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| **Annex 8. Indigenous Peoples Planning Framework** |
| **Project**: Expanding the coverage and strengthening the management of wetland protected areas in Sichuan Province, China |
| **UNDP PIMS**: 6669 | **GEF Project ID:** 9462 |

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# Abbreviations and Acronyms

CBD UN Convention on Biological Diversity

CH Cultural Heritage

FPIC Free, Prior and Informed Consent

GEF Global Environmental Facility

GRM Griecance Redress Mechanism

IPP Indegenous People Plan

IPPF Indegenous People Planning Framework

M&E-KM Monitoring & Evaluation – Knowledge Management

PMO Project Management Office

PPG Project preparation grant

SES Social and Environmental Standards

SESP Social and Environment Screening Procedure

SFGB Sichuan Forestry and Grassland Bureau

SRM Stakeholder Response Mechanism

UNDP United Nation Development Programme

UNDRIP UN Declaration on the Rights of Indigenous Peoples

# **Executive Summary**

This Indigenous Peoples Planning Framework (IPPF) has been prepared for the submission of the UNDP project proposal “Expanding the coverage and strengthening the management of wetland protected areas in Sichuan Province” to the GEF. Its purpose is to assist in the assessment of potential social impacts to Indigenous Peoples (the term “Ethnic Minorities” is widely used in China and interchangeably in the IPPF). The Framework forms the basis upon which an Indigenous Peoples Plan (IPP outline available in appendix 1) will be developed, to ensure compliance with the requirements of UNDP’s Social and Environmental Standards. The IPPF (and IPP) will implemented by the **Sichuan Forestry and Grassland Bureau (SFGB)**, and overseen by the National Project Coordinator and monitored throughout the duration of the project.

Preliminary analysis and screening conducted during the project development phase via UNDP’s Social and Environment Screening Procedure (SESP) identified potential impacts (mostly positive) to ethnic minorities associated with project activities. This IPPF has been developed in compliance with UNDP’s requirement in case project activities may have impacts (positive or negative) to the human rights, lands, natural resources, territories, and traditional livelihoods of indigenous peoples (regardless of whether indigenous peoples possess the legal titles to such areas, whether the project is located within or outside of the lands and territories inhabited by the affected peoples, or whether the indigenous peoples are recognized as indigenous peoples by the country in question). Ethnic minorities are not residing in the wetland area, and are not depending directly on the ecosystems, but through conservation agreements, they may be provided with alternative livelihood that are aligned with conservation objectives. This IPPF will provide guidance to ensure conservation agreements are aligned to the FPIC principles.

The project will ensure that stakeholder engagement is undertaken in a culturally appropriate manner so that the rights and interests of ethnic minorities are protected and their unique concerns and needs are identified and addressed.

Initial consultations during PPG missions with the ethnic minority communities in the project wetlands suggested that they are widely able to communicate in Mandarin Chinese; have similar cellphone penetration rates as their Han Chinese counterparts within the local communities; and most importantly, have a strong interest, particularly among the women, in the proposed livelihood improvement activities of the project.

Due to a number of factors, including language constraints (particularly among elderly people), education attainment, geographic location, etc., socioeconomic conditions in some ethnic minority communities lag behind the broader population in the provinces and in the country.

The broad scope and location of project activities and outputs are established. However, additional assessment is required during the inception phase, and throughout the project when project activities are further defined, to identify potential adverse impacts in each wetland and to identify which stakeholder groups might be affected. Adverse impacts will, in case they are identified, be subject to further study and stakeholder consultation to identify and where possible quantify the magnitude and severity of such impacts on the individuals/communities affected. Measures to avoid, minimize, mitigate, or manage such impacts will be developed and implemented. Project activities identified as potentially requiring such restrictions to access to resources will not be commenced until suitable, agreed measures are in place. UNDP will not approve any activity that may negatively affect the human rights, lands, natural resources, territories, and traditional livelihoods of ethnic minorities.

This IPPF has been developed on the basis of a substantial risk categorization[[1]](#footnote-1), and specifies the processes that will be undertaken by the project for the additional assessment of potential impacts and identification and development of appropriate risk management measures, in line with UNDP’s Social and Environmental Standards (SES). This IPPF also details the roles and responsibilities for its implementation and includes a framework for a Grievance Mechanism, budget, and monitoring and evaluation plans.

## 1. The Main Purpose of Developing Indigenous People Planning Framework

The UNDP policies concerning Indigenous Peoples recognize the distinct circumstances that expose Indigenous Peoples to different types of risks and impacts from development projects. As social groups with identities that are often distinct from dominant groups in their national societies, Indigenous Peoples are frequently among the most marginalized and vulnerable segments of the population. As a result, their economic, social, and legal status often limit their capacity to defend their rights to lands, territories, and other productive resources, and restricts their ability to participate in and benefit from development. At the same time, UNDP recognizes that Indigenous Peoples play a vital role in sustainable development and emphasize that conservation should benefit Indigenous Peoples, thereby ensuring long-term sustainable management of critical ecosystems and protected areas. In fact, invasive alien species and damage to the wetland ecosystem in Sichuan Province are increasing. After some wetland parks have been demarcated, the traditional rights of adjacent fishermen or herdsmen in utilizing wetland resources have been forbidden. Due to the lack of local residents’ intervention, wetlands are rapidly occupied by invasive alien species. The purpose of developing this Indigenous People Planning Framework is to ensure the maximisation of positive impacts on Ethnic Minorities and to provide them with culturally appropriate social and economic benefits. In particularly,

* To respect Indigenous Peoples’ rights, including their rights to Free, Prior, and Informed Consent (FPIC);
* To involve Indigenous Peoples in the design of the conservation agreements, receive culturally appropriate benefits that are negotiated and agreed upon with the affected persons and/or communities;
* To avoid or adequately address the potential adverse impacts through a participatory and consultative approach; and
* To monitor the implementation of the project, and that the required Indigenous Peoples plan is monitored by qualified professionals.

## 2. Profile of the Indigenous People Relevant to the Project

### 2.1 Brief Introduction of the Project

Expanding the coverage and strengthening the management of wetland protected areas in Sichuan Province, China (hereafter shorten as “The project”) aims to expand and strengthen wetland protected areas in Sichuan Province China and also to mainstream biodiversity conservation and sustainable utilization of wetland resources. The project has two main components of which one focuses on strengthening site level management and standard raised for two wetland parks, namely: 1）Xichang Qionghai Wetland Park, and 2) Xinjin-Baihetan Wetland Park.

Xichang-Qionghai Provincial Wetland Park was established in 2011 and then was promoted to National Wetland Park in 2014. Xinjin-Baihetan Wetland Park was directly recognized as National Wetland Park at the beginning of its establishment. However, the main parts of construction such as management buildings, artificial landscapes, tourism facilities, roads etc. have almost been accomplished, which brought about assignable influence to local indigenous people.

### 2.2 Description the Indigenous Peoples

The term “indigenous peoples” is not used in China. There are a total of 56 ethnic groups identified in China, mainly based on their similarities such as common [ancestry](https://en.wikipedia.org/wiki/Ancestry), [language](https://en.wikipedia.org/wiki/Language), [society](https://en.wikipedia.org/wiki/Society), and [culture](https://en.wikipedia.org/wiki/Culture). Selected counties are widely known for their cultural diversity in China. These minority are now in general well integrated in the existing socio-economic context. They have livelihood strategies similar to those of the other rural populations, are not excluded from existing economic opportunities, are generally not discriminated, and have no distinct needs from the rest of the population. Government policies targeting rural poor and vulnerable households do not differentiate based on ethnicity, but target based on poverty indicators.

**Farmers living around Xichang-Qionghai Wetland:** Xichang-Qionghai Wetland is located in a basin which is suitable for farming. Han-Chinese people have lived there and conducted farming with history >1600 years. By conducting Rural Rapid Appraisal, we make a judgment that the majority of 90,000–100,000 farmers live the 10 administrative villages around the wetland are Han-Chinese the biggest ethnic minority in China, located on the lakefront areas adjacent to Xichang-Qinghai Wetland. Due to the ideal agricultural conditions and good access to the markets in Xichang City, these farmers traditionally planted profitable cash crops, mainly fruits and vegetables, are generally thought as much richer comparing to those living in the upland. Besides, off-farm employment is also common among households. These farmers have been exposed to natural disasters such as landslides, erosion, floods since their ancestors migrated to the Xichang-Qionghai Wetland. For example, one village has its community memory that how ancestors ran away from a landslide in the darkness of a summer evening. To warn children recalling the dangerous, ancestors changed the village name as Hei Tao (Hei means evening in Chinese, Tao means running away). The construction of Xichang-Qionghai Wetland Park has caused negative impacts on Indigenous Peoples’ as farmers found their access and links to wetland seriously deprived or weakened due to land-lost and loss of formal and informal utilization of wetland resource.



Figure 1 - Map 1 Villages around Xichang-Qionghai

There are about 30,000 –40,000 Yi People live in the 4 mountainous townships around Xichang-Qionghai Wetland. According to official statistics, Yi people’s annual income from 2013 –2016 is only 50% -60%of the average of Xichang City and only 35% -40% of those farmers living in around wetland. Many local officers, scientists, citizens and farmers pin landslide and erosion on Yi people’s extensive cultivation and animal husbandry. Yi People suffered more from natural disasters not only in terms of animals, properties, houses, human-being life but also land collapses. The logging ban started in 1998 also conducted in the area and the national ecological construction programs like Natural Forest Protection Program, Grain for Green Program have greatly improved the vegetation of upper watershed of Xichang-Qionghai Wetland, landslides and erosion has been effectively controlled or reduced. In the recent 3 – 5 years, the Center Government invests huge funds and mobilizes massive human resource into poverty-reduction.

Yi People which accumulated abundant knowledge and experiences on maintaining subsistence livelihood in the upstream of the 3 rivers pouring into Xichang-Qionghai Wetland, namely, 1) Guanba River, 2)Ezhang River and 3) Xiaoqing River, where are mainly mountainous areas with harsh environment and poor natural conditions. Among the watershed of the 3 rivers, Guanba River Watershed has the most population (about 15,000) and Ezhang River Watershed has the least population (about 6,000). From local chronicles, we found that Yi People has lived in the upland around Xichang-Qionghai Wetland as least no later than the Han-Chinese’s appearing in the plain. Yi Peoples’ livelihood traditionally depends on mixture of animal husbandry and extensive cultivation. Due to formidable natural conditions, Yi People successfully held the boundary between Yi and their Han-Chinese neighbours.

The living conditions of Yi people enhanced obviously. Outmigration is also a critical driving force of the future of Yi communities. As more and more young people find off-farm jobs in the cities like Chengdu, Xian, etc. some of them even successfully buy houses in the cities, both the population and pressures posed to natural resources have been obviously reduced.

**Farmers living in Xinjin-Baihetan Wetland Park** - About 110 households have been resettled in 2017 due to the establishment of Xinjin-Baihetan Wetland Park. Xinjin-Baihetan Wetland is adjacent to government planned the New Xinjin City, those resettled households have been treated the same compensation conditions as those due to urbanization. As a background information, farmers usually get more favourable compensation conditions if the resettlement caused by urbanization, comparing to others like infrastructure construction, natural reserve establishment, etc. However, there were 60-70 households remaining to live in the planned boundary of wetland parkin the first half of 2017. Same as the other two groups of indigenous people in Xichang, these Han-Chinese households have long history of utilizing the wetland for multiple uses, though the production harvested from marginal land is not stable. The municipality government of Xinjin City started negotiation with these households. Until the end of October of 2017, there where 10 households still keep negotiations with government. But according to government officer in-charge, the government and left 10 households have reached compensation agreements at the end of 2017.

## 3. The Legal and Institutional Framework Applicable to Indigenous Peoples

3.1 Regulation at National level:

China is signatory to the United Nations Declaration on the Rights of Indigenous Peoples, a comprehensive statement addressing the human rights of indigenous peoples. There are a total of 56 ethnic groups identified in China, mainly based on their similarities such as common [ancestry](https://en.wikipedia.org/wiki/Ancestry), [language](https://en.wikipedia.org/wiki/Language), [society](https://en.wikipedia.org/wiki/Society), and [culture](https://en.wikipedia.org/wiki/Culture). Of the 56 ethnic groups, Han ethnicity is the ethnic majority and the other 55 ethnic groups are considered ethnic minorities. The term “indigenous peoples” is not used in China.

The Constitution (1982, revised in 2018) addresses the issue of PA through confirming the state and collective ownership of land and natural resources and prescribing the State’s responsibility in environmental and resource protection. The Constitution emphasizes that all nationalities in the People’s Republic of China are equal. The State protects the lawful rights and interests of minority nationalities and upholds and develops a relationship of equality, unity and mutual assistance among all of China’s nationalities. The State assists areas inhabited by minority nationalities in accelerating their economic and cultural development according to the characteristics and needs of the various minority nationalities. Regional autonomy is practiced in areas where people of minority nationalities live in concentrated communities; in these areas organs of self-government are established to exercise the power of autonomy. And in exploiting natural resources and building enterprises in the national autonomous areas, the State shall give due consideration to the interests of those areas. And all these provisions are reiterated in the Regional Ethnic Autonomy Law (1984, revised in 2001)[[2]](#footnote-2).

The Rules of the State Council on the implementation of the Law of the People's Republic of China on Regional National Autonomy (2005)[[3]](#footnote-3) stipulates that the state strengthens the poverty alleviation and development of the ethnic autonomous areas, and emphasizes the infrastructure and the basic construction of the farmland in the poor rural areas of the autonomous areas, which focus on water, electricity, access, radio, television construction, and the transform of thatched house and dilapidated house, and ecological migration. And all these activities are based on the residents’ willingness.

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

**Land Rights:** China has a long history of establishing and implementing laws and regulations associated with displacement and resettlement. The National Construction Land Acquisition Measures, promulgated in 1953, was the first statute on land acquisition, demolition, removal and resettlement. These measures outlined the principles and procedures for land acquisition and set the standards for payment of compensation for acquired land, serving as the basis for the subsequent Land Administration Law. The Land Administration Law has been updated and amended several times, with regulations added to enhance the land law, including the Land Acquisition and Resettlement Regulation for Construction of Large and Medium-Sized Water Conservation Projects (1991 and 2006). The 2006 Regulations added subsidies for relocation and training for livelihoods, annual post-relocation fund support of RMB 600 per year per capita for 20 years, and community infrastructure rehabilitation and improvement based on the needs of resettled people. Additional guidelines promulgated in 2006 – Guidelines for Provision of Job Retraining and Social Insurance for Farmers that Lose Land – stipulated that the compensation and rehabilitation package also include a social security fund for rural farmers whose land is acquired and become urban citizens, and long-term compensation annually. The aim of both the 1991 and 2006 Regulations was to maintain or surpass pre-resettlement living standards which aligned China’s resettlement policy with the international standards of organizations such as the World Bank and Asian Development Bank.[[4]](#footnote-4)

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

China’s policies do not require the development and implementation of a stakeholder engagement plan (SEP) that describes the times and methods of contact with stakeholders in the whole project lifecycle. During the preparation of the CPAR’5 project, a stand-alone Stakeholder engagement plan has been prepared and attached to the ProDoc to identify all stakeholders, including vulnerable groups, women and minority residents, provide timely, relevant, understandable and accessible information to stakeholders, and fully consult with them as well.

Other applicable social laws and regulation that may affect ethnic minorities are summarized in table 1.

Table 1 – Other applicable social laws and regulations

| No. | Name | Version | Applicability |
| --- | --- | --- | --- |
| I. General laws on social risk management |
|  | Interim Regulations on Major Administrative Decision-Making Procedures | 2019 | Major administrative decisions shall be made under the principle of democratic decision-making, opinions shall be fully solicited from all parties, and it shall be guaranteed that the people participate in decision-making through various channels and forms.If any major administrative policy may affect social stability and public security adversely, the undertaker or any other agency responsible for risk assessment shall assess the risk controllability of the draft decision. |
|  | Social Stability Risk Assessment for Major Fixed Asset Investment Projects | 2012 | The social stability risk assessment shall include: 1) if any major issue is meeting most people’s final needs, being financially affordable, and being understood and supported by most people; 2) if all major matters have been subject to consideration of various restrictions; 3) if any major security event will occur if local residents strongly object the project, and if there is any contingency plan; 4) potential major issues affecting social stability. |
| II. Laws on labor management |
| 3. | Labor Law  | Amended in 2018 | This Law applies to enterprises, individually-owned economic organizations (hereinafter referred to as the employer) and laborers who form a labor relationship with them within the boundary of the Peoples Republic of China. State departments, institutional organizations and social groups and laborers who form a labor relationship with them shall follow this Law.Forced labor shall be prohibited. Any labor contract involved forced labor shall be illegal. Anyone who uses laborer by force, threat or illegal restriction of personal freedom shall be prosecuted criminally. |
| 4. | Labor Law Labor Contract Law  | Amended in 2018Amended in 2012 | A labor contract should be entered into to define both parties’ rights and obligations.When an employer hires an employee, it shall faithfully inform him of the work contents, conditions and location, occupational harm, work safety state, remuneration, and other information which the employee requires to be informed.Where an employer formulates, amends or decides rules or important events which are directly related to the interests of the employees, such rules or important events shall be discussed at the meeting of employees' representatives or the general meeting of all employees, and the employer shall negotiate with the labor union or the employees' representatives on a equal basis. |
| 5. | Regulations on Labor Security Supervision | Amended in 20182004 | China has a sound labor dispute mediation system through a corporate committee under the formal trade union system. Workers may also appeal through the labor bureau directly.the labor security supervision over enterprises and individual industrial and commercial households (hereinafter referred to as the employing entities) shall be governed by these Regulations. The labor security supervision over job intermediary institutions, occupational skills training institutions, and occupational skills assessment and authentication institutions shall be conducted in accordance with these Regulations.The labor security supervision over an employing entity shall be under the jurisdiction of the labor security administration at the county level or at the level of a city divided into districts at the locality of employment by the employing entity.Labor security supervision shall be conducted in such forms as routine inspection, written review, special inspection, and complaint investigation. |
| 6. | Trade Union Law  | 2009 | All physical and mental workers of enterprises and public institutions shall have the right to join and organize trade unions, regardless of ethnic group, race, gender, occupation, religion and education. An enterprise or public institution shall establish a trade union according to law within one year after opening.The trade union shall urge enterprises and public institutions to cover endowment, unemployment, medical, injury, maternity and other social insurance for workers according to law.The trade union shall assist enterprises and public institutions in collective welfare, salary payment, social insurance, labor safety and health, etc. |
| 7. | Law of the PRC on the Protection of Rights and Interests of WomenSpecial Provisions on Labor Protection of Female Employees | Amended in 201820122017 | Special protection shall be offered to women and children, and they shall not be hired for dangerous jobs.Women shall enjoy the same labor and social security rights as men, and receive equal pay for equal work.The employer shall protect women’s safety and health at work, and not assign unsuitable jobs to women. Women enjoy special protection during menstruation, pregnancy, lying-in and breastfeeding periods.The employer shall prevent sexual harassment on female workers, and protect their privacy when handling their appeals. |
| III. Policies on information disclosure |
| 8. | Opinions of the General Office of the State Council on Advancing Public Disclosure of Government Information in the Public Resource Allocation Field | 2016 | The basic information, transaction process information, bidding information, contract execution and performance, etc. of a public resource project shall be disclosed by the administrative department or public institution managing or allocating public resources respectively; the administrative departments concerned should disclose law violation and discredit information along. |
| 9. | Regulations on Complaint Letters and Visits | 2005 | Transparent grievance redress channels have been established, and implementation measures for further appeals are in place. Citizens, legal persons or other organizations shall submit suggestions, opinions or appeal requests to governments at all levels by way of letter, e-mail, telephone or visit, etc., to be handled by competent administrative authorities according to law.The department for letters and visits of the people's government at or above the county level shall, upon receiving a letter or visit, register the letter-or-visit matter presented and handle it on the merits of each case within 15 days. The matter presented by a letter-writer or visitor shall be handled within 60 days from the date it is accepted. If the matter is complicated, the time limit for handling it may be extended appropriately upon the approval by the responsible person of the administrative organ concerned, but the period extended shall not exceed 30 days, and the letter-writer or visitor shall be notified of the reasons for such extension. |

### 3.2. Regulations at Local Level:

While for some regions with 1 – 2 ethnic groups being the local majority population like Yi People, there are some local regulations for ensuring native ethnic groups’ rights and interests. Xichang City belongs to Liangshan Yi Nationality Autonomous Prefecture which has legislation right to develop its own laws. The Self-Governing Regulation of Liangshan Yi Nationality Autonomous Prefecture published in 2007 emphasizes freedom of choosing individual beliefs, lowest ratio of Yi Nationality officers in government and compensation for carrying out national conservation strategy, etc. For Han-Chinese Indigenous, it’s very hard to find any supporting legal regulation. However, the policies issued by the Center Committee of Communist Party of China recently in the last 5 years pay high emphasis on building harmonious society, calling for following with interests of the disadvantaged groups.

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

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

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

4. Participation and Consultation Process during Implementation

SES Standard 6 requires that where a project may affect the rights, lands, resources or territories of indigenous peoples, an Indigenous Peoples’ Plan (IPP see appendix 1), must be developed, and integrated into the design of the project.

Activities that may negatively affect the human rights, lands, natural resources, territories, and traditional livelihoods of ethnic’s minorities will not be implemented.

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

1. Communicate project information in local languages and through methods that are culturally appropriate.
2. ethnic minorities have equitable representation in the decision-making bodies associated with the community level project activities – particularly the Xishuan gbanna and Libo County landscapes.
3. Ensure participation of ethnic minorities is gender inclusive and tailored to the needs of disadvantaged and vulnerable groups.
4. Deliver skills and know-how training, including professional training for farmers, capacity building for establishing or strengthening markets for traditional and alternative livelihoods products and services, including specialized ecotourism products and services.
5. Focus on delivering broad sustainable livelihood benefits, including improvements to under forest canopy economy, organic and green planting models, e.g. through alternative ecological compensation mechanisms and payment innovation, new types of public-private-community partnerships, e.g. through capacity building for agricultural associations, including cooperatives, ethnic minority women’s groups, etc.
6. Ensure timely access to information. Project details will be communicated orally and visually as well as in written form in local languages, to ensure local stakeholders can understand the specific activities being implemented and the potential impacts and benefits.
7. Develop the Management Regulations on Safeguarding Indigenous People’s Rights and Interests as one of the project management documents at the very beginning of implementation. The regulation should be printed and hung the wall of project office especially those at the site level.
8. Train every staff and experts engaged by the project on UNDP-GEF Indigenous People policy during whole implementation.
9. A community expert will be hired by the project, and that ensuring Indigenous Peoples’ participation and consultation is listed on the expert’s TOR.
10. Project Executing Entity and its two local partners all should appoint a project staff respectively to be responsible for liaison with communities and for promoting community participation and consultation. In the case of Xichang-Qionghai, this staff ideally should be Yi People or understand Yi Language.
11. The project will organize a special team (as a project activity) to document traditional knowledge and culture of the Indigenous People. Feasibility study on utilizing traditional knowledge and culture into wetland management and income-generating will also be conducted.
12. In Xichang-Qionghai, two communities might be selected to demonstrate community participatory wetland resource management and rehabilitation of wetland culture. The community-selection standard will be developed with participation and consultation of Indigenous People representatives. Only Indigenous People communities are qualified to apply and then evaluated by the standard. A transparency selection process such as publicity, engaging community representativesinto judging panel, etcwill be done without any doubt.
13. A special APP (software for mobile phone) will be designed and applied to publish project information in particular compensation and procurement service from community as well as other information of the project to communities around Xichang-Qionghai Wetland and its upper watershed. According to previous rapid interview, there are around 70% of villagers are using smart mobile phone and are potential users of the APP. Using modern communication tools is one focus of the project in term of demonstration. Based on our previous survey, most of indigenous people, both Han nationality and Yi people, can read Chinese fluently, so the language of the APP will be Chinese and if necessary per project monitoring data, the local partner will compile a APP in Yi language.
14. In Xinjin-Baihetan, the project will fully utilize the strength that all the 60 households living in a relatively closed environment and information are easily spread. We will try to communicate to the households on monthly or even shorter period base.

## 5. Results of the Participatory Consultation

### 5.1 Results of the Participatory Consultation

By going through the above process, we expect to achieve the following results:

* Indigenous People feel be considered by the project. Most of the Indigenous People listed above at least know the project and its basic information, can recall some activities held by the project, and most importantly, they think the project have paid enough attentions to their traditions and give full respects to them and their family.
* Traditional Knowledge have been documented and used for innovation of wetland management model. The project will try to gather Indigenous Peoples’ traditional knowledge, find their linkage to modern wetland science, and then integrate traditional knowledge into wetland management and income-generating activities, which will make Indigenous feel their wisdom and experiences on wetland have been paid importance and promote their self-confidence.
* Culture rehabilitation and value-added of agricultural produces and ecotourism products. Indigenous People will not only feel proud of their traditional culture but also be benefited economically.

### 5.2 Free, Prior and Informed Consent

Requirements of the **FPIC** process and relevant results achieved during PPG phase are described as follow.

**Free**: means the process will be self-directed by the collective landowners 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.

Results during PPG phase: 70% of households in Xichang-Qionghai and 100% in Xinjin-Baihetan think they have free access to project information and have full freedom to make their own decisions related to their rights and interests, during the project’s critical implementation time points. The figure of Xichang-Qionghai (70%) is much lower than that of Xinjin-Baihetan because that the former has almost 50 times human-being population of the later.

**Prior:** means thatno project activity implementation takes place before a decision by the collective landowners and local communities has been made. The process will ensure that enough time is provided to collective landowners to understand, access, and analyze information on the proposed activities.

Results during PPG phase: Project documents have been provided to every village at the very beginning of implementation. Critical project information has been provided to Indigenous People by at least 2 communication means.

**Informed:** Information shall 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 collective landowners through their collective 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.

## 6. A Framework for Ensuring FPIC

The development of the IPP will be embedded into Outcome 2.2: Wetland park biodiversity conservation and sustainable use of wetland resources and ecosystem services improved**.** This outcome addresses barrier 4: Limited participation and capacity of local communities in the management of wetland parks and reserves and barrier 5: Inadequate public awareness of wetland conservation and sustainable use of resources.

The IPP will enable and map out the communication to take place with affected ethnic minority groups throughout the decision-making process, facilitating information exchange during the development of the conservation agreements.

The project will identify the presence of these peoples at each of the project wetlands, and further establish the nature of the risk(s), including any gender-related issues specific to ethnic minorities. Where the potential for such impacts is confirmed, an Indigenous Peoples’ Plan (outline available in appendix 1) will be developed by an independent capable entity and affected ethnics minorities will have ample opportunities to participate.

As required under Standard 6 of the SES, this will include a plan for culturally appropriate consultation with the objective of achieving agreement in compliance with the Free Prior and Informed Consent (FPIC) procedures.

The IPP will describe how ethnic minorities will be involved at all Sustainable wetland agriculture production/livelihood systems development (output 2.2.2 and 2.2.3), and subsequent on-the-ground project activities (output 2.2.4 - Community-based alternative livelihoods designed and implemented in a participatory manner). During the project’s first year, discussions on upstream elements of the project will include ethnic minority representatives, and will build upon the initial consultations held with them during the PPG. As specific sites and activities are proposed, further FPIC discussions will take place at grass roots level with affected communities. Should there be any difficulties in securing FPIC, adaptive management will be applied, e.g., through additional stakeholder consultations, modification of approaches, revision of the livelihood systems, etc.

No activities that may affect the rights, customs, lands, resources or territories of ethnic minority will commence without their explicit prior, freely given consent.

This outcome will identify stakeholders interested in sustainable utilization of wetland resources through participatory appraisal with local communities which must comply with requirements highlighted in section 5.2. Conservation agreements will support affected communities in adopting wetland conservation actions such as producing “green” products utilizing the wetland resources and diversifying aquatic crop planting patterns, so as to increase the income of local residents from wetlands.

The project will employ the following framework to systematically ensure FPIC:

1. Project Design: concept and principles of FPIC have been buried into the project design.
2. Project implementation: concept and principles of FPIC will be incorporated into output 2.2.1 to 2.2.5.
3. Staff Awareness& capacities: concept and principles of FPIC have been passed to project staffs for enhancing their awareness and capacities through training.
4. Tools: Traditional communication tools like posters, paper documents together with Mobile Software have been developed to promote communication between the project and Indigenous Peoples.
5. Monitoring & evaluation: The implementation of FPIC will be the one focus of the project’s Monitoring and Evaluation. Participatory M&E methodology will be employed and progress toward to all the indicators listed in the should be reported annually.
6. As part of the conservation agreement, collective landowners’ decision-making processes must be respected and allowed to operate in an open and transparent manner. Ethnic minorities’ rights to choose how they want to live will be respected and if consent is not given, this shall be respected.
7. The collective right to give or withhold consent applies to all activities, legislative and administrative measures and policies (and their associated processes and phases) that may directly impact the lands, territories, resources, and livelihoods of the ethnic minorities. Consent must be sought and granted or withheld according to the unique formal or informal political-administrative dynamic of each wetland.
8. 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 communities, women, marginalized and vulnerable and are provided on an on-going and continuous basis throughout the FPIC process.

## 7. Mechanisms and Benchmarks appropriate to the project for monitoring, evaluating, and reporting

The project will set up a participatory M&E mechanism. At the end of project implementation, about 10 –15 Indigenous People will be selected as representatives to participate in project evaluation. After introduction of project document and IPP, they will discuss and identify 5 – 10 critical questions and then provide information to judge the project’s effectiveness.

The implementation of the IPPF will be monitored and evaluated through the 5-year project timeframe. Details will be captured in project reports, meeting memorandums and through various knowledge products. Adaptive management measures will be put in place, as needed, to adjust the plan to current circumstances and according to the findings of monitoring and evaluation efforts.

Monitoring and evaluation of the implementation of the IPPF are part of the project M&E plan, and cofinancing contributions are included.

The IPPF monitoring and evaluation plan is outlined below.

*M&E plan for implementation of the Process Framework*

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

The following minimum indicators must be achieved by the project.

1. Percentage of indigenous/local communities where FPIC have been followed and documented; Target is 100%.
2. Percentage of communities where project benefit sharing has been agreed upon through the appropriate community governance mechanisms and documented; Target is 85%

## 8. Grievance Redress

The Implementing Partner (SFGB) will establish and implement a transparent, fair and free-to-access project-level Grievance Redress Mechanism (GRM), approved by stakeholders, which will be put in place at the start of implementation. Interested stakeholders may raise a grievance at any time to the Project Management Office, the Implementing Partner (i.e., Executing Agency), the GEF Implementing Agency (UNDP), or the GEF.

The Implementing Partner will establish a committee for the GRM, and for the development and oversight of the mechanism, including reporting on the work of the GRM to all stakeholders.

**The mandate** of the GRM will be to:

(i) 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.

(ii) assist in resolution of Grievances between and among Project Stakeholders; as well as the various government ministries, agencies, NGOs, and others (collectively, the “*Stakeholders*”) in the context of the Project.

(iii) Conduct itself at all times in a flexible, collaborative, and transparent manner aimed at problem solving and consensus building.

**The functions** of the GRM will be to:

(i) Receive, Log and Track all Grievances received.

(ii) Provide regular status updates on grievances to claimants, Project Board members and other relevant stakeholders, as applicable.

(iii) Engage the Project Board members, government institutions and other relevant stakeholders in grievance resolution.

(iv) 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.

(v) Identify growing trends in grievances and recommend possible measures to avoid the same.

(vi) Receive and service requests for, and suggest the use of, mediation or facilitation.

(vii) 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).

(viii) Ensure increased awareness, accessibility, predictability, transparency, legitimacy, and credibility of the GRM process.

(ix) Collaborate with Partner Institutions and other NGOs, 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.

(x) Ensure continuing education of Project Board 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.

(xi) Monitor follow up to Grievance resolutions, as appropriate.

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

The UNDP Country Office, as the GEF Implementing Agency, will be the next avenue for resolving grievances if the case is not resolved at the local level or by the Implementing Partner (Executing Agency). The Resident Representative will identify a member of the Country Office management team to oversee and manage the grievance through the UNDP Stakeholder Response Mechanism (SRM). The SRM ensures individuals, peoples, and communities affected by projects have access to appropriate grievance resolution procedures for hearing and addressing project-related complaints and disputes. Further information, including how to submit a grievance to the SRM is found on the UNDP website at:

 <http://www.undp.org/content/undp/en/home/operations/accountability/secu-srm/>

## 9. Institutional Arrangements

The roles and responsibilities with respect to the implementation of this IPPF are described below. This IPPF does not cover the roles and responsibilities associated with implementation of the subsequent IPP or other possible stand-alone safeguard management plans; those will be defined for each management plan that is developed in the project inception phase, as warranted.

The Implementing Partner for this project is the **Sichuan Forestry and Grassland Bureau (SFGB)**. 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 GEF resources and the delivery of outputs, as set forth in this document. Under letter of agreement arrangements, the SFGB will engage subnational wetland park entities for direct execution of some of the project wetland level activities and procurement of other activities using government procurement procedures and taking into account UNDP social and environmental standards.

The **project stakeholders and target groups** The project stakeholders and target groups include the local communities near the Qionghai National Wetland Park and the Baihetan National Wetland Park, management and staff of the SFGB, as well as the management and staff of the two pilot wetland parks and the other wetland protected areas in Sichuan. Project stakeholders also include provincial and local governmental departments, incorporating wetland conservation into sectoral plans. Conservation agreements will be carried out in the selected two wetlands. In each wetland, multi-level and multi-stakeholder wetland governance forums will be established for ensuring inclusive participation and decision-making among the key project stakeholders and target groups. Local government entities having jurisdiction over the project wetlands.

UNDP is accountable to the GEF for the implementation of this project. This includes overseeing project execution undertaken by the Implementing Partner to ensure that the project is being carried out in accordance with UNDP and GEF policies and procedures and the standards and provisions outlined in the Delegation of Authority (DOA) letter for this project. **The UNDP GEF Executive Coordinator, in consultation with UNDP Bureaus and the Implementing Partner, retains the right to revoke the project DOA, suspend or cancel this GEF project.** UNDP is responsible for the Project Assurance function in the project governance structure and presents to the Project Board and attends Project Board meetings as a non-voting member.

The UNDP Resident Representative assumes full responsibility and accountability for oversight and quality assurance of this Project and ensures its timely implementation in compliance with the GEF-specific requirements and UNDP’s Programme and Operations Policies and Procedures (POPP), its Financial Regulations and Rules and Internal Control Framework. A representative of the UNDP Country Office will assume the assurance role and will present assurance findings to the Project Board, and therefore attends Project Board meetings as a non-voting member.

**Project Board:** All UNDP projects must be governed by a multi-stakeholder board or committee established to review performance based on monitoring and evaluation, and implementation issues to ensure quality delivery of results. The Project Board (also called the Project Steering Committee) is the most senior, dedicated oversight body for a project.

Responsibilities of the Project Board:

* Consensus decision making:
	+ The Project Board provides overall guidance and direction to the project, ensuring it remains within any specified constraints, and providing overall oversight of the project implementation.
	+ Review project performance based on monitoring, evaluation and reporting, including progress reports, risk logs and the combined delivery report;
	+ The Project Board is responsible for making management decisions by consensus.
	+ In order to ensure UNDP’s ultimate accountability, Project Board decisions should be made in accordance with standards that shall ensure management for development results, best value money, fairness, integrity, transparency and effective international competition.
	+ In case consensus cannot be reached within the Project Board, the UNDP representative on the Project Board will mediate to find consensus and, if this cannot be found, will take the final decision to ensure project implementation is not unduly delayed.
* Oversee project execution:
	+ Agree on project manager’s tolerances as required, within the parameters outlined in the project document, and provide direction and advice for exceptional situations when the project manager’s tolerances are exceeded.
* Appraise annual work plans prepared by the Implementing Partner for the Project; review combined delivery reports prior to certification by the implementing partner.
* Address any high-level project issues as raised by the project manager and project assurance;
* Advise on major and minor amendments to the project within the parameters set by UNDP and the donor and refer such proposed major and minor amendments to the UNDP BPPS Nature, Climate and Energy Executive Coordinator (and the GEF, as required by GEF policies);
* Provide high-level direction and recommendations to the project management unit to ensure that the agreed deliverables are produced satisfactorily and according to plans.
* Track and monitor co-financed activities and realisation of co-financing amounts of this project.
* Approve the Inception Report, GEF annual project implementation reports, mid-term review and terminal evaluation reports.
* Ensure commitment of human resources to support project implementation, arbitrating any issues within the project.
* Risk Management:
	+ Provide guidance on evolving or materialized project risks and agree on possible mitigation and management actions to address specific risks.
	+ Review and update the project risk register and associated management plans based on the information prepared by the Implementing Partner. This includes risks related that can be directly managed by this project, as well as contextual risks that may affect project delivery or continued UNDP compliance and reputation but are outside of the control of the project. For example, social and environmental risks associated with co-financed activities or activities taking place in the project’s area of influence that have implications for the project.
	+ Address project-level grievances.
* Coordination:
	+ Ensure coordination between various donor and government-funded projects and programmes.

Ensure coordination with various government agencies and their participation in project activities.

1. **Composition of the Project Board**: The composition of the Project Board must include individuals assigned to the following three roles:
2. **Project Executive:** This is an individual who represents ownership of the project and chairs (or co-chairs) the Project Board. The Executive usually is the senior national counterpart for nationally implemented projects (typically from the same entity as the Implementing Partner), and it must be UNDP for projects that are direct implementation (DIM). In exceptional cases, two individuals from different entities can co-share this role and/or co-chair the Project Board. If the project executive co-chairs the project board with representatives of another category, it typically does so with a development partner representative. The Project Executive (National Project Director) is the Deputy Director General of the Sichuan Forestry and Grassland Bureau (SFGB).
3. **Beneficiary Representatives**: Individuals or groups representing the interests of those groups of stakeholders who will ultimately benefit from the project. Their primary function within the board is to ensure the realization of project results from the perspective of project beneficiaries. Often representatives from civil society, industry associations, or other government entities benefiting from the project can fulfil this role. There can be multiple beneficiary representatives in a Project Board. The Beneficiary representatives are:
	* 1. Manager of the Qionghai National Wetland Park.
		2. Manager of the Baihetan National Wetland Park.
4. **Development Partners:** Individuals or groups representing the interests of the parties concerned that provide funding, strategic guidance and/or technical expertise to the project. The Development Partners are:
	* 1. Ministry of Finance (MoF)
		2. Resident Representative, United Nations Development Programme (UNDP)

**Project Assurance:** Project assurance is the responsibility of each project board member; however, UNDP has a distinct assurance role for all UNDP projects in carrying out objective and independent project oversight and monitoring functions. UNDP performs quality assurance and supports the Project Board (and Project Management Unit) by carrying out objective and independent project oversight and monitoring functions, including compliance with the risk management and social and environmental standards of UNDP. The Project Board cannot delegate any of its quality assurance responsibilities to the Project Manager. Project assurance is totally independent of project execution. A designated representative of UNDP playing the project assurance role is expected to attend all board meetings and support board processes as a non-voting representative. It should be noted that while in certain cases UNDP’s project assurance role across the project may encompass activities happening at several levels (e.g. global, regional), at least one UNDP representative playing that function must, as part of their duties, specifically attend board meeting and provide board members with the required documentation required to perform their duties. The UNDP representative playing the main project assurance function is: Dr. Ma Chaode, BD Portfolio Director of CO*.*

**Project Management – Execution of the project:** The Project Manager (PM) (also called National Project Coordinator) is the senior most representative of the Project Management Office (PMO) and is responsible for the overall day-to-day management of the project on behalf of the Implementing Partner, including the mobilization of all project inputs, supervision over project staff, responsible parties, consultants and sub-contractors. The Project Manager typically presents key deliverables and documents to the board for their review and approval, including progress reports, annual work plans, adjustments to tolerance levels and risk registers.

Roles and responsibilities of the PMO members are detailed in the **Annex 6** to the Project Document. A designated representative of the PMO is expected to attend all board meetings and support board processes as a non-voting representative. The primary PMU representative attending board meetings is the Project Manager.

## 9. Budget and Financing

Funds associated with the implementation and monitoring & evaluation of the IPPF/IPP is included in the indicative budget in the Project Document. The estimated costs are listed below.

*Breakdown of project level costs related to IPPF/IPP implementation and monitoring & evaluation*

| **Description** | **Indicative Budget, USD** |
| --- | --- |
| **Carrying out Conservation agreements, including FPIC processes, preparing IPP:** |
| Contractual services (Conservation agreements, including FPIC consultations) | 45,000 |
| Local Safeguards Consultants to support the development of the conservation Agreements, and FPIC consultations (cumulative 20 weeks allocated for the two wetlands) | 15,000 |
| Travel expenses | 10,000 |
| Gender-Safeguards Specialist (preparing IPP, and supporting the Conservation Agreement and FPIC processes) | 15,000 |
| **Sub-total:** | **85,000** |
| **Monitoring and evaluation of the implementation of the IPPF/IPP:** |
| Local Safeguards Consultants to support monitoring and evaluation of the implementation of the IPPF (cumulative 10 weeks allocated for the two wetlands) | 10,000 |
| Travel expenses | 6,000 |
| Gender-Safeguards Specialist (supporting the local safeguard consultants, reviewing and updating IPPF) | 3,000 |
| **Sub-total:** | **19,000** |

Costs associated with the time of National Project Coordinator and the full-time M&E-Knowledge Management Officer for coordinating the implementation of the IPPF are not included in the above budget breakdown.

Co-financing contributions will also support the implementation of the IPPF and IPP, the Gender Focal Points, which will be funded by the subnational governmental partners in each of the two pilot conservation agreements between the Qionghai National Wetland Park Administration and two of the administrative villages. The Gender Focal Points will assist in monitoring progress towards achievement of gender mainstreaming objectives, including those involving ethnic minority women.

## Appendix 1 - 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.

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.

1. the answer to screening question 6.3 is “yes”, then the potential risk impacts are considered significant and the project would be categorized as either Substantial Risk or High Risk [↑](#footnote-ref-1)
2. State Ethnic Affairs Commission of the People’s Republic of China. *Regional Ethnic Autonomy Law (second amendment),* 28 February 2001*).*  http://www.seac.gov.cn/art/2011/6/29/art\_4901\_128701.html [↑](#footnote-ref-2)
3. General Office of the State Council. *Rules of the State Council on the implementation of the Law of the People's Republic of China on Regional National Autonomy*. Issued on 11 May 2005. <http://www.gov.cn/xxgk/pub/govpublic/mrlm/200803/t20080328_31650.html> [↑](#footnote-ref-3)
4. https://www.ecologic.eu/sites/default/files/publication/2021/B1\_Restoriation-measures.pdf [↑](#footnote-ref-4)