

# ANNUAL REPORT 2019



*Empowered lives.  
Resilient nations.*

OFFICE OF AUDIT AND INVESTIGATIONS (OAI)



**SOCIAL AND  
ENVIRONMENTAL  
COMPLIANCE UNIT (SECU)**

## 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 or affected communities.

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

## 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: 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 of have been harmed.

SECU then investigates whether UNDP is meeting its social and environmental commitments with regard to the specific project or programme, and if not, SECU can recommend measures UNDP could take to meet its commitments. The final report with this information is submitted to the Administrator for a decision, provided to the complainants, and also released to the public.

### Transparency

SECU is committed to transparent investigations that allow stakeholders, including complainants, UNDP staff and management, civil society, and the general public to stay informed about the nature and status of its investigations. It is a core principle of independent accountability mechanisms that compliance review cases be conducted in an open and collaborative manner that allows all stakeholders to be aware of how UNDP is addressing concerns related to the social and environmental impacts of their projects. Publicly-available Investigation Guidelines establish the policies related to SECU's investigations and transparency requirements.

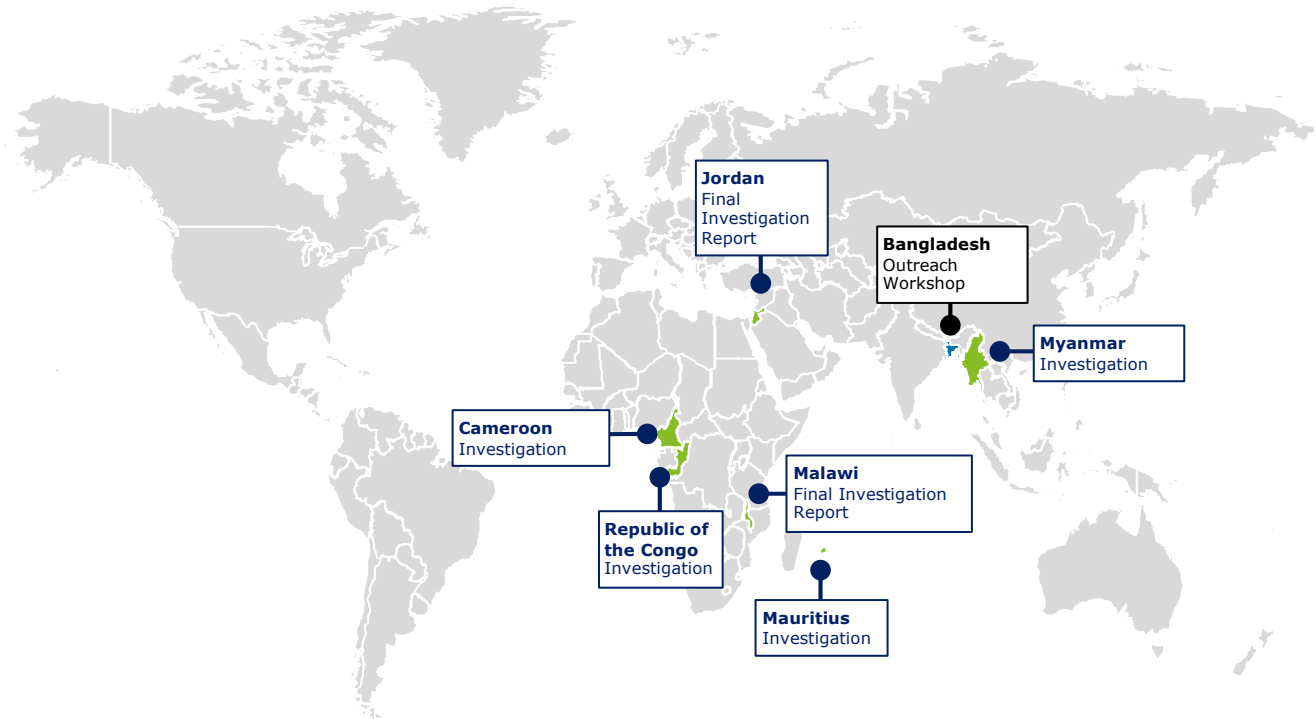
### SECU's Case Registry

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 (such as the complaint, eligibility determination, investigation plan, and compliance reports). Draft documents, such as the terms of reference and the compliance report are also made available on the Case Registry for comments by all stakeholders. To access the case registry, please visit: <https://info.undp.org/sites/registry/secu/SECUPages/SECUSummary.aspx>.

*This Annual Report summarizes activities of the Social and Environmental Compliance Unit (SECU) for the 2019 calendar year. As such, the status of cases under investigation is described as of 31 December 2019.*

## Highlights 2019

SECU continued to evolve during 2019 at a fast pace during the past year. Its case portfolio has grown in breadth and impact. In 2019 alone, progress was made on 6 different cases in three different regions. Five cases were filed with the support of non-government and civil organizations representing communities, and one case was filed by a group of individuals affected by UNDP projects.



In 2019, SECU published the Final Compliance Reports for case #SECU0005 in Malawi related to alleged inadequate labor conditions for the Registration Officers employed at the National Registration and Identification System Project; and case #SECU0007 in Jordan related to the negative environmental and social impacts as a result of the construction of a waste management plant. The final reports included findings that described the extent to which UNDP complied with its Social and Environmental Standards, and recommendations to ensure UNDP's compliance in future projects.

SECU continued to raise awareness of the opportunities for redress at UNDP. On September 2019, SECU alongside other Independent Accountability Mechanisms hosted a joint outreach event in Dhaka, Bangladesh. SECU is also an active member of the Independent Accountability Mechanisms (IAMs) Network, co-leading the Retaliation Working Group.

## 2019 Cases

### Case SECU0005 – Malawi National Registration and Identification System (NRIS Programme) Project - Investigation Completed Republic of Malawi

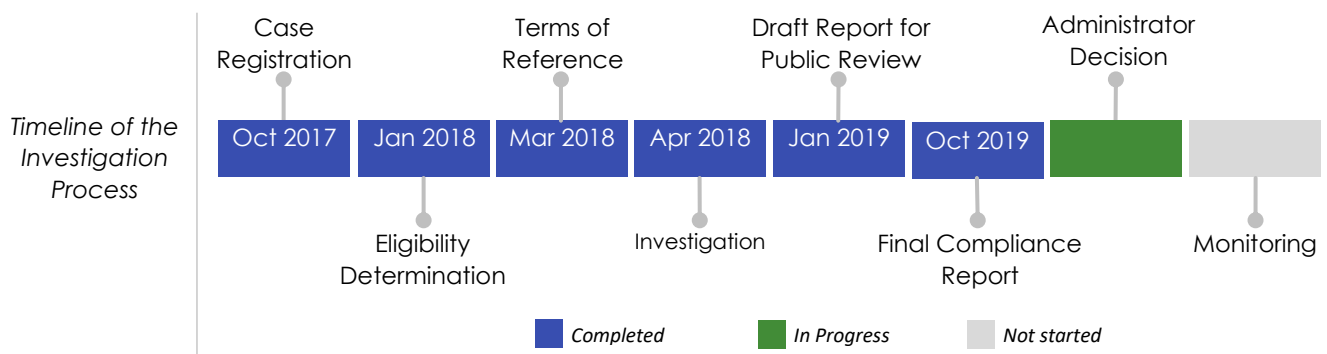
On October 2017, individuals in Malawi who supported the UNDP Malawi National Registration and Identification System Project (NRIS Project) as Registration Officers (ROs) filed a complaint with SECU. The complainants claimed that UNDP Malawi did not pay adequate attention to key labor-related concerns affecting the ROs and RO supervisors, including: insufficient salary and daily allowances, poor and unhealthy work conditions, inadequate documentation to employees of details of their pay, unfair dismissals, and other concerns.

The SECU team traveled to Malawi in May 2018 to meet with the complainants, UNDP staff and other stakeholders, conduct field visits and obtain additional evidence. On October 2019 SECU submitted the Final Investigation Report to the UNDP Administrator. The report noted that although the screening for Social and Environmental Procedures had occurred, UNDP failed to identify all social and environmental risks. They also found that labor standards were not met and recommended the UNDP Administrator take steps to bring the project activity into compliance with the UNDP Social and Environmental Standards.

On March 2<sup>nd</sup>, 2020 the UNDP Administrator released his decision in relation to this case, which is available on the Case Registry. SECU will now enter into the monitoring phase of the review.



#### Case SECU0005 Status as of 31 December 2019 with Milestones



**Case SECU0007 - Mitigating the impact of the Syrian refugee crisis on Jordanian vulnerable host communities** – Investigation Completed  
*Hashemite Kingdom of Jordan*

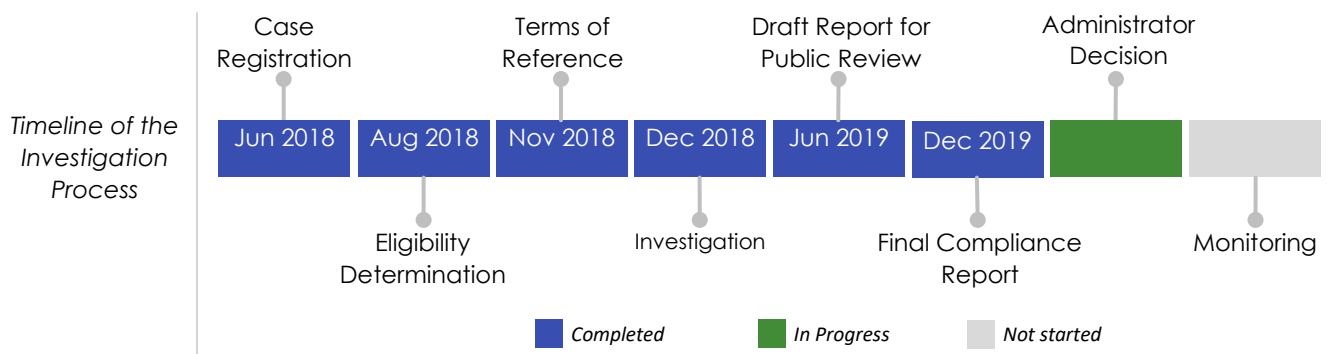
On June 2018, an NGO based in Jordan filed a complaint against UNDP Jordan regarding the construction of a waste management and transfer station in the Jerash area, as part of a UNDP project to support the Joint Services Council in the Northern governorate of Jerash, to improve solid waste management. The complainants assert that the project could cause environmental damage to their lands, and that they were unable to acquire documents about the construction of the plant, including the Environmental Impact Assessment.

In December 2019, SECU issued its Final Investigation Report. The report's findings and recommendations included the need to screen project activity using the Social and Environmental Screening Procedures (SESP), and recommendations for UNDP to work with other stakeholders in undertaking activities at the abandoned construction site.

SECU will circulate the Administrator's decision once it is released, at which point the case will enter a monitoring phase.



**Case SECU0007 Status as of 31 December 2019 with Milestones**



**Case SECU0008 - Integrated and Transboundary Conservation of Biodiversity in the Basins of the Republic of Cameroon** – Investigation Ongoing  
*Republic of Cameroon*

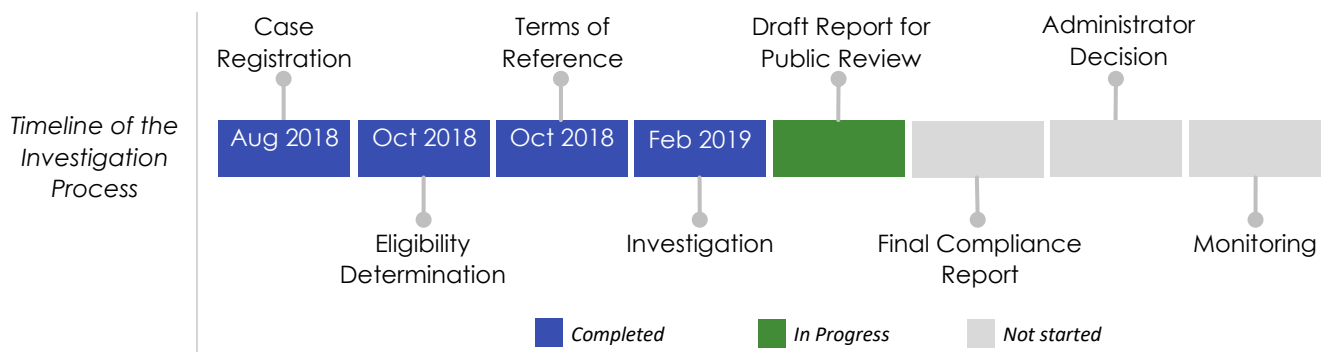
In August 2018, Survival International, an international NGO focusing on the rights of Indigenous Peoples, submitted a complaint on behalf of the Baka people living in the village of Zoulabot Ancien in Cameroon regarding GEF-funded and UNDP-implemented projects supporting the creation of the Nki National Park. The complainants alleged they were illegally evicted from their native lands as a result of these projects and earlier related activities, and that the proposed project would continue to deprive them of access to lands and resources that are vital to their livelihoods.

They also claimed that project implementers did not follow proper consultation processes to protect the Baka community’s culture and wellbeing, and, as a result, violated the Baka’s human rights.

The SECU team traveled to Cameroon in January 2019 to meet with the complainants, CO staff and other stakeholders, conduct field visits and obtain additional evidence. The Draft Investigation Report will be available for public comment in Spring 2020.



**Case SECU0008 Status as of 31 December 2019 with Milestones**



**Case SECU0009 - Integrated and Transboundary Conservation of Biodiversity in the Basins of the Republic of Congo** – Investigation Ongoing  
*Republic of the Congo*

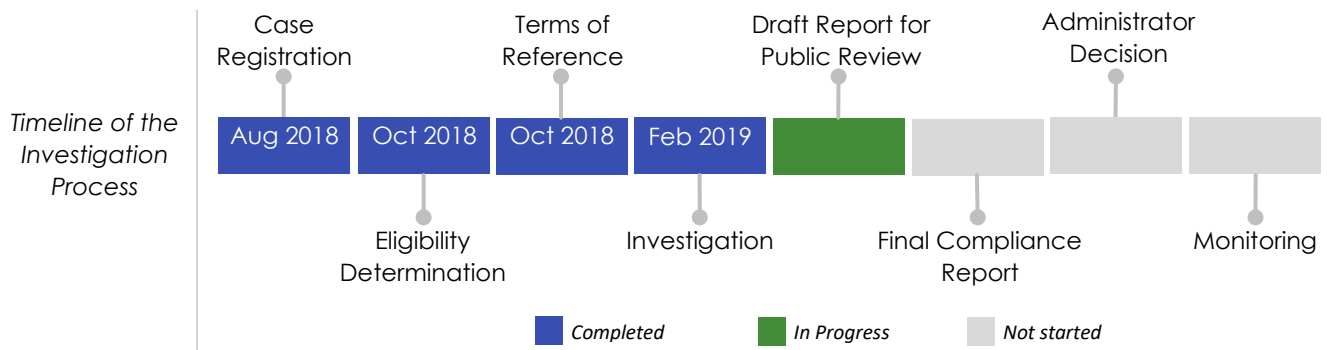
In August 2018, Survival International, an international NGO focusing on the rights of indigenous peoples, submitted a complaint on behalf of six Baka communities in Congo regarding GEF-funded and UNDP-implemented projects supporting the creation of the Messok Dja protected area.

The complainants alleged that these projects did not go through a proper Free, Prior, and Informed Consent (FPIC) process and that they were supporting the creation of a protected area that would violate their rights. In addition, complainants claimed that access to their lands, which are essential to their livelihoods, is being unlawfully restricted.

The SECU team traveled to Congo in January 2019 to meet with the complainants, UNDP staff and other stakeholders, conduct field visits and obtain additional evidence. On March 11 2020 the Draft Investigation Report was made available for the public comment period. SECU is finalizing the report for its submission to the Administrator in the first half of 2020.



**Case SECU0009 Status as of 31 December 2019 with Milestones**



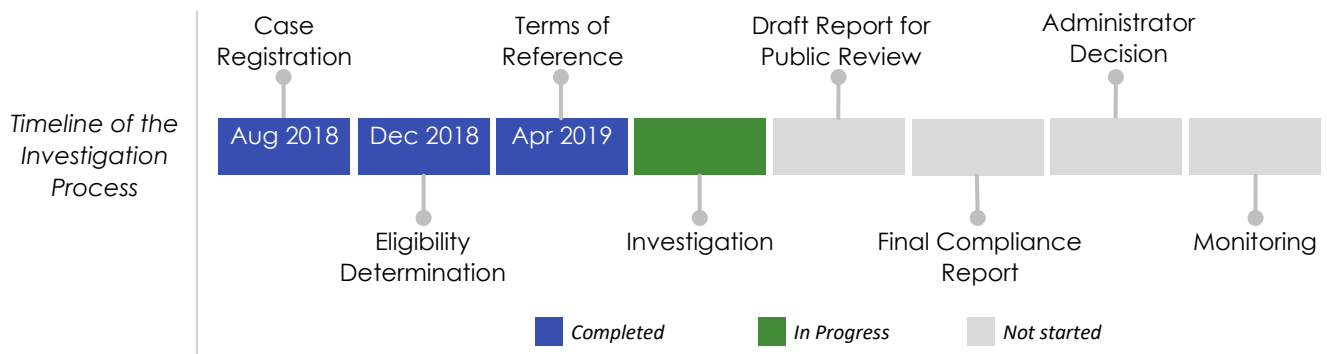
**Case SECU0010 - Integrated Protected Area Land and Seascape Management in Tanintharyi (Ridge to Reef) – Investigation Ongoing**  
*Republic of the Union of Myanmar*

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, among other issues.

In December 2018, SECU determined the complaint met the criteria necessary for a Compliance Review. The SECU team travelled to Myanmar on July 2020 to conduct field visits and interviews with the complainants and other stakeholders. As of 1 April 2020, a planned second trip to Myanmar was postponed due to the COVID-19 pandemic. SECU will issue a Public Status Update to inform stakeholders as to the current status of the case.



**Case SECU0010 Status as of 31 December 2019 with Milestones**





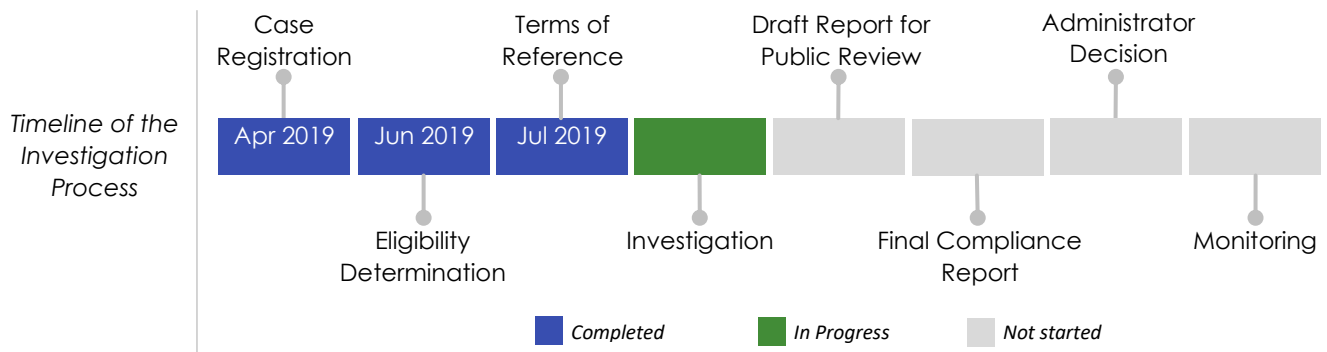
**Case SECU0012 - Mainstreaming biodiversity into the management of the coastal zone in the Republic of Mauritius** – Investigation Ongoing  
*Republic of Mauritius*

On March 2019, Aret Kokin Nu Laplaz (AKNL), a civil society coalition in Mauritius, submitted a complaint with SECU. The complainants claim that a GEF-funded, UNDP-implemented project in the country to promote the protection Environmental Sensitive Areas “greenwashes” the Mauritian government’s environmental policies. SECU determined the complaint eligible for a Compliance Review in June 2019.

At the end of 2019, the SECU Team was in the process of preparing the Investigation Report after a mission to meet with the complainants, CO staff and other relevant stakeholders in July 2019. SECU plans to issue the draft report for public comment in the first half of 2020.



**Case SECU0012 Status as of 31 December 2019 with Milestones**



## Institutional Strengthening

### Outreach Workshop in Dhaka, Bangladesh

Accountability mechanisms from the World Bank, International Finance Corporation and Multilateral Investment Guarantee Agency, Green Climate Fund, Asian Development Bank, and UNDP organized a joint Independent Accountability Mechanisms (IAMs) outreach workshop in Dhaka, Bangladesh in September 2019. More than 20 representatives of Civil Society Organizations (CSOs) from Bangladesh, Nepal, Sri Lanka, Maldives and India attended the event.



The workshop aimed to raise awareness of the compliance review and dispute processes within IAMs, as well as provide an open space for idea exchange on engagements and accountability issues related to public and private sector development projects in the region. Over the course of two days, the IAMs presented different steps in the compliance review and dispute resolution processes, from finding project information to filing the complaint. Other critical discussions dealt with CSOs' past experiences with the mechanisms, and capacity-building initiatives for complainants.

### Annual Meeting of the IAM Network

SECU participated in the Annual Meeting of the IAM Network (IAMNet) hosted by the African Development Bank's Independent Review Mechanism on June 2019 in Abidjan, Cote d'Ivoire. The Executive Board highlighted the importance and contributions of Independent Accountability Mechanisms (IAMs) to international financing institutions. On the final session, an open forum with African Civil Society and Non-Government Organizations was held in order to discuss IAMs – CSOs collaborations, and some of the challenges to access accountability mechanisms.

The IAMNet is a network of independent accountability mechanisms from international development organizations. Members contribute to the regular exchange of ideas, and assist with institutional capacity building in accountability and compliance in the context of international development projects. SECU co-led the Retaliation Working Group, which last year released its Guide for IAMs to address the risk of reprisals in complaint management.

## Outreach

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The goal of outreach is to raise internal and external stakeholders' awareness of the Social and Environmental Compliance Unit in the Office of Audit and Investigations. SECU conducts outreach to key external stakeholders to improve understanding about 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.

### 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.

To access SECU's website and case registry, please visit:

<https://www.undp.org/content/undp/en/home/accountability/audit/secu-srm/social-and-environmental-compliance-unit.html>

### In-person outreach missions

SECU organizes regular outreach missions with civil society organizations (CSOs) in regions where UNDP has a strong portfolio of projects. The missions consist of 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.

### Newsletter

Since 2015, SECU has issued a semi-annual newsletter providing updates on current cases and news of organizational changes at SECU. Any staff member of UNDP or the general public can request to be put on the electronic mailing list.

### Contacting SECU

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

SECU launched its Facebook page in 2016 and has 284 followers. The page provides updates on SECU's activities and engages with the public through messaging and post-sharing. For information on submitting a request or complaint, please visit our website at [www.undp.org/secu](http://www.undp.org/secu)