

# ANNUAL REPORT 2020

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SOCIAL AND  
ENVIRONMENTAL  
COMPLIANCE UNIT

OFFICE OF AUDIT AND  
INVESTIGATIONS (OAI)



## SECU's Mission

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The Social and Environmental Compliance Unit (SECU), located in the independent Office of Audit and Investigations (OAI) of UNDP, investigates allegations of non-compliance with the UNDP Social and Environmental Standards (SES) and other relevant policies from project-affected stakeholders, and recommends measures to remedy harm to the environment and/ or affected communities.

UNDP established SECU to ensure accountability to individuals and communities, and to provide those affected by UNDP projects with an effective system of independently investigating alleged non-compliance with its social and environmental commitments.

*The purpose of SECU is to ensure accountability to those individuals and communities with whom we work. It is important that these voices are heard, and that UNDP has an opportunity to respond to the issues that they have raised.*

Achim Steiner – UNDP Administrator

## About SECU

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### How Does Compliance Review Work?

SECU processes each complaint in an independent, impartial, and transparent manner, following a specific procedure for every case. First, SECU determines if the complaint is eligible according to the following criteria: Does the activity a) relate to a project or programme supported by UNDP, b) raise actual or potential issues relating to compliance with UNDP's social and environmental commitments, c) reflect that, as a result of UNDP's noncompliance with its social and environmental commitments, complainants may be or have been harmed?

If the eligibility criteria are each met, SECU then investigates whether UNDP is meeting its social and environmental commitments with regard to the specific project or programme. If non-compliance is found, SECU recommends measures to bring UNDP back into compliance with the SES and other relevant policies. SECU's final report is submitted to the Administrator for a decision on follow-up to SECU's findings and recommendations. The final report is simultaneously provided to the complainants and released to the public.



Click [here](#) for more information about the Compliance Review Process.

## **SECU's Case Registry**

For public access to a repository of case information, the SECU website includes a Case Registry that shows all registered cases, their current status, and any public documents relevant to the compliance review. To access the case registry, please visit

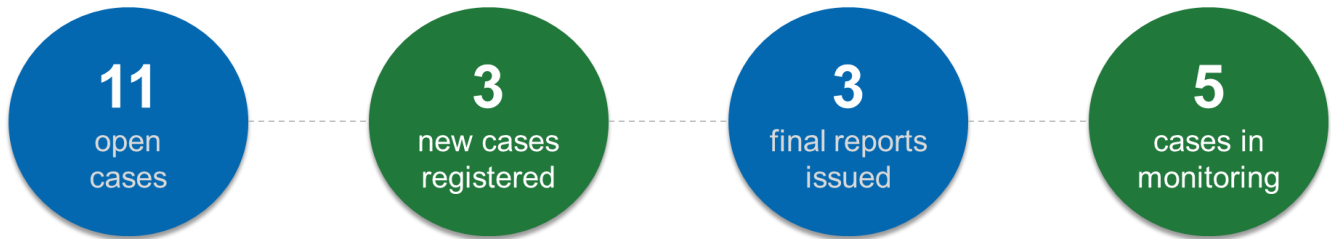
<https://info.undp.org/sites/registry/secu/SECUPages/SECUSummary.aspx>

## **SECU's Team**

The team is composed of one Lead Compliance Officer, one Head of Unit, three Compliance Officers, and one Case and Communications Analyst consultant. The Unit is located within the Investigations Section of OAI, and is overseen by the Deputy Director, Head of Investigations under the Director of OAI.

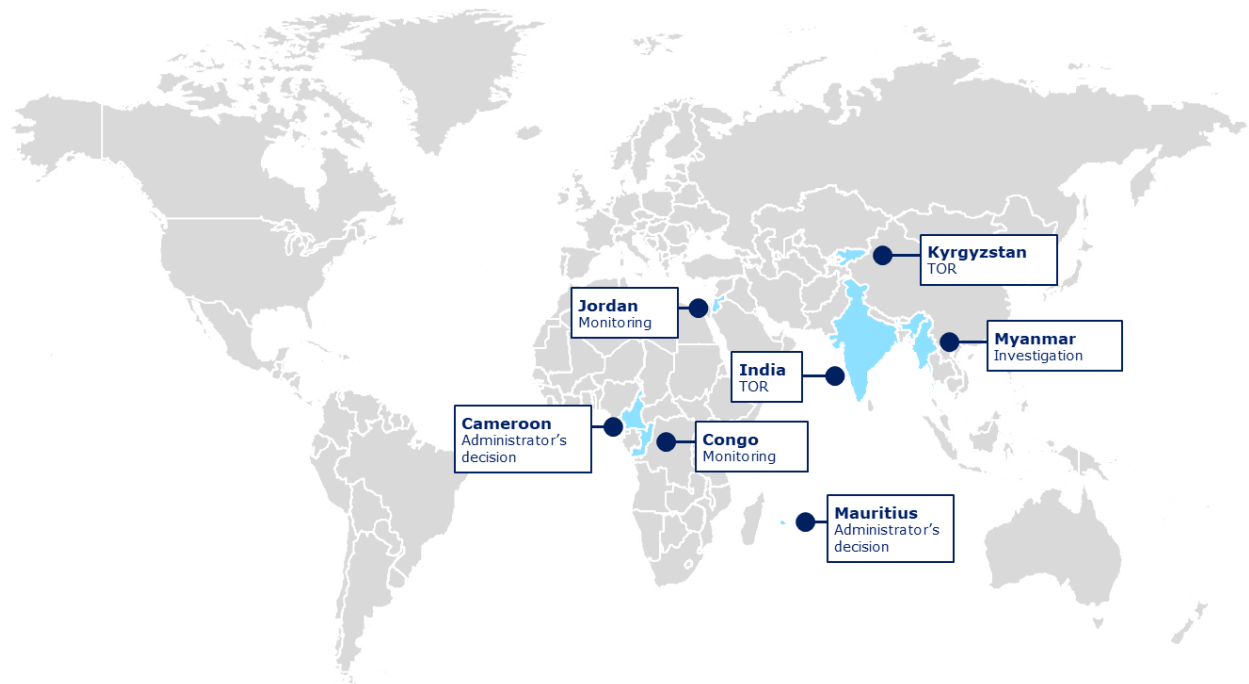
*This Annual Report summarizes activities of the Social and Environmental Compliance Unit (SECU) for the 2020 calendar year. As such, the status of cases under investigation is described as of 31 December 2020.*

## Highlights 2020



The COVID-19 pandemic has upended the world, with devastating effects on health and national economies, as well as on cooperation and aid. Amidst this challenging time, SECU continued with its mission to ensure accountability to individuals and communities affected by UNDP projects. As of December 31, 2020, its case portfolio was composed of eleven active cases, with two of them in the early investigation stages.

In 2020, SECU published the Final Compliance Reports for cases #SECU0008 in the Republic of Cameroon and #SECU0009 in the Republic of Congo, related to conservation efforts in the Congo basin and their impacts on Indigenous Baka communities. SECU also published the Final Compliance Report for case #SECU0012 in Mauritius, related to "greenwashing" concerns over a project to protect Environmental Sensitive Areas in the country. The reports included findings of non-compliance with UNDP's Social and Environmental Standards and recommendations to ensure UNDP's compliance with current and future projects.



SECU continued with its outreach activities through various channels. In September 2020, SECU, alongside other Independent Accountability Mechanisms, hosted a virtual outreach event for Brazilian Civil Society Organizations (CSOs). SECU's team also participated in the first-ever virtual IAMNet Annual meeting and released a newsletter to its network of interested stakeholders with case updates and its perspectives on the COVID-19 pandemic's impact on social and environmental accountability at UNDP.

## 2020 Cases

### Case SECU0007 - Jordan

Mitigating the impact of the Syrian refugee crisis on Jordanian vulnerable host communities

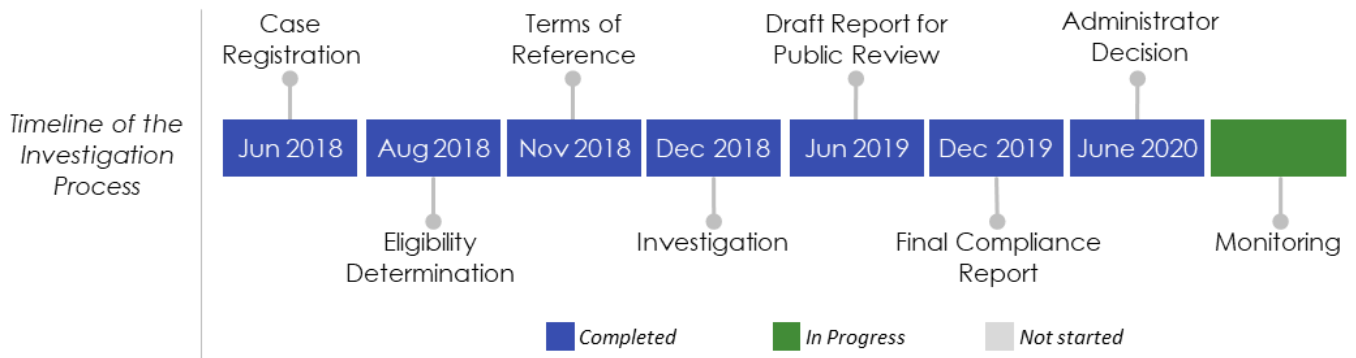
Investigation Completed



In June 2018, an NGO based in Jordan filed a complaint regarding the construction of a waste management and transfer station in the Jerash area as part of a UNDP Jordan project to improve solid waste management. The complainants asserted that the project could cause environmental damage to their lands and complainants were unable to acquire documents about the construction of the plant, including Environmental Impact Assessments.

In December 2019, SECU issued its Final Investigation Report. The report found UNDP Jordan failed to conduct a thorough Social and Environmental Screening Procedure (SESP). UNDP Jordan also failed to achieve adherence to UNDP standards on stakeholder engagement and access to information. SECU recommended ensuring that guidance and support are provided to Country Offices concerning the completion of a SESP for each UNDP activity. The UNDP Administrator issued his decision in June 2020, establishing follow-up actions to respond to SECU's recommendations, such as raising awareness of all staff in the Country Office of the importance of UNDP's Social and Environmental Standards, and to ensure compliance across all projects.

### Status as of 31 December 2020



## Case SECU0008 – Cameroon

### Integrated and Transboundary Conservation of Biodiversity in the Basins of the Republic of Cameroon

Investigation Completed

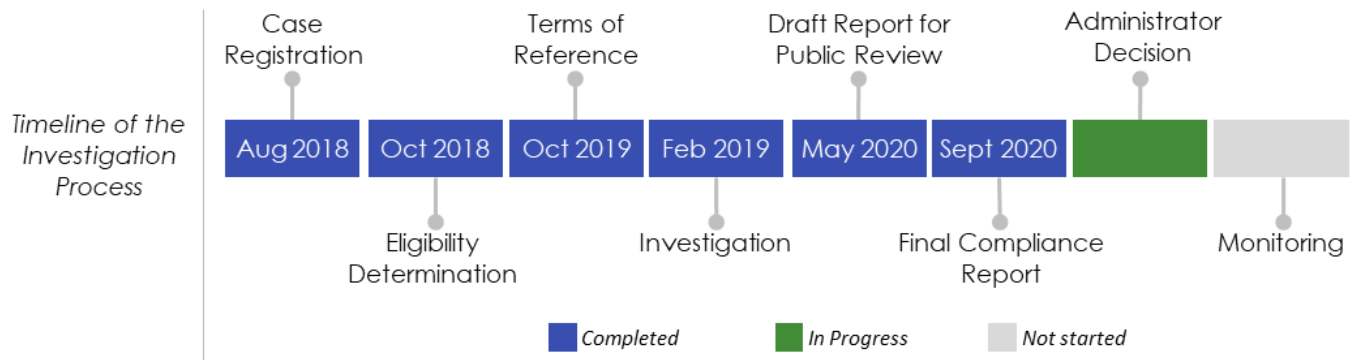


In August 2018, Survival International, an international NGO focusing on Indigenous Peoples' rights, submitted a complaint on behalf of the Baka people living in the village of Zoulabot Ancien in Cameroon, regarding a GEF-funded and UNDP-implemented project supporting the creation of the Nki National Park in the tri-national Dja-Odzala-Minkebe landscape within Cameroon. The complainant claimed that, through this and other projects, the Baka have been illegally evicted from their forest lands, both inside and outside the formally protected areas. They also claimed that project implementers did not ensure proper Free, Prior and Informed Consent (FPIC) processes and measures to protect the Baka community's culture and wellbeing and, as a result, violated the Baka's human rights.

In September 2020, SECU submitted the Final Investigation Report to the UNDP Administrator. SECU found that UNDP Cameroon did not screen project activities in a manner consistent with SES requirements, did not adequately consult the Baka, and did not prepare an Indigenous Peoples plan or an adequate initial management plan to address identified risks. SECU's recommendation included screening final drafts of the Prodoc in a manner consistent with Social and Environmental Standard requirements, and creating an Indigenous Peoples Plan in consultation with potentially affected indigenous communities.

The Administrator's decision in response to SECU's report directs UNDP Cameroon to reformulate the project to ensure full compliance with the Social and Environmental Standards. This decision is posted on the SECU website. UNDP Cameroon will prepare an action plan to implement the decision, and SECU will monitor implementation of this plan.

## Status as of 31 December 2020



## Case SECU0009 – Congo

### Integrated and Transboundary Conservation of Biodiversity in the Basins of the Republic of Congo

Investigation Completed

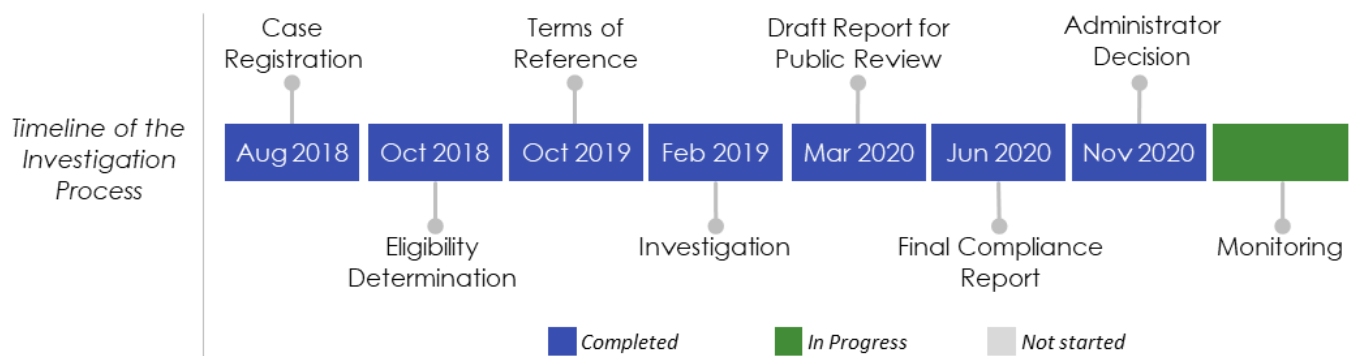


In August 2018, Survival International, an international NGO focusing on Indigenous peoples' rights, submitted a complaint on behalf of six Indigenous Baka communities in the Republic of Congo regarding a GEF-funded and UNDP-implemented project supporting the creation of the Messok Dja protected area in the Congo Basin. The Baka are semi-nomadic traditional hunters and gatherers. The complainants alleged that activities to support the establishment of Messok Dja on their traditional forest lands are violating their human rights. They stated that they were suffering acts of violence by eco-guards (forest rangers) who were patrolling the Messok Dja area, and that they were deprived of having access to their forests and resources that are vital to their livelihoods. They also claimed that they had not been provided with information or properly consulted on the establishment of the protected area.

In June 2020, SECU submitted the Final Investigation Report to the UNDP Administrator. The report found UNDP Congo failed to implement the Social and Environmental Standards due to an inadequate risk assessment. SECU recommended taking immediate measures to prevent future acts of violence against Baka communities, and creating detailed Stakeholder Engagement and Indigenous Peoples Plans in accordance with the SES, including Free, Prior and Informed Consent of the communities.

In November 2020, the UNDP Administrator issued his decision stating that the exceptional circumstances created by the Covid-19 pandemic called for a complete reset and closing of this GEF-funded project. The decision also announced a new phase of work to support the Republic of Congo's Government in its efforts to promote community-based conservation and livelihood development activities, including the strengthening of efforts to support legal provisions on Free, Prior and Informed Consent. The case has entered the monitoring phase.

### Status as of 31 December 2020



## Case SECU0012 – Mauritius

Mainstreaming biodiversity into the management of the coastal zone in the Republic of Mauritius

Investigation Completed

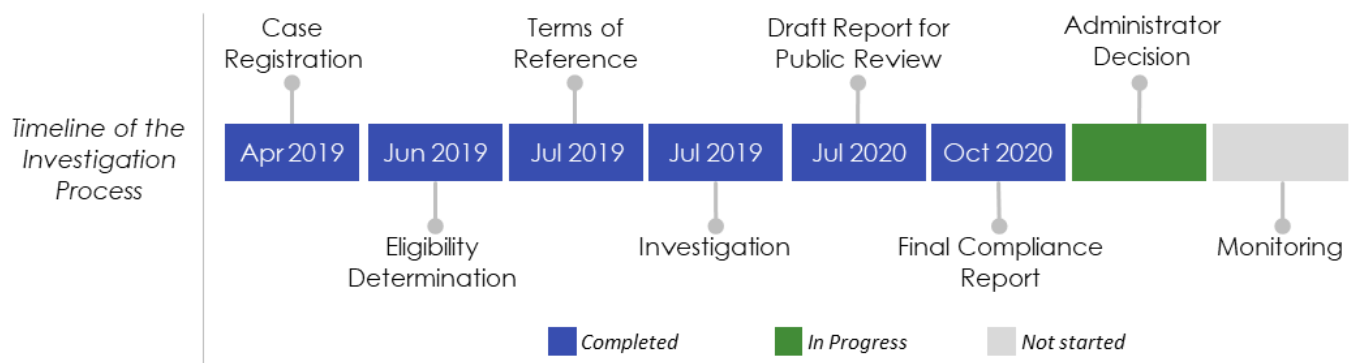


In March 2019, Aret Kokin Nu Laplaz (AKNL), an NGO Network located in Mauritius, submitted a complaint with SECU. The complainants asserted that the UNDP's project fails to protect Environmental Sensitive Areas and violates several of UNDP's Social and Environmental Standards, in light of the development permits being issued by the government for hotel and residential construction projects along the country's coast. SECU determined the complaint eligible for a Compliance Review in June 2019.

SECU traveled to Mauritius in July 2019 to meet with the complainants, CO staff, and other stakeholders and obtain additional evidence. In October 2020, SECU submitted the Final Investigation Report to the UNDP Administrator. SECU found that UNDP Mauritius understood the Social and Environmental Standard requirements; however, the analysis failed to reflect past experience in Mauritius with environmental incentives and heed the warnings on risk from the stakeholder consultations. SECU recommended elevating the ambitions for the project completion and reconsidering the risk framework through the Mid-Term Review or other specific screening exercise.

In March 2021 the Administrator issued his decision in response to SECU's report, putting the case in it the monitoring phase.

## Status as of 31 December 2020





## Case SECU0010 – Myanmar

### Integrated Protected Area Land and Seascape Management in Tanintharyi (Ridge to Reef)

Investigation Ongoing

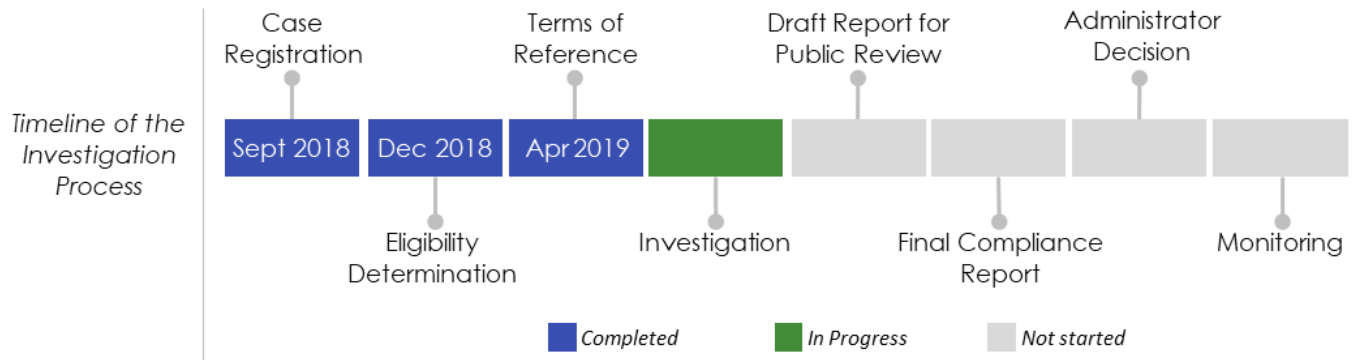


In August 2018, the 'Conservation Alliance Tanawthari' (CAT) filed a complaint on behalf of the Indigenous Karen communities in the Tanintharyi Region of Myanmar. The complainants alleged that implementation of UNDP's Ridge to Reef protected area project in Tanintharyi would violate their right to Free, Prior, and Informed Consent (FPIC) and the rights of Internally Displaced Persons (IDPs) and refugees to return to areas from which they were displaced by armed conflict. The complainants also claimed the project threatened to contravene the 'interim arrangements' of the National Ceasefire Accords agreed by the government of Myanmar and Ethnic Armed Organizations and failed to recognize Indigenous community-driven initiatives to protect indigenous territories.

In October 2018, UNDP Myanmar suspended the project indefinitely in response to the issues and concerns highlighted in the complaint. In December 2018, SECU determined the complaint met the criteria necessary for a Compliance Review. The SECU team traveled to Myanmar in July 2020 to conduct field visits and interviews with the complainants and other stakeholders. A planned second trip to Myanmar was canceled in February 2020 as the coronavirus started spreading worldwide. It is unknown when SECU will be able to reschedule its field mission to finalize the fact-gathering stage of the investigation. As a result, SECU will issue two reports, with the first one focusing on the complaints and context of the interior communities, and the second one focusing on the marine communities' context and issues.

SECU is prepared to issue the first draft report for public comment in early 2021 but is cognizant that strife and violence in the country is posing significant challenges to Karen Communities and other stakeholders. SECU will issue the first draft as soon as practicable.

## Status as of 31 December 2020



## Case SECU0014 - India

Enhancing climate resilience of India's coastal communities

Investigation Ongoing



In July 2020, a community represented by the Democratic Traditional Fishers Workers Forum, in association with Fridays for Future Andhra Pradesh, submitted a complaint to SECU concerning a Green Climate Fund (GCF) project implemented by UNDP. The project is designed to use community-based approaches to protecting mangroves and other coastal resources as a means of protecting vulnerable communities from severe weather events brought about by climate change.

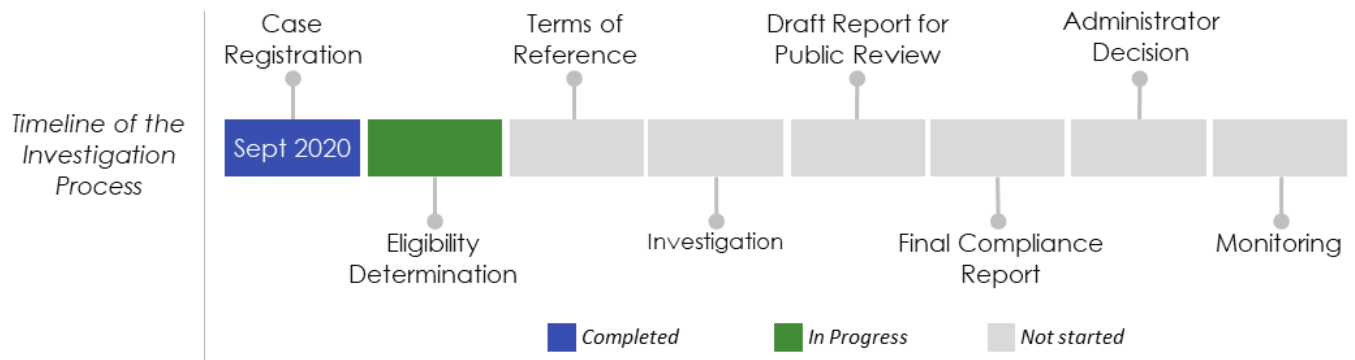


*Coringa Wildlife Sanctuary (top) and the affected mangrove area (bottom)*

The complainants claim that the destruction of mangrove forests near the port city of Kakinada in Andhra Pradesh by the State Government is leading to the total loss of livelihoods and adverse environmental effects for local communities. The State Government of Andhra Pradesh seeks to build a housing project on the site of the destroyed mangrove forest area. The complainants claim that the destruction of the mangrove forest, which took place when India had been placed under lockdown to contain the COVID-19 pandemic, will not only render the fishing communities more vulnerable to the intensifying cyclones, but that the industrial city of Kakinada itself would be placed at greater risk.

As of December 2020, SECU was in the process of determining its eligibility for a compliance review.

### Status as of 31 December 2020



## Case SECU0015 - Kyrgyzstan

Socio-economic development of communities around radioactive sites in Kyrgyzstan

Investigation Ongoing



In September 2020, a group of Kadji Sai village residents in Kyrgyzstan transmitted their complaint through a representative asserting that the village's water filtering system, installed as part of a UNDP project, does not provide clean and safe drinking water. As the system is the only source of drinking water for the village, complainants are concerned about being harmed by both contaminants in the water as well as additional costs of having to repeatedly buy bottled water and/or household filtration equipment that frequently clogs from excessive pollution-related residue.

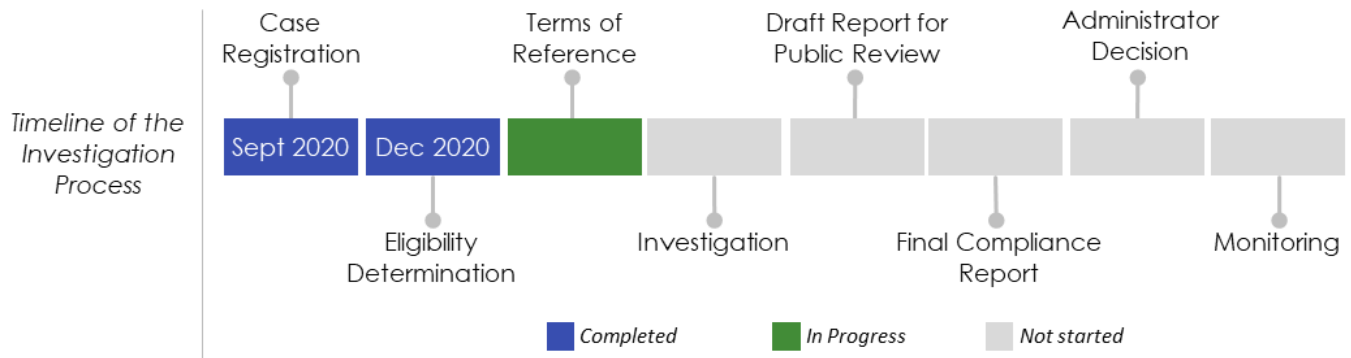


Tap Water from the village of Kadji Sai

The complainants also expressed concern about the lack of information on project activities, related budgets, and expenditures. In December 2020, SECU determined that the complaint was eligible for a compliance review.

As of December 2020, SECU was preparing the Terms of Reference to continue its investigation.

### Status as of 31 December 2020



## Outreach in 2020

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The goal of outreach is to raise internal and external stakeholders' awareness of SECU. SECU conducts outreach to key external stakeholders to improve understanding of its mission, mandate, and activities. SECU seeks to ensure, through ongoing dialogue, that project-affected individuals and communities are aware of and know how to access its resources. SECU also seeks to increase awareness at UNDP of issues that have the potential to cause noncompliance with UNDP policies and procedures.

In order to reach out to target audiences effectively, SECU takes a multi-pronged approach to outreach. These approaches include in-person outreach missions, conference calls with international and local CSOs, social media, newsletter, and the SECU website.

### **IAMs – Outreach Workshop to Brazilian CSOs**

The Inspection Panel of the World Bank, the Compliance Advisor Ombudsman of the IFC, the Independent Redress Mechanism of the Green Climate Fund, the Independent Consultation and Investigation Mechanism of the IDB, and SECU of UNDP, organized a joint virtual Independent Accountability Mechanisms (IAMs) outreach workshop in September 2020 in collaboration with Brazil-based CSOs. More than 50 representatives from CSOs in Brazil from all over the country joined the two-session webinar.

The workshop aimed to raise awareness of the compliance review and dispute processes within IAMs and provide an open space for idea exchange on engagements and accountability issues related to public and private sector development projects. The IAMs presented an overview of the compliance and dispute resolution processes and case studies of IAMs' investigations in Latin America. Likewise, CSOs presented their experiences going through a compliance review/dispute resolution process. Other discussion topics included institutional and operational limitations of IAMs, early warning systems, and international compliance agreements.

### **Annual Meeting of the IAM Network**

SECU participated in the first-ever virtual Annual Meeting of Independent Accountability Mechanisms Network (IAMnet) held. The IAMnet is a network of independent accountability mechanisms from international development organizations. More than 100 participants from over 15 mechanisms took part in the meetings. Among the topics covered during the two days of sessions were implications of COVID-19 on IAMs work, IAMs' reforms, and remediation through IAM processes.

### **2020 Newsletter**

SECU published its sixth issue of "The Compliance Review", an occasional newsletter addressed to the Independent Accountability community and civil society organizations. The newsletter included status on SECU's current investigations, outreach, and other activities, as well as SECU's perspectives on the COVID-19 pandemic. SECU presented potential risks and opportunities presented to UNDP as it responds to the pandemic, while considering the Social and Environmental Standards (SES). SECU hopes that added awareness of these issues will encourage international development practitioners to consider social and environmental safeguards throughout their work.

## Revision of Investigation Guidelines

As SECU approaches its sixth anniversary, it has initiated a process to revise its Investigation Guidelines and associated policies and procedures. The review will include an internal review phase and an external public comments phase from interested stakeholders, including civil society organizations, academia and other accountability mechanisms, to improve the implementation of SECU's mandate. Completion is expected in 2021.

## Connecting with SECU

### SECU Website

SECU is committed to transparent investigations. SECU website provides all essential information about its operations. To ensure easy public access to a repository of case information, all registered cases and related documents are available on the SECU Case Registry.

For more information on submitting a request or complaint, please visit our website at [www.undp.org/secu](http://www.undp.org/secu)

### Outreach missions

SECU organizes regular outreach missions with civil society organizations (CSOs) in regions where UNDP has a significant portfolio of projects. The missions consist of in-person or virtual meetings with CSOs to explain SECU's mandate and mission and how to access its resources. CSOs also have the opportunity to have one-on-one meetings with the SECU team to discuss specific issues.

### Outreach Video

In order to reach stakeholders potentially affected by UNDP activities beyond in-person outreach, SECU has created a video with subtitles translated to ten languages that helps explain SECU's missions, mandate, and procedures to file a complaint. This video is available on our abovementioned webpage.

### Social Media

For more information about SECU, please visit our abovementioned website or our Facebook page: <https://www.facebook.com/SECU.UNDP/>



*SECU's outreach video is available on YouTube in 10 different languages.*

SECU launched its Facebook page in 2016 and has 273 followers. The page provides updates on SECU's activities and engages with the public through occasional messaging and post-sharing.