAI, UNDP  
1 U.N. Plaza, 4th Floor  
New York, NY USA 10017

* By email to: [project.concerns@undp.org](mailto:project.concerns@undp.org)

Further information, including how to submit a request to SECU or SRM, is found on the UNDP website at: <http://www.undp.org/content/undp/en/home/operations/accountability/secu-srm>

Complaints and concerns should be as specific as possible, describing current or potential adverse impacts that have a plausible causal link to the Project and, if possible, the UNDP social and environmental standards/commitments that are believed to have been violated.

While there are no strict format or language requirements, it is helpful if the complaint includes the following information:

* Name, address, telephone number, and other contact information.
* Whether the Complainant(s) wish to keep their identity confidential, and if so, why.
* Name, location, and nature of the UNDP project or programme (if known).
* How the Complainants believe they have been, or are likely to be, adversely affected by the UNDP-supported project or programme.
* If a third party, such as a civil society organization, is filing a complaint on behalf of an affected individual or community, the complaint should include evidence the third party is working on behalf of the individual or community.
* Although helpful, it is not necessary to cite to specific UNDP standards or policies (such as the UNDP's Social and Environmental Standards).
  1. **Project-level Grievance Redress Mechanism**

The Project will also establish a project-level, gender-sensitive Grievance Redress Mechanism (GRM) during the first year of implementation. The full details of the GRM will be agreed during the ESIA and ESMP development phase and will be available within the first half year of the project and before start of implementation of field-based activities (i.e., when working directly with local community stakeholders, beyond initial consultations and joint planning). Stakeholders may raise a grievance at any time with either the Project Management Unit (PMU), the national Implementing Partner, UNDP, or GEF. **Appendix 3** of this ESMF details the Terms of Reference for a Project-level Grievance Redress Mechanism. The Project will encourage the stakeholders, including communities to first resort to the Project-level GRM to raise their concerns and grievances, before using the SRM or SECU mechanisms.

1. **MONITORING AND EVALUATION ARRANGEMENTS**

Reporting on progress and issues in the implementation of the project, including this ESMF, will be documented in the project’s quarterly reports and annual project implementation reports (PIRs). Until ESMPs and stand-alone management plans are put in place – which may designate alternate responsible parties – the party tasked with compiling all relevant reports regarding implementation of the project and this ESMF and about any related key/emerging issues shall be the PMU; charged more specifically with reporting to the Steering Committee, to UNDP, and to GEF (as appropriate).

The ESMF monitoring and evaluation plan will complement regular project monitoring (i.e., the monitoring of project activities and development of their outputs) as outlined in **Table 7**.

The parameters to be measured are listed below:

Strategic indicators to be monitored by the high-level Steering Committee:

* Effectiveness of environmental and social screening of project activities
* Effectiveness of environmental and social monitoring and reporting;
* Implementation of training/awareness programs related to SES.

Project-level indicators to be monitored by the Implementing Partner supported by the PMU:

* Effectiveness of social safeguarding measures to ensure fair and equitable stakeholder engagement, implementation of FPIC, and mainstreaming of gender dimensions;
* Number of actors trained/aware in environmental and social management;
* Effectiveness of the ESMP and its subsidiary stand-alone management plans that have been put in place;
* Level of involvement of local communities in monitoring the implementation of project activities;
* Number of people affected by the programme of work;
* Use and effectiveness of the project-level GRM.

**Table 7: ESMF Monitoring and Evaluation Plan**

| **Monitoring Activity & Relevant Projects** | **Description** | **Frequency / Timeframe** | **Expected Action** | **Roles and Responsibilities** |
| --- | --- | --- | --- | --- |
| Track progress of ESMF implementation | Monitoring and reporting of ESMF implementation, with key results and issues presented on a regular basis | Quarterly or until the relevant stand-alone management plan(s) are in place | ESMF requirements are completed for this Project (undertaken during the PPG phase) | Safeguards Officer |
| Further assessment and development of SESA/ESIA report and other management plan(s) including ESMP and its subsidiary stand-alone management plan or action plans (i.e., LAP, GRM, EGP) | SESA/ESIA carried out in a participatory manner.  Identification and validation of management measures, drafted in participatory manner. | ESIA, ESMP; LAP, EGP and GRM (first year of the project, before high-risk activities begin).  Other management plans (by end of the first year of project implementation – specific timeframe tbc, but and before high-risk activities begin | Potential impacts are assessed with support of external consultants and participation of project team and stakeholders.  SESA/ESIA reports completed  Minimally, a LAP, GRM and EGP will be developed, and, as to be determined by the ESMP and other management plans may also be developed.  Management actions will be identified and incorporated into project implementation strategies. | International and national consultants (including minimally an environmental and social safeguarding specialist and a Local Livelihoods Specialist)  Project Staff (Project Manager, Safeguards Officer) with guidance from UNDP |
| Implementation of management measures and monitoring of potential impacts identified in SESA/ESIA, in line with the subsequent management plans | Permanent and participatory implementation and monitoring of management measures, in accordance with findings of the ESIA. | Continuous, once SESA/ESIA are complete and management plan is in place | Implementation of stand-alone management plans; PMU-based and participatory monitoring; integration of focused management plans under the ESMP into project implementation strategies | Project Staff (Project Manager and Safeguards Officer)  Oversight by UNDP Togo |
| Learning | Knowledge, lessons learned and good practices regarding social and environmental risks and their management will be captured regularly, both from the project and actively sourced from other projects / partners, integrated back into the project. | At least annually | Relevant lessons are captured by the project teams and used to inform management decisions. | Project Staff (Project Manager and Safeguards Officer, also project’s learning and communications officer) |
| Annual project quality assurance | The quality of the project will be assessed against UNDP’s quality standards to identify project strengths and weaknesses and to inform decision-making to improve the project | Annually | Areas of strength and weakness will be reviewed and used to inform decisions to improve project performance | UNDP CO,  UNDP-GEF RTA,  Project Staff (Project Manager and Safeguards Officer) |
| Annual project implementation reports | As part of progress report to be presented to the Project Steering Committee and key stakeholders, analysis, updating and recommendations for risk management will be included | Annually | Updates on progress of ESMF/ESMP will be reported in the project’s annual PIRs. A summary of the avoidance and mitigation of potential social and environmental impacts will be included in the project’s annual report, also sharing best practices and lessons learned across the program. | UNDP CO,  UNDP-GEF RTA  Project Manager |
| Project Review and course corrections | Internal review of data and evidence from all monitoring actions to inform decision making | At least annually, and preferably quarterly | Performance data, lessons, quality and any risks and/or impacts not adequately addressed through national mechanisms or by the project team will be discussed by the Project Steering Committee and used to make course corrections.  Recommendations will be made, discussed and agreed upon. | Project Steering Committee.  UNDP-GEF RTA,  Project Manager, Safeguards Officer |

1. **BUDGET FOR ESMF IMPLEMENTATION.**

Implementation of the ESMF is included in the support budget for the Project. Costs associated with the coordination of ESMF implementation by UNDP are not fully costed. A breakdown is provided in **Table 8** below.

Further details and other project-related costs are presented in the budget of the Project Document.

**Table 8: Breakdown of costs for ESMF implementation**

| **Item** | **Budget Cost (USD)** |
| --- | --- |
| SESA and the four scoped ESIAs and related management Plans, including national and international consultants, travel expenses and consultations requirements | 130,000 |
| Implementation of management measures and monitoring | 30,000 |
| Safeguards Officer (throughout implementation phase) | 100,000 |
| In-country Consultants (specific tasks throughout implementation phase) | 50,000 |
| Travel expense for in-country consultations (throughout implementation phase) | 20,000 |
| **Total**: | **330,000** |

1. **APPENDICES**

Appendix 1: Ethnic Groups Planning Framework

Appendix 2: Indicative Outline of ESIA Report

Appendix 3: Indicative Outline of an ESMP

Appendix 4: Terms of Reference for Project-level Grievance Redress Mechanism

Appendix 5: Indicative Outline of Indigenous Peoples Plan

Appendix 6: Livelihood Action Plan Template

**Appendix 1: ETHNIC GROUPS PLANNING FRAMEWORK**

* 1. **PREFACE**

This Ethnic Groups Planning Framework (EGPF) and it has been prepared for the UNDP/GEF7 Project “Sustainable Management of Land and Semi-arid Ecosystems of Northern Togo”. The EGPF is part of the overall Project Environment and Social Management Framework (ESMF).

UNDP Standard 6 on Indigenous Peoples is triggered for this project as there is a likelihood that indigenous peoples (ethnic groups) are found in the project area and could be impacted by the project. In compliance with Standard 6, this EGPF is developed to ensure that indigenous peoples are sufficiently and meaningfully consulted leading to their free, prior and informed consultation (FPIC) to project interventions, that they will have equal opportunity to share the project benefits, and that any potential negative impacts are properly mitigated. The EGPF will form a basis for project implementation and monitoring and evaluation of how the project deals with indigenous peoples’ issues. At project implementation stage, an Ethnic Groups Plan (EGP) will be developed, based on this EGPF, after the target areas are well defined and results of social screening confirm impacts on ethnic communities.

This document is considered a living document and shall be modified and updated in line with the changing situation or scope of the activities.

* 1. **DESCRIPTION OF ETHNIC GROUPS**

There are between 20 and 40 different ethnic groups in Togo, depending on differing classifications. The largest group was Éwé, at 1,324,157 (22.3 per cent), followed by Kabyé 853,391 (14.3 per cent), Ouatchi (Gbe) 584,245 (9.8 per cent), Moba 498,109 (8.4 per cent), Losso 451,712 (7.6 per cent), Kotokoli 351,838 (5.9 per cent), Mina (Gen/Guin) 273,672 (4.6 per cent), Adja 232,696 (3.9 per cent), Ana-Ife 165,079 (2.8 per cent), Gourma 157,545 (2.7 per cent), and numerous smaller groups including Peul 109,360 (1.8 per cent).

Northern Togo, where Kabyé are concentrated, is more ethnically diverse than the south. Other northern groups include the Moba, Kotokoli, Bassari, Hausa and Konkomba. One of Togo’s most homogeneous ethnic groups, Moba inhabit rich agricultural lands in north Dapaong area and speak a dialect influenced by the More language of the Mossi of Burkina Faso. Konkomba are related to Moba and live in northern Togo and Ghana in the Oti River basin, a tributary of the Volta, north of Basseri. These ethnic groups live in clans organized into patrilineages and age sets, with no central structure. Traditionally, they are herders, fishers and subsistence farmers. Bassari, who belong to the Kotokoli ethnic cluster, live north-west of Sokode in West central, Bassar, Kabou, Kalanga and adjacent areas, and in neighbouring Ghana. They call themselves Bi-Tchambe, which means metalworkers, their pre-colonial occupation. There are only small numbers of Hausa in Togo, but they form an important mercantile and religious group. They have been the prime transmitters of Islam in Togo.

Population distribution is very uneven due to soil and terrain variations. The population is generally concentrated in the south and along the major north-south highway connecting the coast to the Sahel. In Northern Togo, there are several unoccupied portions of the land. This is attributed to historical factors.. The first of these is the relocation of the Kabyè population to the mountainous regions for security reasons (to protect themselves against non-Kabyè groups). The second factor is the plan of the colonizers, both German and French, to constitute ethnically homogeneous zones. They pushed back people from Dahomey as well as those from Kotokoli country. The villages thus formed benefited from vast territories. A third factor is to be considered. This factor is related to migratory movements towards the center and the south of Togo and towards Ghana. Once settled elsewhere, emigrants leave available land in the country of origin, which appeared to be vacant. In fact, even though they are absent, they retain their rights over those lands, and the people who remain in the villages cannot touch them.

In Northern Togo, to obtain the benefit of land rights, it is necessary to approach the hierarchy of traditional and / or administrative authorities. It’s not enough to go and see the owner of the land. It is necessary to go through the district and village chiefs and ultimately the canton chief. It is everywhere affirmed that only the latter can attribute to a newcomer guaranteed rights over a land. However, there are land-related issues at times.

The majority of the population practices agriculture. Although this activity is mostly practiced by men, women participate in the agricultural effort, especially in weeding. More and more women nowadays are forming cooperatives to exploit agricultural land.

* 1. **POTENTIAL IMPACTS**

The Project’s Environmental and Social Screening has revealed the following potential impacts on Indigenous Peoples and Local Communities.

* Reduced access of ethnic groups to land and natural resources on sites temporarily reserved for natural regeneration and land restoration.
* Failure by the project to properly address concerns or grievances raised by ethnic groups.
* Protests occurring in the communities due to ethnic groups dissatisfaction with the Projects
* Perpetuation of existing or creation of new discriminations and gender-based violence against women in their access to natural resources, Given the traditions and the barriers against women’s involvement in economic activity and decision-making.
* Failure by the project to conduct comprehensive, inclusive, and meaningful consultation with ethnic groups in line with FPIC principles.
* Impact on tangible and/or intangible cultural assets in areas of touristic and/or cultural value Impact on areas.
* Exposure of ethnic groups to COVID-19 and other disease outbreaks
* Ethnic groups are empowered and involved management of protected areas.
* Sustainable income generating activities are created for ethnic groups
* Dialogue is facilitated between ethnic groups and local and national government representatives as a tool for conflict prevention.
* Ecosystems that provide essential services, including services related to water, and contribute to health, livelihoods and well-being, are restored and safeguarded, taking into account the needs of women, ethnic groups, and the poor and vulnerable;
* The project will address risks of increased human wildlife conflicts in Protected Areas buffer zones, which affect Ethnic groups.
  1. **PROCEDURES FOR IMPACT ASSESSMENT AND PREPARATION OF THE EGP**

This section provides detailed procedures for screening, potential social impact assessment, meaningful consultation, and the formulation of Indigenous Peoples Plan (EGP) for the project, considering that Outcome 1, 2 and 3 will affect positively or negatively the ethnic groups). In preparing EGP, the Project will pay special attention to the requirement that IPs are informed, consulted, and provided opportunities to participate in project planning, implementation and monitoring and benefit sharing in a meaningful and culturally appropriate manner.

The Project needs to undertake four scope ESIAs, one for each project landscape. The ESIAs will gather relevant information on demographic data; social, cultural and economic situation; and social, cultural and economic impacts of the project. The ESIAs will also confirm whether affected communities are indigenous communities (ethnic groups). The information can be gathered through focus group discussions and/or meetings with the IP community leaders, NGOs, CBOs, and/or their representatives. Discussions should focus on potential positive and negative impacts of the project or project component; measures to enhancing positive impacts on them; and strategies/options to minimize and/or mitigate negative impacts on them.

The ESIAs should be conducted by using standard and accepted study methodology adopted in social study. Combination of quantitative and qualitative methods will be undertaken to verify the information and data collected. Either census or sampling method can be used. While taking the sample, universally accepted sample methodology and statistically representative and significant sample size should be taken. Human resources, funds and time resources are required for the ESIAs, and this steps will be provided adequate budget.

SES Standard 6 requires that where a project may affect the rights, lands, resources or territories of indigenous peoples, an Indigenous Peoples’ Plan (IPP), must be developed, and integrated into the design of the project. The field investigations and consultations during the PPG phase confirmed that some areas targeted by project interventions intersect with lands claimed by Ethnic Groups (Indigenous Peoples). Because precise locations for downstream activities have not been selected at the current stage of project development, the project will identify the presence of Ethnic Groups at each of the specific sites, and further establish the nature of the risk(s), including any gender-related issues specific to ethnic groups. Where the potential for such impacts is confirmed through the ESIA, an Ethnic Groups Plan (EGP) will be developed, simultaneously with, and integrated into the ESMP. Therefore, there will potentially be four EGP, one for each project landscape.

The EGPs will define, for each relevant project landscape, how best to engage with Ethnic Groups in the project landscape (and by extension the entire community), considering the potential need to adopt different strategies in order to ensure they benefit equally from the project’s positive impacts. The EGPs should include mitigation measures for identified potential negative subproject impacts. Where there is economic displacement, the Project should ensure that the rights of the IPs are not violated, and that they are compensated for the losses in a manner that is culturally acceptable to them.

Appendix 1 provides the outline for preparing an EGP.

* 1. **PARTICIPATION, CONSULTATIONS AND FPIC PROCESSES**

**Participation and consultations**

While conducting the ESIAs, involvement of all Ethnic Groups in consultation process should be ensured. Additionally, Ethnic Groups organizations and leaders should also be involved in the consultation process to understand their prevailing situations including socioeconomic, access to information, and understanding and interpretation capacity. Consultation process should be conducted in culturally sensitive manner through involving in the ESIA teams, people who have thorough knowledge and respect on diversity and cultures, systems, norms and values of the Ethnic Groups. Ethnic Groups should be provided relevant project information in language(s) and manner suitable to them.

The consultation with and participation of Ethnic Groups should be ensured in order to adequately deal with their needs, priorities, and preference. Discussions should focus on potential positive and negative impacts of the project or project component; measures to enhancing positive impacts on them; and strategies/options to minimize and/or mitigate negative impacts on them. During the ESIA, separate focus group discussions will be held with Ethnic Groups to assess the project impacts and benefits to these groups.

All consultations will be done following FPIC approach. FPIC steps are detailed in the section below

The outcome of the ESIAs, the ESMPs and programs/measures for Ethnic Groups will be presented in community workshops or meetings. Along with the ESIA reports and the ESMPs, the following documents will ultimately made available to the project affected IPs and disclose to the public:

* Draft EGPs,
* Final EGPs, after completion; and
* Revised EGPs in case of changes to the Project.

The project shall also post the summaries of approved documents on UNDP Togo website. During project implementation, the Project will prepare monitoring reports on the application of the EGPs.

**FPIC Process**

The steps for the FPIC process are detailed below:

Preparatory Steps for FPIC

*Collecting preliminary information*

This is not yet the actual FPIC negotiations. However, this step helps the Stakeholder Engagement Team identify the internal and external actors and factors that may influence the FPIC process and the Project.

*Understand the current local context*

This step consists in the following actions:

* Analysis and mapping exercise together with Project Team and partners to determine which communities are directly or indirectly impacted by the project.
* Identify the stakeholders involved and determine their roles in the project area and clarify any decision rights they may or may not have.
* Identify past, current, and potential conflicts that exist both within the community and with external actors.
* Identify the community’s perceptions and opinions about the project, external actors, nature, and all other relevant matters.
* Understand the community’s cultural and spiritual beliefs about sacred sites and natural resources.
* Identify livelihood concerns and basic human needs that may impact the ability or willingness of a community (or group of communities) to engage in the consultations (and the project as a whole), clarifying what the likely tradeoffs might be. Note that these may be different for different groups within the community, such as men, women, youth, or elders.

*Understand legal and customary rights*

It is vital to understand the customary rights of the IPLCs, particularly any customary land management practices or other traditional management structures. The unique legal context of Togo must be considered to understand the implications for FPIC. The step includes the following actions:

* Identify the rights IPLC have under national law of Togo (Land tenure rights, rights to consultation and FPIC, resource rights, etc.).
* Identify if customary land management systems, practices, rules, and rights exist.
* Identify any potential conflicts between customary and legal rights.
* Identify natural resources that may be impacted by this project and the legal and customary laws that govern these resources.
* Assess whether the IPLC understand their legal and customary rights. If lacking knowledge about their rights, capacity in this area must be built as part of the Project.
* Ensure that other relevant stakeholders, such as governments and private sector actors, also understand the legal and customary rights of the IPLC. If lacking, capacity must be built as part of the Project.

*Identify and Respect Traditional Decision-making Structures*

The FPIC process depends on seeking consent from the IPLC in a manner that respects their own customs and traditions. They may already have decision-making processes that mirror the spirit of FPIC, even if its people are unfamiliar with the specific term.

* Identify the community-selected representative(s) for the process.
* Inform the community (or the representatives) about the decision-making structure for our project.
* Work with the community to map their decision-making structures, paying close attention to how women and men, as well as other groups within the community, participate in decision making.
* If the Indigenous community is not familiar with FPIC, the Project will engage in a dialogue to identify existing decision-making structures that support the principles underlying FPIC.
* In cases, where two or more communities claim rights over a land, we will support a process to create a mutually respected decision-making structure.

Design and implementation of the FPIC process

This is the actual FPIC negotiations. Hopefully, by the end of this step, we will reach consent with the community on whether, and if so, how, to proceed with the project.

*Develop the Approach*

This approach must be culturally sensitive. Partners and other actors involved in the process should respect the cultural elements of the community.

* Identify which cultural norms, if any, inform the community’s FPIC process.
* Inform partners and other actors about these cultural norms.
* If communities are not culturally homogenous, a single process integrating the needs and norms of all groups should be developed.
* Create a timeline that is culturally appropriate together with the community.

*Ensure Full and Effective Participation*

Full and effective participation is a vital component of the FPIC process, as it addresses both who is involved and to what extent they are engaged in the process. We need to ensure that all groups, if not all members, of a community are represented in the process. It is important to recognize that vulnerable groups, including women, people with disabilities, youth and elders, do not always have the same voice or authority within the community as other members, so there is a need to ensure a consultation process takes these people into account.

* Ensure a process that respects local timeframes and accounts for geographic limitations to participation.
* Ensure that all sectors of the community participate in discussions about the project in accordance with community structures and norms, either directly or through their legitimate representatives.
* Use culturally appropriate techniques and materials to engage members of the community.
* Ensure that all relevant stakeholders participate according to their roles and decision rights, as identified in the stakeholder mapping exercise.

It is important to recognise that this FPIC process does not entail discussing all possible interests of local Communities, particularly Indigenous People, but should remain focused on the thematic at hand even while we must keep an open ear. We can and should listen to all issues raised, however the FPIC process is not in itself meant to be a “grievance platform”. Additionally, we must not undertake community dialogues and FPIC in every community in the landscape. Rather we must focus on those communities with which or with whom there is a high likelihood of Direct engagement with and through the Project.

*Information Management*

A large part of information sharing is ensuring that it is presented in an understandable manner. Recording all the details of the FPIC process (attendance sheets, meeting minutes, etc) is also very important. Information sharing can also help build capacity within the community and among all relevant stakeholders, including the government.

* Identify the community’s preferred method of receiving and sharing information (preferred language) and use that method.
* Identify community expectations related to the proposed project. Collect the information from all segments of the population.
* Together with the community, define how the FPIC process will be documented, keeping in mind that a formal written document may not be appropriate for the community’s language and needs.
* Ensure that all meetings are clearly documented.
* Identify existing information-sharing structures for both communities and partners and ensure that they are complementary.
* Determine the most appropriate way to manage sensitive information with the community.

*Final Consent*

A community may decide that the project meets their development needs, or it may decide that it does not. In either case, it is their choice to make. It is important to note that this step could be the end to the FPIC process if the community decides not to move forward with any activities. If the community does choose to move forward, then the next steps of the Project will be planned and implemented, including future FPIC.

* It is important that Facilitator understands what constitutes consent within a given community, including both the process as well as the actual indicators that consent has been achieved (e.g. show of hands, decision among elders, etc.).
* Document the decision (Agreement) that was made regarding the project, so that all parties have a record.
* Choose documentation methods that are relevant and useful to all parties. It may be necessary to document the decision in more than one way, for example in both a written document and a recording of the representative speaking the decision.
* If the project will be moving forward, work in partnership with the community to determine the next steps and move forward with the next phases of the project.

Monitoring of the FPIC Process

The last step will be to create a mechanism that deals with how violations of FPIC will be addressed, and plan for periodic monitorings/reviews.

*Grievance Mechanism*

If the community decides to proceed with a project or activity, the project’s grievance mechanism must include a component related to violations of the right to FPIC.

* Identify traditional methods that the community uses to resolve conflicts.
* Create a culturally appropriate timeline together with the community for addressing unresolved issues.
* Determine together with the community the steps needed to resolve a conflict, in case an outside entity needs to be involved.
* Incorporate FPIC into Grievance Mechanism.

The Project should ensure that the grievance mechanism pertains only or mainly to those possible grievances related to this project, and not simply to all issues arising from other arrangements or from past or other projects. The grievance mechanism is an internal project safeguard to ensure local wellbeing and project responsiveness to their concerns.

*Monitoring and Adjustment*

Monitoring a FPIC process is just as important as developing it in the first place. Because both projects and FPIC processes are dynamic and require adjustments as circumstances, opinions or outcomes change over time, periodic evaluations from the indigenous communities and other stakeholders ensure that FPIC is respected throughout the life of the project.

* Identify who will lead the monitoring and how often.
* Develop a process to address unforeseen changes in the project.
* Agree with the community how and when the FPIC process will need to be re-negotiated.
* Conduct periodic review of the Agreement with the community throughout the project lifecycle. The frequency of review should be determined with the community.
* Note that the Agreement can be modified as needed with the agreement of the parties even if the project is underway.
  1. **APPROPRIATE BENEFITS**

The main thrust of the EGP is to address the potential adverse impacts of the project, taking into consideration the marginality and vulnerability status of the Ethnic Groups. The EGPs will be formulated in such a way that the Ethnic Groups inputs are built into the project design which are in accordance with their needs, and at the same time preserve their distinctive sociocultural identity. The EGPs will also focus on developmental strategy that encourages and strengthens their existing skill so that the Ethnic Groups are able to derive benefits from project intervention.

Based on the significance and nature of the project impact, the affected Ethnic Groups will receive the following benefits amongst others:

* Creation of sustainable income generating activities for the ethnic groups
* Empowerment of ethnic groups, including women, and involved in the management of protected areas.
* Inclusion of the needs of women and vulnerable people in the final project design and implementation.
* Restoration of ecosystems that provide essential services, including services related to water, and contribute to health, livelihoods and well-being to ethnic groups
* Conflict prevention by dialogue is facilitation between ethnic groups and local and national government representatives
* Reduction human wildlife conflicts in Protected Areas buffer zones, where Ethnic groups practice livelihood activities (e.g. agriculture).

These benefits will be further tailored to preferences of potentially affected persons through meaningful consultations, consent processes, benefit sharing agreements, etc.

* 1. **GRIEVANCE REDRESS MECHANISM**

The Project is required to establish a mechanism for grievance resolution in order to ensure indigenous peoples’ (different ethnic groups in the project landscape) satisfaction with implementation of EGPF related activities and provide the IPs with a platform for on-the-ground monitoring and reporting on the implementation of EGPF related activities. Specifically, the purpose of the grievance mechanism is to allow IPs and those who believe they are affected by the Project to seek satisfactory resolution to grievances they may have in relation possible resource restriction or other project interventions.

The key principles of the grievance mechanism are to ensure that:

* The basic rights and interests of Ethnic Groups are protected;
* The concerns of Ethnic Groups arising from the project implementation process are adequately addressed;
* Entitlements or livelihood support for Ethnic Groups are provided on time, and
* Ethnic Groups are aware of their rights to access and shall have access to grievance procedure free of charge for the above purposes.

A project-level Grievance Redress Mechanism (GRM) will be established to receive, evaluate and facilitate resolution of the concerns, complaints, and grievances of indigenous peoples and local communities, related to social, environmental and other issues on the project. The grievances may be channeled through letters, emails, text messages (SMS), verbal narration, grievance boxes, registers, etc. The GRM will aim to provide a time-bound and transparent mechanism to resolve such concerns. The GRM will provide an accessible forum for receiving and facilitating resolution of affected persons’ grievances related to the project.

The Safeguards Officer at the Project Management Unit (PMU) will have the overall responsibility for timely grievance redress on environmental and social safeguards issues.

* 1. **INSTITUTIONAL ARRANGEMENTS**

The Project Management Unit (PMU) will have a dedicated Safeguards Officer to handle social and environmental safeguard issues of the Project and to ensure that all safeguard plans are diligently implemented. NGOs/consulting firms with local presence/partnership will also be engaged by the Project to implement EGPs if required. The PMU will manage and supervise the activities and evaluate implementation of EGPs.

Capacity building activities will be conducted for the project team, and will cover the UNDP Principles and Environmental and Social Safeguards. With specific to EGPF/EGPs training shall include:

* overview of the UNDP SES definition of Indigenous Peoples;
* content of EGPF/EGPs and its implementation issues;
* screening subprojects/activities for Indigenous Peoples;
* institutional arrangement for the project implementation including roles and responsibilities;
* how to conduct public consultation using free, prior and informed approach;
* grievance redress procedure and issues; and
* requirement for monitoring and reporting.

Screening of subprojects/activities shall take place and if Ethnic Groups are found in the project area, a Socio-economic Assessment shall be carried out. Based on the Socio-economic Assessment, an EGPs may need to be prepared to mitigate impacts to Ethnic Groups and maximize benefits of project subcomponents.

Prior to the commencement of the implementation, the IPP shall be disclosed. A copy of the EGP, including its translation into French, shall be placed in areas where Ethnic Groups, or their representatives, can access it.

* 1. **MONITORING AND REPORTING**

The PMU will monitor and measure the progress of implementation of the EGPs. The PMU should use dynamic mechanisms, such as inspections and audits, to verify compliance with requirements and progress toward achieving the desired outcomes. Subprojects with some ethnic groups issues will be regularly monitored by the Safeguards Officer reported in the monitoring reports. For any subproject/activity with significant impacts on Ethnic Groups, the PMU will retain qualified and experienced external experts to verify monitoring information. The external experts engaged by the PMU will advise on compliance issues, and if any significant issues are found, the PMU will prepare a corrective action plan, and implement the corrective actions and follow up on these actions to ensure their effectiveness. The PMU will prepare periodic reports and submit to UNDP for review.

The PMU will establish detailed implementation and monitoring plan, and establish a system for rigorous monitoring of project implementation and ensuring fulfillment and implementation of the EGPs. Result of scoped ESIAs will be used for preparation of the EGPs. The negative and positive impacts of the projects will be clearly mentioned in monitoring indicators. The EGPs will also specify how monitoring data will be collected.

Baseline for monitoring will be developed during detailed the ESIAs. A set of monitoring indicators (specific, measurable and time bound) will be developed based on findings of scoped ESIAs and EGPs. Monitoring indicators will be designed to achieve the objectives and desired outcomes of the EGPs in comparison to baseline indicators. In general, result of ESIAs will be the baseline indicators for monitoring.

A list of guiding monitoring indicators (not exhaustive) is provided below and will be finalized during the ESIAs and the EGPs preparation.

* Annual income and expenditures (increased, constant or decreased);
* Means of livelihood and employment opportunities (diversified, constant or decreased);
* Type and area of natural resources used by Ethnic Groups groups; affected area / volume of natural resources access as a result of project;
* Change in productive skills (farm and off farm) before and after compensation and economic development interventions;
* Food security situation (increased, constant or decreased) - before and after situation;
* Ethnic Groups access to basic services like health, education, water, sanitation, economic infrastructure e.g. banks, access to formal credit etc. – before and after situation;
* Whether any child labors or school dropouts in Ethnic Groups households - before and after situation
* Gender and social inclusion situation;
* Status of representation of Ethnic Groups in politics, NGOs/CBOs, community forest groups, etc.;
* Level of Ethnic Groups participation in local level decision-making process and control over resources; differences between levels of participation by different caste/ethnic groups;
* Capacity for leadership, project management, community mobilization;
* Status of Ethnic Groups cultures, identity, traditional safety net system;
* Situation of Ethnic Groups access to natural resources;
* Social status of Ethnic Groups or feeling of Ethnic Groups on their social status - before and after project;
* Impact of project on Ethnic Groups social networks, cultures and traditions;
* Women’s ownership of households property and assets;
* Situation of women’s access to and control over resources, etc.
* Ethnic Groups’ access to project-related employment (sex-disaggregated data); equal work for equal pay received by Indigenous Peoples (men and women)
* Ethnic Groups’ access to project-related benefits and subsidies / barriers to access, if any
* Consultations with Ethnic Groups; evidence of meaningful consultations (minutes of meetings) having been conducted, with documentation of issues and concerns
* Evidence of information dissemination to Ethnic Groups
* Grievances of Ethnic Groups received / registered and redressed
  1. **BUDGET**

The costs of related to IPPF implementation are included in the ESMF budget. When the IPP is developed, another budget will be provided in a timely manner to ensure its smooth implementation. The IPP will include information on detailed cost of mitigation measures and other livelihood restoration measures for indigenous peoples in the affected areas and administrative and monitoring costs.

**Appendix 2: Indicative Outline of an ESIA Report**

An ESIA report should include the following major elements (not necessarily in the following order):

**(1) Executive summary:** Concisely discusses significant findings and recommended actions.

**(2) Legal and institutional framework:** Summarizes the analysis of the legal and institutional framework for the project within which the social and environmental assessment is carried out, including (a) the country's applicable policy framework, national laws and regulations, and institutional capabilities (including implementation) relating to social and environmental issues; obligations of the country directly applicable to the project under relevant international treaties and agreements; (b) applicable requirements under UNDP’s SES; and (c) and other relevant social and environmental standards and/or requirements, including those of any other donors and development partners. Compares the existing social and environmental framework and applicable requirements of UNDP’s SES (and those of other donors/development partners) and identifies any potential gaps that will need to be addressed.

**(3) Project description:** Concisely describes the proposed project and its geographic, social, environmental, and temporal context, including any offsite activities that may be required (e.g., dedicated pipelines, access roads, power supply, water supply, housing, and raw material and product storage facilities), as well as the project’s primary supply chain. Includes a map of sufficient detail, showing the project site and the area that may be affected by the project’s direct, indirect, and cumulative impacts. (i.e. area of influence).

**(4) Baseline data:** Summarizes the baseline data that is relevant to decisions about project location, design, operation, or mitigation measures; identifies and estimates the extent and quality of available data, key data gaps, and uncertainties associated with predictions; assesses the scope of the area to be studied and describes relevant physical, biological, and socioeconomic conditions, including any changes anticipated before the project commences; and takes into account current and proposed development activities within the project area but not directly connected to the project.

**(5) Social and environmental risks and impacts:** Predicts and takes into account all relevant social and environmental risks and impacts of the project, including those related to UNDP’s SES (Overarching Policy and Principles and Project-level Standards). These will include, but are not limited to, the following:

**(a) Environmental risks and impacts, including:** any material threat to the protection, conservation, maintenance and rehabilitation of natural habitats, biodiversity, and ecosystems; those related to climate change and other transboundary or global impacts; those related to community health and safety; those related to pollution and discharges of waste; those related to the use of living natural resources, such as fisheries and forests; and those related to other applicable standards.

**(b) Social risks and impacts, including:** any project-related threats to human rights of affected communities and individuals; threats to human security through the escalation of personal, communal or inter-state conflict, crime or violence; risks of gender discrimination; risks that adverse project impacts fall disproportionately on disadvantaged or marginalized groups; any prejudice or discrimination toward individuals or groups in providing access to development resources and project benefits, particularly in the case of disadvantaged or marginalized groups; negative economic and social impacts relating to physical displacement (i.e. relocation or loss of shelter) or economic displacement (i.e. loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land or resource acquisition or restrictions on land use or access to resources; impacts on the health, safety and well-being of workers and project-affected communities; and risks to cultural heritage.

**(6) Analysis of alternatives:** Systematically compares feasible alternatives to the proposed project site, technology, design, and operation – including the "without project" situation – in terms of their potential social and environmental impacts; assesses the alternatives’ feasibility of mitigating the adverse social and environmental impacts; the capital and recurrent costs of alternative mitigation measures, and their suitability under local conditions; the institutional, training, and monitoring requirements for the alternative mitigation measures; for each of the alternatives, quantifies the social and environmental impacts to the extent possible, and attaches economic values where feasible. Sets out the basis for selecting the particular project design.

**(7) Mitigation Measures:** Summary of (with attachment of full) Environmental and Social Management Plan (ESMP) (see indicative outline of ESMP below.) The ESMP identifies mitigation measures required to address identified social and environmental risks and impacts, as well as measures related to monitoring, capacity development, stakeholder engagement, and implementation action plan.

**(8) Stakeholders.** Summarizes and links to project Stakeholder Engagement Plan or ESMP that includes plan for consultations. Includes summary of consultations undertaken for development of ESIA (see appendices).

**(9) Conclusions and Recommendations:** Succinctly describes conclusion drawn from the assessment and provides recommendations. Includes recommendation regarding the project’s anticipated benefits in relation to its social and environmental risks and impacts.

**(10) Appendices:** (i) List of the individuals or organisations that prepared or contributed to the social and environmental assessment; (ii) References – setting out the written materials both published and unpublished, that have been used; (iii) Record of meetings, consultations and surveys with stakeholders, including those with affected people and local NGOs. The record specifies the means of such stakeholder engagement that were used to obtain the views of affected groups and local NGOs, summarizes key concerns and how these concerns addressed in project design and mitigation measures; (iv) Tables presenting the relevant data referred to or summarized in the main text; (v) Attachment of any other mitigation plans; (vi) List of associated reports or plans.

**Appendix 3: Indicative Outline of an ESMP**

An ESMP may be prepared as part of the Environmental and Social Impact Assessment (ESIA) report or as a stand-alone document. The content of the ESMP should address the following sections:

**(1) Mitigation:** Identifies measures and actions in accordance with the mitigation hierarchy that avoid, or if avoidance not possible, reduce potentially significant adverse social and environmental impacts to acceptable levels. Specifically, the ESMP: (a) identifies and summarizes all anticipated significant adverse social and environmental impacts; (b) describes – with technical details – each mitigation measure, including the type of impact to which it relates and the conditions under which it is required (e.g., continuously or in the event of contingencies), together with designs, equipment descriptions, and operating procedures, as appropriate; (c) estimates any potential social and environmental impacts of these measures and any residual impacts following mitigation; and (d) takes into account, and is consistent with, other required mitigation plans (e.g. for displacement, ethnic groups).

**(2) Monitoring:** Identifies monitoring objectives and specifies the type of monitoring, with linkages to the impacts assessed in the environmental and social assessment and the mitigation measures described in the ESMP. Specifically, the monitoring section of the ESMP provides (a) a specific description, and technical details, of monitoring measures, including the parameters to be measured, methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and definition of thresholds that will signal the need for corrective actions; and (b) monitoring and reporting procedures to (i) ensure early detection of conditions that necessitate particular mitigation measures, and (ii) furnish information on the progress and results of mitigation.

**(3) Capacity development and training**: To support timely and effective implementation of social and environmental project components and mitigation measures, the ESMP draws on the environmental and social assessment of the existence, role, and capability of responsible parties on site or at the agency and ministry level. Specifically, the ESMP provides a description of institutional arrangements, identifying which party is responsible for carrying out the mitigation and monitoring measures (e.g. for operation, supervision, enforcement, monitoring of implementation, remedial action, financing, reporting, and staff training). Where support for strengthening social and environmental management capability is identified, ESMP recommends the establishment or expansion of the parties responsible, the training of staff and any additional measures that may be necessary to support implementation of mitigation measures and any other recommendations of the environmental and social assessment.

**(4) Stakeholder Engagement:** Summarizes and links to project Stakeholder Engagement Plan or outlines plan to engage in meaningful, effective and informed consultations with affected stakeholders. Includes information on (a) means used to inform and involve affected people in the assessment process; and (b) summary of stakeholder engagement plan for meaningful, effective consultations during project implementation, including identification of milestones for consultations, information disclosure, and periodic reporting on progress on project implementation. Require documentation of consultations (summaries including presentations, key points raised and responses provided, participation lists). Include information on project grievance mechanism (below) and on UNDP Accountability Mechanisms (SRM, SECU).

**(5) Grievance redress mechanism:** Describes effective processes for receiving and addressing stakeholder concerns and grievances regarding the project’s social and environmental performance. Describe mechanisms to provide stakeholders and potential affected communities avenues to provide feedback or grievances, and receive responses, with regard to the implementation of specific activities, policies, or regulations.

**(6) Implementation action plan (schedule and cost estimates):** For all four above aspects (mitigation, monitoring, capacity development, and stakeholder engagement), ESMP provides (a) an implementation schedule for measures that must be carried out as part of the project, showing phasing and coordination with overall project implementation plans; and (b) the capital and recurrent cost estimates and sources of funds for implementing the ESMP. These figures are also integrated into the total project cost tables. Each of the measures and actions to be implemented will be clearly specified and the costs of so doing will be integrated into the project's overall planning, design, budget, and implementation.

**Appendix 4: Terms of Reference for Project-level Grievance Redress Mechanism**

Please refer to the [UNDP Social and Environmental Standards Toolkit](https://info.undp.org/sites/bpps/SES_Toolkit/) for additional information.

**I. Mandate**

The mandate of the GRM will be to:

1. receive and address any concerns, complaints, notices of emerging conflicts, or grievances (collectively “*Grievance*”) alleging actual or potential harm to affected person(s) (the “*Claimant(s)*”) arising from Project;
2. assist in resolution of Grievances between and among Project Stakeholders; as well as the various government ministries, agencies and commissions, CSOs and NGOs, and others (collectively, the “*Stakeholders*”) in the context of the Project;
3. Conduct itself at all times in a flexible, collaborative, and transparent manner aimed at problem solving and consensus building.

**II. Functions**

The functions of the GRM will be to:

1. Receive, Log and Track all Grievances received;
2. Provide regular status updates on Grievances to Claimants, Project Board (PB) membersand other relevant Stakeholders, as applicable;
3. Engage the PB members, Government institutions and other relevant Stakeholders in Grievance resolution;
4. Process and propose solutions and ways forward related to specific Grievances *within a period not to exceed sixty (60) days* from receipt of the Grievance;
5. Identify growing trends in Grievances and recommend possible measures to avoid the same;
6. Receive and service requests for, and suggest the use of, mediation or facilitation;
7. Elaborate bi-annual reports, make said reports available to the public, and more generally work to maximize the disclosure of its work (including its reports, findings and outcomes);
8. Ensure increased awareness, accessibility, predictability, transparency, legitimacy, and credibility of the GRM process;
9. Collaborate with Partner Institutions and other NGOs, CSOs and other entities to conduct outreach initiatives to increase awareness among Stakeholders as to the existence of the GRM and how its services can be accessed;
10. Ensure continuing education of PB members and their respective institutions about the relevant laws and policies that they will need to be aware of to participate in the development of effective resolutions to Grievances likely to come before the GRM;
11. Monitor follow up to Grievance resolutions, as appropriate.

**III. Composition**

The GRM will be composed of:

[Name of Implementing Partner] as the Secretariat and either:

1. A standing GRM Sub-Committee [made up of x, y, z PB members] and/or
2. Ad hoc GRM Task Teams in response to specific requests for grievance

The GRM Sub-Committee will be balanced in composition (government and non-government) and should not include any PB members with a direct interest or role in the grievance/dispute.

**IV. [Name of Implementing Partner]**

In its role as GRM Secretariat, [Name of Implementing Partner] will perform the following core functions:

* Publicize the existence of the GRM and the procedure for using it;
* Receive and log requests for dispute resolution;
* Acknowledge receipt to the requestor;
* Determine eligibility;
* Forward eligible requests to the PB for review and action, and
* Track and document efforts at grievance/dispute resolution and their outcomes.

**V. Project Board/GRM Sub-Committee/GRM Task Team**

The Project Board/GRM Sub-Committee and/or GRM Task Team will perform the following core functions:

* Take direct action to resolve the grievance/dispute (e.g. bring the relevant parties together to discuss and resolve the issue themselves with oversight by the PB);
* Request further information to clarify the issue, and share that information with all relevant parties, or ensure that a government agency represented on the PB took an appropriate administrative action to deal with a complaint;
* Refer the grievance/dispute to independent mediation, while maintaining oversight; or
* Determine that the request was outside the scope and mandate of the PB and refer it elsewhere (e.g. Ministry of Justice and Police or to the courts).

**VI. Communicating a Grievance**

1. *Who can Submit a Grievance?*

A Grievance can be sent by any individual or group of individuals that believes it has been or will be harmed by the Project.

If a Grievance is to be lodged by a different individual or organization on behalf of those said to be affected, the Claimant must identify the individual and/or people on behalf of who the Grievance is submitted and provide written confirmation by the individual and/or people represented that they are giving the Claimant the authority to present the Grievance on their behalf. The GRM will take reasonable steps to verify this authority.

1. *How is the Grievance Communicated?*

The GRM shall maintain a flexible approach with respect to receiving Grievances in light of known local constraints with respect to communications and access to resources for some Stakeholders. A Grievance can be transmitted to the GRM by any means available (i.e. by email, letter, phone call, meeting, SMS, etc.). The contact information is the following:

[Implementing Partner to add address, phone number, fax, etc.]

To facilitate communications with and between the GRM and potential Claimants, the GRM will receive support from the PB members’ institutions, local government and civil society organizations

1. *What information should be included in a Grievance?*

The Grievance should include the following information:

1. the name of the individual or individuals making the Complaint (the “Claimant”);
2. a means for contacting the Claimant (email, phone, address, other);
3. if the submission is on behalf of those alleging a potential or actual harm, the identity of those on whose behalf the Grievance is made, and written confirmation by those represented of the Claimant’s authority to lodge the Grievance on their behalf;
4. the description of the potential or actual harm;
5. Claimant’s statement of the risk of harm or actual harm (description of the risk/harm and those affected, names of the individual(s) or institutions responsible for the risk/harm, the location(s) and date(s) of harmful activity);
6. what has been done by Claimant thus far to resolve the matter;
7. whether the Claimant wishes that their identity is kept confidential; and
8. the specific help requested from the GRM.

However, complainants are not required to provide all of the information listed above. Initially, the complainant need only provide enough information to determine eligibility. If insufficient information is provided, the GRM has an obligation to make a substantial, good faith effort to contact the complainant to request whatever additional information is needed to determine eligibility, and if eligible, to develop a proposed response.

**VII. Logging, Acknowledgment, and Tracking**

All Grievances and reports of conflict will be received, assigned a tracking number, acknowledged to Claimant, recorded electronically, and subject to periodic updates to the Claimant as well as the office file.

Within one (1) week from the receipt of a Grievance, the GRM will send a *written* acknowledgement to Claimant of the Grievance received with the assigned tracking number.

Each Grievance file will contain, at a minimum:

1. the date of the request as received;
2. the date the written acknowledgment was sent (and oral acknowledgment if also done);
3. the dates and nature of all other communications or meetings with the Claimant and other relevant Stakeholders;
4. any requests, offers of, or engagements of a Mediator or Facilitator;
5. the date and records related to the proposed solution/way forward;
6. the acceptance or objections of the Claimant (or other Stakeholders);
7. the proposed next steps if objections arose;
8. the alternative solution if renewed dialogues were pursued;
9. notes regarding implementation; and
10. any conclusions and recommendations arising from monitoring and follow up.

**IX. Maintaining Communication and Status Updates**

Files for each Grievance will be available for review by the Claimant and other Stakeholders involved in the Grievance, or their designated representative(s). Appropriate steps will be taken to maintain the confidentiality of the Claimant if previously requested.

The GRM will provide periodic updates to the Claimant regarding the status and current actions to resolve the Grievance. Not including the acknowledgment of receipt of the Grievance, such updates will occur within reasonable intervals (not greater than every thirty (30) days).

**X. Investigation and Consensus Building**

Within one (1) week of receiving a Grievance, [Implementing Partner] will notify the PB/**GRM Sub-Committee (GRM SC)/GRM Task Team (GRM TT)** and any other relevant institutions of the receipt of the Grievance.

[IF THE PB, RATHER THAN A PRE-DESIGNATED GRM SC OR GRM TT IS THE PRIMARY BODY RECEIVING COMPLAINTS: The PBwill identify a specific team of individuals drawn from the PB and/or their respective institutions to develop a response to the Grievance. The names of these individuals will be made available to the Claimant.]

The designated PB members/GRM SC/GRM TT will promptly engage the Claimant and any other relevant Stakeholders deemed appropriate, to gather all necessary information regarding the Grievance.

Through the PB members/GRM SC/GRM TT, the GRMwill have the authority to request from relevant Government institutions any information (documents or otherwise) relevant to resolving the Grievance and avoiding future Grievances of the same nature.

As necessary, the PB members/GRM SC/GRM TT will convene one or more meetings with relevant individuals and institutions in [national capital], or elsewhere in [name of country] as needed.

The objective of all investigative activities is to develop a thorough understanding of the issues and concerns raised in the Grievance and facilitate consensus around a proposed solution and way forward.

The PB members/GRM SC/GRM TT will procure the cooperation of their respective staff with the investigation.

At any point during the investigation, the PB members/GRM SC/GRM TT may determine that an onsite field investigation is necessary to properly understand the Grievance and develop an effective proposed solution and way forward.

**XI. Seeking Advisory Opinion and/or Technical Assistance**

At any point after receiving a Grievance and through to implementation of the proposed solution and way forward, the PB members/GRM SC/GRM TT may seek the technical assistance and/or an advisory opinion from any entity or individual in [country] or internationally which may reasonably be believed to be of assistance.

**XII. Making Proposed Actions and Solutions Public and Overseeing Implementation**

The PB members/GRM SC/GRM TT will communicate to the Claimant one or more proposed actions or resolutions and clearly articulate the reasons and basis for proposed way forward.

If the Claimant does not accept the resolution, the PB members/GRM SC/GRM TT will engage with the Claimant to provide alternative options.

If the Claimant accepts the proposed solution and way forward, the GRM will continue to monitor the implementation directly and through the receipt of communications from the Claimant and other relevant parties. As necessary, the GRM may solicit information from the relevant parties and initiate renewed dialogue where appropriate.

In all communications with the Claimant and other stakeholders, the GRM will be guided by its problem-solving role, non-coercive principles and process, and the voluntary, good faith nature of the interaction with the Claimant and other stakeholders.

**XII. Monitoring and Evaluation**

Bi-annually, the GRM will make available to the public, a report describing the work of the GRM, listing the number and nature of the Grievances received and processed in the past six months, a date and description of the Grievances received, resolutions, referrals and ongoing efforts at resolution, and status of implementation of ongoing resolutions. The level of detail provided with regard to any individual Grievance will depend on the sensitivity of the issues and Stakeholder concerns about confidentiality, while providing appropriate transparency about the activities of the GRM. The report will also highlight key trends in emerging conflicts, Grievances, and dispute resolution, and make recommendations regarding:

1. measures that can be taken by the Government to avoid future harms and Grievances; and
2. improvements to the GRM that would enhance its effectiveness, accessibility, predictability, transparency, legitimacy, credibility, and capacity.

**XIII. Mediation**

For the option of independent mediation, mediators on the roster/panel should have at least the following qualifications:

* professional experience and expertise in impartial mediation;
* knowledge of [project type and activities in the country] and the region, including an understanding of indigenous and tribal culture and practices;
* [national and local language, as appropriate] proficiency;
* availability in principle for assignments of up to 20 days; and
* willingness to declare all relationships and interests that may affect their ability to act as impartial mediators in particular cases.

If mediation succeeded in resolving the dispute or grievance, the outcome will be documented by [Implementing Partner] and reviewed by the Task Team. If it is unsuccessful, stakeholders will have the option to return to the PB members/GRM SC/GRM TT for assistance.

**XIV. Without Prejudice**

The existence and use of this GRM is without prejudice to any existing rights under any other complaint mechanisms that an individual or group of individuals may otherwise have access to under national or international law or the rules and regulations of other institutions, agencies or commissions.

**Appendix 5: Indicative Outline of Indigenous Peoples Plan**

If the proposed project may affect the rights, lands, territories or resources of indigenous peoples, an “Indigenous Peoples Plan” (IPP) needs to be elaborated and included in the project documentation. The IPP is to be elaborated and implemented in a manner consistent with the UNDP Social and Environmental Standards and have a level of detail proportional to the complexity of the nature and scale of the proposed project and its potential impacts on indigenous peoples and their lands, resources and territories. Where the specific project activities, subprojects and/or locations are not yet defined and will be prepared during project implementation, an Indigenous Peoples Planning Framework (IPPF) is to be utilized (see Annex 2).

With the effective and meaningful participation of the affected peoples, the IPP shall be elaborated and contain provisions addressing, at a minimum, the substantive aspects of the following outline:

1. Executive Summary: Concisely describes the critical facts, significant findings, and recommended actions
2. Description of the Project: General description of the project, the project area, and components/activities that may lead to impacts on indigenous peoples
3. Description of Indigenous Peoples: A description of affected indigenous people(s) and their locations, including:
   1. description of the community or communities constituting the affected peoples (e.g. names, ethnicities, dialects, estimated numbers, etc.);
   2. description of the lands, territories and resources to be affected and the affected peoples connections/ relationship with those lands, territories and resources; and
   3. an identification of any vulnerable groups within the affected peoples (e.g. uncontacted and voluntary isolated peoples, women and girls, persons with disabilities, elderly, others).
4. Summary of Substantive Rights and Legal Framework: A description of the substantive rights of indigenous peoples and the applicable legal framework, including:
   1. An analysis of applicable domestic and international laws affirming and protecting the rights of indigenous peoples (include general assessment of government implementation of the same);
   2. Analysis as to whether the project involves activities that are contingent on establishing legally recognized rights to lands, territories or resources that indigenous peoples have traditionally owned, occupied or otherwise used or acquired. Where such contingency exists (see Standard 6 Guidance Note, sections 5.1., 5.2), include:
      1. identification of the steps and associated timetable for achieving legal recognition of such ownership, occupation, or usage with the support of the relevant authority, including the manner in which delimitation, demarcation, and titling shall respect the customs, traditions, norms, values, land tenure systems and effective and meaningful participation of the affected peoples, with legal recognition granted to titles with the full, free prior and informed consent of the affected peoples; and
      2. list of the activities that are prohibited until the delimitation, demarcation and titling is completed.
   3. Analysis whether the project involves activities that are contingent on the recognition of the juridical personality of the affected Indigenous Peoples. Where such contingency exists (see Standard 6 Guidance Note, section 5.2):
      1. identification of the steps and associated timetables for achieving such recognition with the support of the relevant authority, with the full and effective participation and consent of affected indigenous peoples; and
      2. list of the activities that are prohibited until the recognition is achieved.
5. Summary of Social and Environmental Assessment and Mitigation Measures
   1. A summary of the findings and recommendations of the required prior social and environmental impact studies (e.g. targeted assessment, ESIA, SESA, as applicable) – specifically those related to indigenous peoples, their rights, lands, territories and resources. This should include the manner in which the affected indigenous peoples participated in such study and their views on the participation mechanisms, the findings and recommendations.
   2. Where potential risks and adverse impacts to indigenous peoples, their lands, territories and resources are identified, the details and associated timelines for the planned measures to avoid, minimize, mitigate, or compensate for these adverse effects. 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.
6. Participation, Consultation, and FPIC Processes
   1. A summary of results of the culturally appropriate consultation and, where required, FPIC processes undertaken with the affected peoples’ which led to the indigenous peoples' support for the project.
   2. A description of the mechanisms to conduct iterative consultation and consent processes throughout implementation of the project. Identify particular project activities and circumstances that shall require meaningful consultation and FPIC (consistent with section 4 of the Standard 6 Guidance Note).
7. Appropriate Benefits: An identification of the measures to be taken to ensure that indigenous peoples receive equitable social and economic benefits that are culturally appropriate, including a description of the consultation and consent processes that lead to the determined benefit sharing arrangements.
8. Capacity support: Description of measures to support social, legal, technical capabilities of indigenous peoples’ organizations in the project area to enable them to better represent the affected indigenous peoples more effectively. Where appropriate and requested, description of steps to support technical and legal capabilities of relevant government institutions to strengthen compliance with the country’s duties and obligations under international law with respect to the rights of indigenous peoples.
9. Grievance Redress: A description of the procedures available to address grievances brought by the affected indigenous peoples arising from project implementation, including the remedies available, how the grievance mechanisms take into account indigenous peoples’ customary laws and dispute resolution processes, as well as the effective capacity of indigenous peoples under national laws to denounce violations and secure remedies for the same in domestic courts and administrative processes.
10. Institutional Arrangements: Describe schedule and institutional arrangement responsibilities and mechanisms for carrying out the measures contained in the IPP, including participatory mechanisms of affected indigenous peoples. Describe role of independent, impartial experts to validate, audit, and/or conduct oversight of the project.
11. Monitoring, Reporting, Evaluation: Describe the monitoring framework for the project and key indicators for measuring progress and compliance of requirements and commitments. Include mechanisms and benchmarks appropriate to the project for transparent, participatory joint monitoring, evaluating, and reporting, including a description of how the affected indigenous peoples are involved. Indicate process for participatory review of IPP implementation and any necessary modifications or corrective actions (including where necessary consent processes).
12. Budget and Financing: Include an appropriately costed plan, with itemized budget sufficient to satisfactorily undertake the activities described.

**Note:** The IPPwill be implemented as part of project implementation. However, in no case shall project activities that may adversely affect indigenous peoples take place before the corresponding activities in the IPP are implemented. Such activities should be clearly identified. Where other project documents already develop and address issues listed in the above sections, citation to the relevant document(s) shall suffice.

**Appendix 6: Livelihood Action Plan Template**

A Livelihood Action Plan (LAP) details the **procedures** and **actions** that will be undertaken in order to ensure that the capacity, production levels, and standards of living of economically displaced people are improved or at least restored, and that displaced people are compensated adequately. This plan must be developed after it has been determined, following the process outlined in Standard 5, that displacement is unavoidable. The LAP reflects the commitment made by the Implementing Partner and UNDP to affected people and communities to meet obligations arising from economic displacement.

The LAP covers the following elements:

**1. Introduction**

* Briefly describe the project and associated facilities (if any)
* Describe project components requiring economic displacement; land acquisition and resettlement; give overall estimates of land and/or resources to which access has been restricted
* Provide explanation of how economic displacement is necessary to achieve the project objectives, how the project is in the ‘public interest’ and how displacement is proportional to project outcomes

**2. Minimizing Displacement**

* Describe the justification for the displacement. Please also discuss alternative project designs, including the “no project” scenario and if they may have avoided or reduced the resettlement.
* Describe efforts and measures to minimize displacement, and expected outcomes of these efforts and measures
* Describe how requirements of Ethnic groups Standard have been addressed if Ethnic groups are displaced.

**3. Census and Socioeconomic Surveys/Social Baseline**

* Provide results of the census, assets inventories, natural resource assessments, and socioeconomic surveys and briefly describe how these were performed, i.e., techniques used, individuals interviewed, etc.
* Identify all people and communities potentially affected by displacement activities and potential impacts to each. Be precise about the land titles or the lack thereof in the social baseline. Conduct a vulnerability assessment and outline what determines vulnerability (i.e. which criteria need to be met to consider someone vulnerable)

**4. Legal Framework**

* Describe all relevant international, national, local, and community laws and customs that apply to displacement activities, with particular attention to laws and customs relating to tenure rights and highlight any potential conflicts e.g. between UNDP’s SES and national or regional law
* Describe how free, prior, informed consent was obtained for displacement of ethnic groups and tribal communities, if applicable
* Describe project-specific mechanisms to address conflicts
* Describe entitlement/compensation policies for each type of impact
* Describe method of valuation used for affected structures, land, trees, and other assets
* Prepare entitlement matrix, which includes budget and timeframe for payment of entitlements

**5. Displacement-related Property**

* Describe how affected people have been involved in a participatory process to identify replacement property when they have lost access to property to which they have legitimate rights. Describe the advantages and disadvantages of the properties, including the property chosen.
* Describe how affected people whose livelihoods are urban-based have been involved in a participatory process to identify livelihood replacement and support opportunities. Provide evidence of past consultation events, such as participation lists, photos and reports.
* Describe how affected people whose livelihoods are land-based have been involved in a participatory process to identify lands they can access, including lands with productive potential, locational advantages, and other factors at least equivalent to that being lost.
* Describe how affected people whose livelihoods are natural resource-based have been involved in a participatory process to identify resources they can access with equivalent livelihood-earning potential and accessibility.
* Describe how affected people whose access to legally designated parks and protected areas has been restricted have been involved in identifying and choosing measures to mitigate impacts.
* Describe the feasibility studies conducted to determine the suitability of chosen lands and/or natural resources described above, including natural resource assessments (soils and land use capability, vegetation and livestock carrying capacity, water resource surveys) and environmental and social impact assessments of the sites.
* Give calculations relating to land and resource availability
* Describe, as relevant, mechanisms for: 1) procuring, 2) developing and 3) allotting displacement property, including the awarding of title or use rights to allotted lands and/or resources. Indicate to whom titles and use rights will be allocated, including by gender.
* Provide detailed description of the arrangements for site development for agriculture, including funding of development costs
* If circumstances made it difficult to provide land or resources as described above, provide evidence of mutual agreement with affected people/communities on alternative measures.

**6. Income Restoration**

* Are compensation entitlements sufficient to improve livelihoods and income streams for each category of impact? Attach independent review of opportunities to enhance incomes/livelihoods. What additional economic rehabilitation measures are necessary?
* Briefly spell out the restoration strategies for each category of impact and describe their institutional, financial, and technical aspects
* Describe the process of consultation with affected populations and their participation in finalizing strategies for income restoration
* How do these strategies vary with the area of impact?
* Provide a transparent methodology/formula that is understandable to project-affected people and can be verified for each case.
* Does income restoration require change in livelihoods, development of alternative farmlands or some other activities that require a substantial amount of training, time for preparation, and implementation?
* How are the risks of impoverishment to be addressed?
* What are the main institutional and other risks for the smooth implementation of the resettlement programs?
* Describe the process for monitoring the effectiveness of the income enhancement/restoration measures
* Describe any social or community development programs currently operating in or around the project area. If programs exist, do they meet the development priorities of their target communities? Are there opportunities to support new programs or expand existing programs to meet the development priorities of communities in the project area?

**7. Institutional Arrangements**

* Describe the institution(s) responsible for delivery of each item/activity in the entitlement policy; implementation of income restoration programs; and coordination of the activities associated with and described in the livelihood action plan
* State how coordination issues will be addressed where displacement is spread over a number of jurisdictions or where displacement will be implemented in stages over a long period of time
* Identify the agency that will coordinate all implementing agencies. Does it have the necessary mandate and resources?
* Describe the external (non-project) institutions involved in the process of income restoration (land development, land allocation, credit, training) and the mechanisms to ensure adequate performance of these institutions
* Discuss institutional capacity for and commitment to displacement
* Describe mechanisms for ensuring independent monitoring, evaluation, and financial audit of the LAP and for ensuring that corrective measures are carried out in a timely fashion

**8. Implementation Schedule**

* List the chronological steps in implementation of the LAP, including identification of agencies responsible for each activity and with a brief explanation of each activity
* Prepare a month-by-month implementation schedule of activities to be undertaken as part of resettlement implementation
* Describe the linkage between resettlement implementation and initiation of civil works for each of the project components

**9. Participation and Consultation**

* Describe the various stakeholders
* Describe the process of promoting consultation/participation of affected populations and stakeholders in resettlement preparation and planning. Be specific about which kinds of documentation will have to be collected (photos, reports, attendance lists, etc.)
* Describe the process of involving affected populations and other stakeholders in implementation and monitoring
* Describe the plan for disseminating LAP information to affected populations and stakeholders, including information about compensation for lost assets, eligibility for compensation, displacement assistance, and grievance redress

**10. Grievance Redress**

* Describe the step-by-step process for registering and addressing grievances and provide specific details regarding a cost-free process for registering complaints, response time, and communication modes
* Describe how the mechanism ensured unrestricted access, transparency, accountability, how it documents cases and keeps the complainants informed and the institutional setup.
* Describe the mechanism for appeal
* Describe the provisions for approaching civil courts if other options fail

**11. Monitoring and Evaluation**

* Describe the internal/performance monitoring process. Ensure monitoring program seeks to measure whether displaced enjoy at least a standard of living and access to livelihoods equal to what they enjoyed before displacement
* Define key monitoring indicators derived from baseline survey. Provide a list of monitoring indicators that will be used for internal monitoring, including number and location of displaced persons
* Describe institutional (including financial) arrangements
* Describe frequency of reporting and content for internal monitoring
* Describe process for integrating feedback from internal monitoring into implementation
* Define methodology for external monitoring
* Define key indicators for external monitoring
* Describe frequency of reporting and content for external monitoring. Ensure monitoring program is regular and ongoing following project completion until durable solutions are reached
* Describe process for integrating feedback from external monitoring into implementation
* Describe arrangements for final external evaluation
* Describe need for updates to census, assets inventories, resource assessments, and socioeconomic surveys, if necessary, as part of LAP monitoring and evaluation

**12. Costs and Budgets**

* Provide a clear statement of financial responsibility and authority
* List the sources of funds for displacement and describe the flow of funds
* Ensure that the budget for displacement is sufficient and included in the overall project budget. Include provisions for non-anticipated adverse impacts.
* Identify displacement costs, if any, to be funded by the government and the mechanisms that will be established to ensure coordination of disbursements with the LAP and the project schedule. Prepare estimated budget, by cost and by item, for all displacement costs including planning and implementation, management and administration, monitoring and evaluation, and contingencies
* Describe the specific mechanisms to adjust cost estimates and compensation payments for inflation and currency fluctuations
* Describe the provisions to account for physical and price contingencies
* Describe the financial arrangements for external monitoring and evaluation including the process for awarding and maintenance of contracts for the entire duration of displacement

**Annexes**

* Copies of census and survey instruments, interview formats, and any other research tools
* Information on all public consultation including announcements and schedules of public meetings, meeting minutes, and lists of attendees
* Examples of formats to be used in monitoring and reporting on LAP implementation
* Entitlement matrix
* Evidence of prior informed consent for ethnic groups and tribal communities