



ECUADOR REDD-PLUS RBP FOR RESULTS PERIOD 2014

Environmental and Social Management Framework

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1 EXECUTIVE SUMMARY

The following provides the Environmental and Social Management Framework (ESMF) for the REDD+ Results Based Payments (RBP) Project proposed by Ecuador to the Green Climate Fund (GCF) (hereinafter “the RBP Project”). This is a project to be implemented by the Ministry of the Environment, with the UN Development Programme (UNDP) in its role as a GCF Accredited Entity, and alongside multiple national and local governing institutions, civil society representatives and private sector actors who will meaningfully and effectively participate in its further design, implementation and benefits.

The currently outlined outputs and activities, which by design will be further distilled in multi-stakeholder forums with respect to their geographic focus, and application to certain communities and private stakeholders, are consistent with *Ecuador’s National REDD+ Action Plan: Forests for Good Living* (National REDD+ AP). It is being conducted in a legal and policy environment that will ensure its consistency with applicable social and environmental safeguards and standards. Its cornerstone is the voluntary participation of stakeholders. Rather than imposing conservation and restoration regimes, the project will seek and promote the informed and willing participation of civil society. Such active participation is the project’s greatest safeguard against potential harms and its greatest guarantor for producing measurable and enduring climate change mitigation and improved well-being for Ecuador’s people.

As discussed below, the RBP Project has been screened against UNDP’s Social and Environmental Standards (SES) utilizing UNDP’s Social and Environmental Screening Procedure (SESP). This screening has determined that the proposed project includes activities with potential adverse social and environmental risks and impacts. These risks, however, are limited in scale, have been identified with a reasonable degree of certainty, and can be addressed through application of standard best practice, mitigation measures, a project-level grievance mechanism, and a robust commitment and budget focused on stakeholder engagement, capacity building, and impact assessment and monitoring. All of this has been detailed in Table 1 (*Risk Matrix*) below and throughout this ESMF in text boxes highlighting and further developing these recommendations and mitigation measures (R&MM).

The project rests on a solid foundation of stakeholder engagement as well as prior experiences and lessons learned from related REDD+ activities –such as the Socio Bosque Conservation Project and the GCF and the Global Environmental Fund (GEF)-financed Amazon Programme for the Conservation of Forests and Sustainable Production (PROAmazonia). Indeed, it is intended that RBP Project will capitalize on synergies with, and work already performed by PROAmazonia. For instance, the local governance plans to be updated with climate change elements by PROAmazonia, are some of the very plans that the RBP Project will endeavour to support and implement. Whenever possible, including through the sharing of a Project Management Unit (PMU), the projects will work together to provide efficiency and consistency in the delivery of REDD+ objectives, while also avoiding duplication and adverse impacts across one or more projects.

Most importantly, at the project’s inception, a comprehensive and participatory Environmental Social Impact Assessment (ESIA) will be conducted. Based on those findings, a series of management plans will be elaborated with stakeholders and as necessary, this ESMF and its constituent SESP will be revised and all appropriate mitigation measures put in place before commencing any activity that has the possibility of causing adverse impacts.

MAE, its partners in other government institutions, the UNDP and other stakeholders (i.e. Decentralized Autonomous Governments, smallholder farmers, upstream/downstream companies, indigenous peoples and native communities, Afro Ecuadorian and montubio communities and communes (hereinafter “indigenous peoples and other collectives”)), have demonstrated a commitment to participate effectively to ensure that the project not only avoids and mitigates against adverse impacts, but also positively seizes opportunities to enhance the enjoyment of human rights and realize the full benefits of sustainable resource management and economic development.



2 INTRODUCTION

As noted above, this ESMF has been prepared in support of Ecuador's funding proposal to the GCF for the RBP Project. As this project is supported by UNDP in its role as a GCF Accredited Entity, the project has been screened against UNDP's Social and Environmental Standards (SES) utilizing the UNDP SESP and deemed a Moderate Risk project.

The RBP Project includes a range of activities that have been specified and described to date in five (5) proposed outputs and at least ten (10) corresponding activities based on multi-stakeholder consultations held throughout the preparations of the National REDD+ AP. As already designed, a number of these proposed activities will be conducted throughout the nation, while others will be conducted in certain regions already specified (i.e. the Southwest of the country, the regions of Sierra and Costa, and in the Amazon forest). Even where the activities are performed in a specific geography or biome, all progress will have national implications for achieving the objectives of REDD+. Nevertheless, to ensure stakeholder ownership, part of the project purposely envisions future multi-stakeholder analysis and decision-making to identify priority geographic areas of attention and the tailored sub-set of activities that will be conducted therein. As additional focus will be developed going forward, the RBP Project cannot be fully assessed at this stage for all potential social and environmental risks and impacts. As such, this ESMF has been prepared in such a way as to set out the principles, rules, guidelines and procedures for screening, assessing, and managing the likely potential social and environmental impacts of those proposed outputs and activities already defined, as well as yet undefined interventions. It contains measures and plans to avoid, and where avoidance is not possible, to reduce, mitigate and/or offset adverse risks and impacts. The ESMF specifies the most likely applicable social and environmental policies and requirements and how those requirements will be met through procedures for the screening, assessment, approval, mitigation, and the robust monitoring and reporting of social and environmental risks and impacts associated with the activities to be supported.

For the project outputs that have been defined with a reasonable degree of certainty, this ESMF includes as annexures indicative outlines of the management plans required for addressing likely social and environmental impacts and several of the requirements of applicable policies and standards, including the UNDP SES. When the ESIA is completed, the ESIA consultant will finalize these plans and periodically reviewed and adjusted as necessary to accommodate newly defined activities, as well as new circumstances that arise during the life of a project.

3 PROJECT DESCRIPTION

MAE has formulated the RBP Project with the aim of engaging in several activities aimed at contributing to the implementation of Ecuador National REDD+ AP by:

- strengthening implementation of REDD+ in indigenous territories through a robust alliance with indigenous peoples and native communities, as well as through an agreement already reached with the Confederation of Indigenous Nationalities of the Ecuadorian Amazon (CONFENAIE);¹
- improving forest governance by implementing at the local level land-use plans and management plans to be aligned with national climate change-related targets, while also strengthening the capacity of local governments to define their sustainable economic development and conservation priorities, and facilitating coordination between actors engaging resources within the same area;
- fostering private-public partnerships and sustainable economic alternatives for forest resources;

¹ CONFENAIE is a national indigenous organization in Ecuador serving over 1500 indigenous communities living within the Amazon.

- promoting sustainable production systems, such as sustainable agricultural production practices that reduce deforestation and can be marketed as deforestation free and non-timber forest products (NTFP) while promoting local livelihoods, valuing traditional knowledge and practices, and reducing poverty;
- Incentivizing local partners to restore deforested and degraded areas;
- Improving the management of Protective Forests and National Protected Areas by regularizing the land ownerships within these areas in a rights-based manner, and facilitating consensus and cooperation among the proprietors within these areas around a revised resource management plan;
- Improving forest governance by, among other things, strengthening social and environmental impact assessments and national monitoring mechanisms, including Ecuador's National Forest Monitoring System and the Safeguard Information System (SIS);
- Designing a deforestation free product market with stakeholders that addresses the need to increase the demand side for such products, establishes private sector relationships across supply chains, leverages progress in this area already made by PROAmazonia, and ultimately incentivizes and assists producers to pursue deforestation free commodities as a source of livelihoods.

This project is consistent with, and will contribute to, the achievement of Ecuador's National REDD+ AP's clearly defined mitigation focus. The RBP Project will contribute to reduce gross emissions from the forest and land-use sector by at least 20% by 2025, using the first UNFCCC revised forest reference emissions level covering the period 2000-2008 as a benchmark.

The emission reductions that Ecuador will achieve by implementing its REDD+ AP during the GCF project's lifetime (2019-2025) will be assessed in 2020, 2022, 2024 and 2026, through the Biennial Update Reports to the United Nations Framework Convention on Climate Change (UNFCCC), with reference to the Forests Reference Emissions Level (FREL).

3.1 Overview of the Project

The RBP Project will contribute to create an enabling environment to sustainable development by achieving systemic change at the local, national and hopefully international levels, and by including social, economic and environmental co-benefits into the proposed paradigm shift, such as protection of forests, biodiversity, and the rights of indigenous peoples and other collectives, including their ancestral and cultural heritage sites. The project aims to limit and reduce greenhouse gas emissions from Land-Use Change and Forestry (LULUCF). Such reductions will arise in the context of promoting sustainable rights-based development and the responsible management and use of our natural resources; implementing the management plans of local governments and the management plans of Protective Forests and National Protected Areas; improving the livelihoods of those that depend on forest resources (including smallholder farmers and small business enterprises, as well as indigenous peoples and other collectives); creating new markets for deforestation free commodities; implementing and strengthening Ecuador's systems to monitor social and environmental impacts; and supporting the performance and analysis of regular and participatory impact assessments (environmental, economic, and socio-cultural) that will inform the nation's laws, policies and strategies aimed at fulfilling its REDD+ goals and objectives.

The RBP Project is fully aligned with Ecuador's National REDD+ AP and a host of domestic policies and strategies related to matters ranging from forest management, gender equity, biodiversity, human rights, sustainable development, and more generally, climate change. In Ecuador's Funding Proposal (FP) and its accompanying Environmental and Social Assessment (ESA) and associated ESA annexes (see corresponding annexes of the FP), MAE has provided a substantial description of the baseline environmental and socioeconomic conditions within which the RBP Project will be implemented.



3.2 Summary of Activities

The RBP Project will have the following components and activities, as listed below and shown with their corresponding National REDD+ Action Plan Components and summarized further thereafter.

National REDD+ Action Plan Strategic (SC) and Operations (OC) Components	RBP Project Outputs and Activities
SC1: Policies and institutional management for REDD+	<p>Output 1 Policies and institutional management for REDD-plus</p> <p>Activity 1.1. Implementing land use plans at the local level.</p> <p>Activity 1.2. Improving the management of land rights within Protective Forests.</p>
SC2: Transition to sustainable agricultural production systems	<p>Output 2 - Transition to sustainable agricultural production systems</p> <p>Activity 2.1. Establishing a private-public partnership for marketing deforestation-free commodities from the Amazon.</p>
SC3: Sustainable forest management SC4: Conservation and restoration	<p>Output 3. Sustainable forest management; Conservation and restoration</p> <p>Activity 3.1. Supporting the business case for forests: supporting Micro, Small and Medium-sized Enterprises (SMEs).</p> <p>Activity 3.2. R&D on industrial uses of Non-Timber Forest Products (NTFP) and other deforestation-free products.</p> <p>Activity 3.3. Increasing forest restoration efforts in Azuay and Cañar Provinces.</p>
OC1: REDD+ Policies & measures management; OC2: Monitoring and reference level OC3: Safeguards for REDD+ OC4: Capacity building and knowledge management OC5: Stakeholder engagement and communication.	<p>Output 4. Operational Management of the National REDD+ AP</p> <p>Activity 4.1. Strengthening of the institutional capacities of the Ministry of Environment to manage the implementation of the National REDD+ AP.</p> <p>Activity 4.2. Improving the National Forest Monitoring System (NFMS) capacity to monitor forest degradation.</p> <p>Activity 4.3. Implementation of the Stakeholder Engagement Plan and Environmental and Social Management Plan (ESMP) for the use of proceeds.</p> <p>4.4 Strengthening REDD+ implementation in Indigenous Territories.</p>
	<p>Output 5: Project Management</p>



Output 1 Policies and institutional management for REDD-plus (National REDD+ AP SC1)

Activity 1.1. Implementing land use plans at the local level

The key objective of SC 1 of the REDD+ AP is to articulate inter-sectoral and governmental policies and mainstream climate change and REDD+ in public policies and in the main instruments of territorial planning at the level of Decentralized Autonomous Governments (GAD) and communities, peoples and nationalities. Under the action plan measure of “Land use and zoning of the agricultural and forestry frontier”, the local governments have begun the process of updating their local land use plans (PDOTs) to include climate change criteria and actions.

Through this output the RBP Project will support the implementation of REDD+ actions identified in each Land Use Plan (LUP) by local governments or Planes de Vida (Life Plans) by Indigenous Peoples, or REDD+ Implementation Plans by other institutions. A mechanism of direct funding will be used to transfer resources to local governments, NGOs, institutes or other entities, that will help to execute REDD+ actions, through the implementation of those land use plans. A first transfer will be done based on a plan and based on results of compliance of land use plans, a second transfer will be granted. This mechanism will allow Local Governments to be incentivized to implement REDD+ actions and monitor their progress. A correct implementation of these activities will increase conservation of natural resources, protect watersheds, increase resilience and incentivize the use of sustainable production and consumption practices.

Activity 1.2. Improving the management of land rights within Protective Forests (*bosques protectores*) and the National Protected Areas.

The Organic Law on Rural Lands and Ancestral Territories established that the National Environmental Authority must regularize the right of ownership or pre-existing agrarian possession after the declaration of the protected area, in favour of the current owners or regular possessors.

Protective Forests and National Protected Areas in Ecuador have management plans, which include land use plans of the conservation area. These plans include the implementation of productive activities under a sustainable land use focus. To guarantee the correct implementation of these land use plans, through this output the project will support the development of a baseline and information system of the monitoring of land use zoning within the Protective Forests, including land rights. If certain areas are identified as not having clear land titles the project will support the regularization of those areas in order to guarantee the correct implementation of management plans by the legal enforcement of land use zoning. Considering that the main driver of deforestation is the expansion of the agricultural frontier, these actions will help to maintain the forest areas while promoting a sustainable land use management and production of deforestation free commodities and preserving ecosystem services in Protective Forests.

Output 2 - Transition to sustainable agricultural production systems (National REDD+ AP SC2)

Activity 2.1. Establishing a private-public partnership for marketing deforestation-free commodities from the Amazon

To continue the support of the transition to sustainable agricultural production systems, the project will engage with the private sector for the creation of private-public partnerships that produce and sell deforestation-free commodities produced in the Amazon Region. Through this output, different value chains will be supported, and a management model will be developed to guarantee an increase in investments from both sectors and have greater rates of return, benefitting local producers directly while eliminating middlemen in the chain. The focus of these partnerships is transformation of the production systems by allowing producers to focus not only on the production of raw materials, but also help them develop industries to have finished goods that can be sold in national and international markets.

Output 3. Sustainable forest management; Conservation and restoration. (National REDD+ AP SCs 3 and 4)

Activity 3.1. Supporting the business case for forests: supporting SMEs

Micro, Small and Medium-sized Enterprises (SMEs) are key to promoting the economic development of rural communities who live and depend directly of forests. Supporting businesses that can be created from a sustainable integral production is a strategy that can help boost employment rates and revenues in local communities. Based on the results of the research and development done for Non-Timber Forest Products (NTFP) (activity 3.2), the project will work in productive value chains through the creation of business clusters. These clusters will allow the participation of different stakeholders that can work in the different stages of the value chain, including the production and extraction of raw materials from the forests, processing, and the creation of finished goods. This will allow that these SMEs create added value products that come from NTFP, with access to national and international markets. This activity will be focused on the regions of Sierra and Costa.

Activity 3.2. R&D on industrial uses of NTFP and other deforestation-free products

Support will be provided to national research centres and universities for research projects related to bio economy with a focus on identifying innovative uses of NTFP so that local communities can move from raw materials-based economies to finished goods and value-added products economies.

Activity 3.3. Increasing forest restoration efforts in the southwest region of Ecuador.

The project will develop a study and a base line to establish the levels of soil degradation in the south western region of the country, with the purpose to support the implementation of soil rehabilitation in zones with processes of desertification; also maintenance actions will be implemented in areas under restoration. The south western region of Ecuador has been selected because it is one of the areas with the greatest forest coverage lost during the past years: in the period of 2014-2016 the gross deforestation rate was 2,411 ha per year, consequently, 1.34% of natural vegetation is lost annually. Through the project, agreements will be signed with key stakeholders (*mancomunidades*, water funds, parochial governments, etc.) in the prioritized areas to implement soil rehabilitation activities. Additionally, the project will support ongoing restoration activities by helping the maintenance of areas under restoration activities through previously signed agreements in 2014-2015. These initiatives will contribute to biodiversity conservation, water resource management, restore soil degradation, as well as increase the value of ecosystem services.

The project will also work with universities and research centres to study carbon sequestration in early restoration areas. This research will contribute to the effectiveness of restoration activities and their contribution to climate change mitigation and adaptation.

Output 4. Operational Management of the National REDD+ AP (National REDD+ AP OCs 1-5)

Activity 4.1. Strengthening of the institutional capacities of the Ministry of Environment to manage the implementation of the REDD+ AP

The MAE currently faces the challenge of managing the implementation of the REDD+ AP, a multifaceted initiative to achieve results at the national scale. Ecuador will use many sources of financing, including its own budget to achieve this. The Ministry currently faces the challenge of coordinating multiple partners supporting multiple activities with complex interrelationships of different enabling policies (e.g. inter-institutional coordination) and direct investments made in the field (e.g. subsidies to farmer). This activity will support the training and deployment of technical support personnel on the ground as well as support the operational capacities of the MAE.

Activity 4.2. Improving the National Forest Monitoring System capacity to monitor forest degradation

Ecuador has achieved great progress on the monitoring system for deforestation. However, there is still room for improvement in terms of degradation. At the moment, the country is developing a framework for the identification of a baseline through the support of KFW with a consultancy called: “Development and implementation of the degradation detection chain in one pilot area in the Ecuadorian Amazon using SEPAL” (Data Access System for Land Observation, Processing and Analysis for Monitoring the land surface). The RBP Project will complement this work and support the elaboration of a national degradation map. To achieve this, degradation activities using remote sensors will be integrated to the national forest inventory system. Additionally, local monitoring and validation will be carried out in a pilot area. Capacity building to strengthen the National Forest Monitoring System will be delivered to increase capacities of MAE officials on degradation methodologies, tools and systems. This output will allow the country to increase the scope of its Monitoring System to report deforestation and degradation, considering all the information already developed by FAO, which will be the responsible party for the implementation.

Activity 4.3. Implementation of Stakeholder Engagement Plan and the Environmental and Social Management Plan for the use of proceeds

Implementation of the Stakeholder Engagement Plan and Environmental and Social Management Plan will ensure that the use of proceeds meets the GCF’s ESS standards. It will also contribute to the national SIS with information generation from the implementation of the ESMP. The project will also be called upon to produce reports for a Summary of Information, that will be included in Ecuador’s Fourth National Communication submitted to the UNFCCC (See section E.1.2 for more details).

Activity 4.4: Strengthening REDD+ Implementation in Indigenous Territories

The REDD+ Implementation Plan in the Amazonian Indigenous Territories of Ecuador builds upon the [Amazon Indigenous REDD+ \(RIA\)](#) and [Cuencas Sagradas](#) initiatives. The REDD+ Implementation Plan was led by the Confederation of Indigenous Nationalities of the Amazon (CONFENIAE) with the support of the World Wildlife Fund, the Coordination of Indigenous Organizations of the Amazon Basin (COICA), and the Ministry of Environment of Ecuador.

This implementation plan seeks to contribute to the compliance of the REDD+ Action Plan, through the sustainable management of the indigenous territories in the Amazon while respecting their world view, including through the development and execution of sustainable forest and land use management projects with each nationality.

This implementation plan has four components:

- a) Land Use Planning: The Amazon peoples and nationalities plan and manage their territories and foster development for their population within their “Life Plans”.
- b) Deforestation Free Production: the Amazon peoples and nationalities implement deforestation free production techniques and increase NTFP production supporting bio economy.
- c) Conservation, restauration and ancestral knowledge: The Amazon peoples and nationalities implement restoration actions and legalize their territories under conservation schemes guaranteeing the protection of their ancestral knowledge, sacred places and spirituality.
- d) Strengthening their human capital and organizational capacities: The Amazon peoples and nationalities strengthen their human capital and organizational capacities for the sustainable management of their territories with their world view and ancestral knowledge.

Through the application of the National Consultation Guide for the implementation of REDD+ actions and measures in collective territories, areas and actions that will be implemented of this plan will be prioritized and implementation arrangements will be defined in response to their development priorities and needs.

Output 5: Project Management, as further defined in section G of the Funding Proposal (FP), this Output addresses operational management activities of the project such as financing reporting, overseeing

implementation, providing technical guidance, overseeing procurement and accountability etc. Table 21 of the FP identifies operational risks associated overall with the project and as related to Output 5. This ESMF addresses environmental and social risks and as such will not be evaluating Output 5.

4 APPLICABLE LEGAL AND INSTITUTIONAL FRAMEWORK

This section provides a preliminary review of the applicable policy, legal and institutional (PLR) framework related to the potential risks and benefits of the implementation of the RBP Project-proposed activities. It includes a brief review of applicable national legislation, policies and regulations and applicable international agreements as analysed against the requirements of the UNDP SES and Cancun Safeguards. Where potential areas are identified for strengthening, or where the PLR's particular application and interpretation may determine the project's capacity to avoid and mitigate adverse impacts (and/or enhance the enjoyment of human rights), these have been highlighted.

Notwithstanding the above, Ecuador's REDD+ AP safeguards are aligned with the country's current regulatory, legal, policy and institutional framework and contribute to its effective implementation. They also follow UNFCCC safeguard requirements and seek to implement REDD+ within the country's sustainable development process. The national scope of each of the seven Cancun safeguards has been defined by Ecuador and given a national approach. This 'National Safeguard Scope' sets the parameters Ecuador will use for reporting on how compliance with the safeguards are addressed and respected when implementing the National REDD+ AP and in particular, this proposed GCF project, applying existing legal mechanisms and instruments that are obligatory at the national level.

The definition of Ecuador's REDD+ safeguards scope or interpretation was based on three main elements: 1) the analysis of the regulatory, legal and policy framework, 2) the experience and lessons learned from the national interpretation of the REDD+ SES Initiative, which included a participatory process for building a framework of social and environmental principles, criteria and indicators and on, and 3) a review of relevant safeguard policies and tools.

In line with UNFCCC decisions, Ecuador also has a Safeguard Information System (SIS) for REDD+ to manage information on how safeguards are addressed and respected, according to the country's needs and capacities. SIS reporting is based on implementation and monitoring of policies and measures (PAMs) by the REDD+ M&A Management System and the tools that will be fostered by it for meeting REDD+ objectives. Ecuador is working to improve and strengthen the SIS. SIS will be linked to other key stakeholders and institutions for safeguard reporting by the time of the RBP Project.

The Constitution of 2008 is the institutional umbrella under which safeguards are addressed and respected. It provides the context for implementing the rights-based approach associated with UNFCCC REDD+ safeguards and incorporates environmental variables in production activities, ecosystem management, citizen participation in environmental discussions, and climate change adaptation.

4.1 Environmental and Social Impact Assessments in Ecuador

Ecuador has already accepted its duties and obligations to identify risks, mitigate and avoid them, and address them. Ecuador's existing and emerging initiatives and monitoring systems to assess the social and environmental impacts of its REDD+ projects in implementation must persist and as observed by MAE itself, continue to be strengthened. For instance, having a national FREL and National Forest Monitoring System (NFMS) allows Ecuador to monitor possible displacement of emissions from deforestation within the national forest area and to focus on ensuring that REDD+ results can be measured, reported and verified at the national scale, in line with UNFCCC requirements outlined in the Warsaw Framework and related Conference of the Parties (COP) decisions. Ecuador's commitment to improving its assessment of

environmental impacts over time is the reason that the RBP Project has as one of its outputs “Improving the National Forest Monitoring System capacity to monitor forest degradation” (not just deforestation). In addition, Ecuador also has made strides with respect to working with stakeholders to begin developing not just environmental, but social indicators that can be used by monitoring teams and feed into the work of the gradual development of its Safeguards Information System (SIS) to collect and analyse information from multiple sources on how the activities of REDD+ programs and projects are implemented to complement and ensure consistency with the Cancun safeguards.²

The applicable PLRs, including national policies and strategies, also provide at varying levels for environmental and social assessments (with particular emphasis on the former). For instance, Article 179 of the Organic Environmental Code (*Código Orgánico del Ambiente*) (2017) provides for an environmental assessment of “those projects, works and activities that cause medium and high impact or risk”. The law does not specify a separate requirement for a social impact study, however its regulation, the Unified Text of Secondary Legislation of the Environment (*Texto Unificado de Legislación Secundaria de Medio Ambiente*), Book VI (amended in 2015) does provide that to evaluate the environmental impacts, the “socio-cultural” aspects of the activity must also be assessed such as “archaeology, socioeconomic organization, among others”. Also, Articles 9-22 of the “Rules of implementation of social participation mechanisms” (Presidential Decree No. 1014 (2008)) provide that in order to obtain an environmental license in Ecuador it is necessary to conduct a process of “social participation” which is described as a tool for integrating citizen knowledge into the processes of the environmental impact assessments so as to strengthen those processes and reduce risks.

Ecuador’s PLRs do not yet provide the *express and detailed requirements* around the systematization of how, when and who will gather, assess, analyse and make accessible social and environmental impacts arising from a REDD+ project’s implementation. There is law and guidance on environmental and social assessments, but it does need to be adapted to the context of REDD+ projects such as the one being proposed to GCF. This will need to be done in some concrete format with stakeholders, with the requirements and mechanisms articulated and approved by the Project Board in the earliest phases of the project. As similar needs have been identified by PROAmazonia³ --especially in the context of the developing SIS -- it is recognized that efficiencies can be reached by coordination among these REDD+ initiatives to provide a way forward for current and future climate change-oriented projects.

² Links to the SIS design and related SIS documents can be found at: <http://reddecuador.com/sistema-de-informacion-de-salvaguadas/>.

³ PROAmazonia combines the GCF approved Project, “Priming Financial and Land-Use Planning Instruments to Reduce Emissions from Deforestation” and the GEF project “Sustainable Development of the Ecuadorian Amazon: Integrated Management of Multiple Use Landscapes and High Value Conservation Forests. See the GCF FP for the former, p. 31, Activity 4.1, “Support the implementation of the Warsaw Framework for REDD+ and other operational processes” (providing that this “sub-component includes investment in the establishment of an integrated information system for the implementation of REDD+, including the NFMS, the GHG inventory system and the Safeguards Information System (SIS), as well as a REDD+ PAMs Registry. These systems exist, but have not been fully institutionalized, are only partially operational, and are not currently interconnected. The project will support the integration of these systems to ensure timely and coordinated efforts among the different institutions in order to facilitate reporting to the UNFCCC.”)



R&MM1

The RBP Project, presumably in conjunction with its ProAmazonia partner projects and for general application across programming arising from the National REDD+ AP, therefore, should develop a clear set of procedures, mechanism, and/or guidelines which identify, among other things:

- How, when and by whom the assessment of social and environmental impacts will occur (including role of all stakeholders, intended assessment and monitoring methodologies, and timelines).
- What indicators for environmental and social impacts are to be applied (indicators to be finalized and comprehensive enough to address all impacts safeguarded against by the UNDP SES and Cancun Safeguards.)
- The role of MAE and other ministries and departments in centralizing that data so that it can be analysed, shared across forest governance bodies, accessed by the GRM staff, integrated into the SIS, and utilized for development of Ecuador’s Summary of Information (SOI).
- The mechanisms to be used to ensure that periodic assessments and monitoring results are linked to those responsible for project management and capable of real-time responses that can avoid harms and improve outputs.

4.2 National Legislation, Policies and Regulations

In the context of the review of the applicable policies, laws and regulations (PLRs) done around Ecuador’s Socio Bosque Conservation Program (see corresponding annexes to the FP, which includes Annex A of the ESA Report providing the actual PLR Analysis), relevant provisions of the national PLRs were reviewed for their consistency with the UNDP SES and Cancun Safeguards. For further details on each of these laws, please see this analysis. The conclusion of this analysis was that the national PLRs (including the Constitution, national norms, policies, strategies, and regulations) provide an adequate framework in which REDD+ programming, including this RBP Project, can be carried out consistent with its national safeguard approach and consequently, the UNDP SES. The following is a *non-exhaustive* but representative list of policies, laws and regulations (PLRs) reviewed in the PLR Analysis and that may be relevant to the project and its sound implementation. The ESIA consultant should review these again in the context of their work.

NATIONAL PLRS
Constitution of the Republic of Ecuador
<i>Ley Forestal y de Conservación de Areas Naturales y Vida Silvestre</i> (Law on Forests and Conservation of Natural Areas and Wildlife) (2004, amended 2014).
Texto Unificado de Legislación Secundaria de Medio Ambiente (Unified Text of Secondary Legislation of the Environment), the Estrategía Nacional de Cambio Climático (National Climate Change Strategy),
<i>Ley Orgánica de Participación Ciudadana</i> (2011) (Organic Law on Citizen Participation)
<i>Ley Orgánica de Transparencia y Acceso a la Información Pública</i> (2004) (The Organic Law on Transparency and Access to Public Information)
<i>La Ley de Gestión Ambiental</i> (2004) (Law of Environmental Management)



<i>El Código Orgánico de Organización Territorial, Autonomía y Descentralización (COOTAD) (2010)</i> (The Organic Code for Territorial Organization, Autonomy and Decentralization)
<i>Ley Forestal y de Conservación de Áreas Naturales y Vida Silvestre</i> (Law on Forests and Conservation of Natural Areas and Wildlife) (2004, amended 2014)
<i>MAE Acuerdo Ministerial No. 33</i> (Ministerial Agreement, No. 33 (2012) on consultation)
<i>Guía Nacional de Consulta para la Implementación de Acciones REDD+ en Tierras o Territorios Colectivos</i> (National Guideline on Consultation for the Implementation of REDD+ Actions in Collective lands and Territories)
<i>Ley Orgánica de Lucha contra la Corrupción</i> (Organic Law on the Fight against Corruption).
<i>Estrategia Nacional de Cambio Climático</i> (National Climate Change Strategy),
<i>Política y Estrategia Nacional de Biodiversidad</i> (National Biodiversity Policy and Strategy)
<i>Estrategia para el Desarrollo Forestal Sustentable del Ecuador</i> (Ecuador’s Strategy for Sustainable Forest Development)
<i>Política Nacional de Gobernanza del Patrimonio Natural para la Sociedad del Buen Vivir</i> (National Policy of Governance of Natural Heritage for the Good Living Society)
<i>Ley de Desarrollo Agrario</i> (Codification to the law of Agrarian development)
<i>Ley Orgánica de Tierras Rurales y Territorios Ancestrales</i> (2016) (Organic Law on Rural Lands and Ancestral Territories).
<i>Protocolo que Regula los Procesos de Adjudicación de Tierras Rurales</i> (Protocol regulating the processes of Rural land Allotment), Resolution 9 (2013)
<i>Norma Técnica No. 265 (MAE), Procedimiento Adjudicación de Tierras</i> (2008) (Technical Norm. No. 265, MAE, Procedure: Adjudication of Lands (2008)
<i>Reglamento a Ley Orgánica de Tierras Rurales Territorios Ancestrales</i> (Regulation to the Organic Law on Rural Lands and Ancestral Territories) Executive Decree 1283 (2017)
Organic Law on the Popular and Solidarity Economy
<i>Agenda Nacional de las Mujeres y la Igualdad de Género 2014-2017</i> (The National Agenda on Women and Gender Equality (2014-2017))
<i>MAE Acuerdo Ministerial de MAE, No. 65, Incentivos para la Restauración Forestal</i> (2015) (MAE Ministerial Agreement No. 65, Incentives for Forest Restoration)
<i>Organic Law on the Fight against Corruption</i> (Ley Orgánica de Lucha contra la Corrupción)
<i>Acuerdo Ministerial, No 007 del MAE</i> (MAE Code of Ethics) (April 2014)
<i>Código Orgánico de la Función Judicial</i> (Organic Code on Judicial Functions)
<i>Código del Trabajo</i> (2012) (Labour Code)
<i>Código Orgánico Integral Penal</i> (2014) (Comprehensive Organic Criminal Code) (COIP)
<i>General Public Planning and Finance Code</i> (COPFP - 2010)
<i>Plan Nacional de Forestación y Reforestación</i> (National Forestation and Reforestation Plan),

4.3 Applicable International Agreements and Protocols

The PLR Analysis referred to above also demonstrated that Ecuador is a party to a number of international and regional agreements and conventions and has endorsed a number of other relevant international instruments which are related to the environment and human rights, and potentially implicated by the RBP Project. These international agreements and instruments contain the provisions that likely will most impact Ecuador’s implementation of its REDD+ programming, and particularly, the RBP Project (i.e. provisions on human rights, resource management, transparency, citizens participation, governance and accountability, conservation and climate change, the rights of indigenous peoples, minorities, and women).

As noted in the PLR Analysis, these international instruments form part of Ecuador’s internal norms. The national Constitution provides that “National Assembly and all bodies with legal and regulatory authority shall be obligated to adjust, formally and materially, the laws and other legal standards related to the rights provided for in the Constitution and international treaties.” The Constitution also provides that judges are



to “administer justice subject to the Constitution, international human rights instruments and the law.” (Articles 17 and 84 of the Constitution). Ecuador’s compliance with its duties and obligations under these international instruments are a requirement of the UNDP SES and essentially, a requirement of its national legal framework. While not an *exhaustive* list, the following chart provides a list of international agreements to which Ecuador is a party or for which it has endorsed its terms. Several their terms are discussed in the PLR Analysis and should be examined again as part of the ESIA.

INTERNATIONAL INSTRUMENTS
International Covenant on Civil and Political Rights
International Covenant on Economic, Cultural and Social
International Convention on the Elimination of all Forms of Racial Discrimination
Convention on the Protection and Promotion of Diversity of Cultural Expressions
Convention on the Elimination of Discrimination Against Women
Convention on Biological Diversity
Convention for the Safeguarding of Intangible Cultural Heritage
Convention Concerning the Protection of the World Cultural and Natural Heritage
International Labour Organization (ILO) Convention No. 169
ILO Conventions Nos.138 and 182 (on labour), among others
American Convention on Human Rights (including San José Protocol)
Universal Declaration of Human Rights
United Nations Declaration on the Rights of Indigenous Peoples
United Nations Framework Convention on Climate Change - Decision 1/CP.16-
Convention on Biological Diversity - Decision XI/19
American Declaration on the Rights of Indigenous Peoples

4.4 UNDP SES

The RBP Project also will comply with UNDP’s [Social and Environmental Standards](#) (SES), which came into effect in January 2015. The SES underpin UNDP’s commitment to mainstream social and environmental sustainability in its Programmes and Projects to support sustainable development. The objectives of the standards are to:

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

The SES are an integral component of UNDP’s quality assurance and risk management approach to programming. This includes the [Social and Environmental Screening Procedure](#) (see the completed SESP for the project in Annexure 1 of this ESMF).

Key Elements of UNDP’s Social and Environmental Standards (SES)

Overarching Policy	Project-Level Standards	Policy Delivery Process & Accountability
<p>Principle 1: Human Rights</p> <p>Principle 2: Gender Equality and Women's Empowerment</p> <p>Principle 3: Environmental Sustainability</p>	<p>Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management</p> <p>Standard 2: Climate Change Mitigation and Adaptation</p> <p>Standard 3: Community Health, Safety and Working Conditions</p> <p>Standard 4: Cultural Heritage</p> <p>Standard 5: Displacement and Resettlement</p> <p>Standard 6: Indigenous Peoples</p> <p>Standard 7: Pollution Prevention and Resource Efficiency</p>	<p>Quality Assurance</p> <p>Screening and Categorization</p> <p>Assessment and Management</p> <p>Stakeholder Engagement and Response Mechanism</p> <p>Access to Information</p> <p>Monitoring, Reporting, and Compliance review</p>

The Standards are underpinned by an Accountability Mechanism with two key functions:

- A [Stakeholder Response Mechanism](#) (SRM) that ensures individuals, peoples, and communities affected by UNDP projects have access to appropriate procedures for hearing and addressing project-related grievances; and
- A [Compliance Review](#) process to respond to claims that UNDP is not in compliance with UNDP’s social and environmental policies.

Through the GCF Accreditation Process, the SES are acknowledged to be consistent with the GCF’s Environment and Social Standards.

4.5 UNFCCC REDD+ safeguard requirements

The project will also comply with the UNFCCC REDD+ safeguard requirements, referred to as the ‘Cancun safeguards’. (COP Decision [1/CP.16](#)). It is considered that Cancun safeguards (except safeguard (f) and (g)) are implicitly captured in the UNDP Social and Environmental Standards and policies and as such, the ESMF, which aims to bring the project in full compliance with the UNDP SES and policies, assures compliance as well with the Cancun Safeguards. To this end, safeguards (f) and (g) have also been captured by the SESP in Annexure 1 and the ESMF Risk Matrix included in Table 1 below.



5 POTENTIAL SOCIAL AND ENVIRONMENTAL IMPACTS AND PROCEDURES FOR ADDRESSING THEM

5.1 Social and Environmental Impacts with Risk Assessment

As a Moderate Risk Project, further impact assessment and management measures will be needed in order to manage risks effectively throughout project implementation. As noted in the FP and emphasised here in this ESMF, the first steps during project inception will be to conduct an **environmental and social impact assessment (ESIA)**. This will be carried out by experts and will involve research, consultations, field work, stakeholder engagement and management planning. The ESIA will cover each of the activities already defined by the project and where possible anticipate (per stakeholder consultations) additional areas of work (both geographically and thematically). The ESIA will address the project's benefits and risks and be sure to include a gender approach across all ESIA elements. An indicative outline of the intended content of the final ESIA report can be found at Annexure 2 of this document. This outline will be modified accordingly before being attached to the Terms of Reference (ToR) for the consultant(s) conducting the assessment.

The preliminary findings and conclusions of this ESMF and SESP (in particular, the Risk Matrix found below in Table1) will be reviewed again based on the findings of the ESIA and lead to the development of an Environmental and Social Management Plan (ESMP) for the defined components of the project. To be affirmed by the findings of the ESIA, this ESMF concludes that the following management plans will be needed: A Stakeholder Engagement Plan, a Gender Action Plan, a Cultural Heritage Management Plan, a Livelihoods Action Plan, and an Indigenous Peoples Plan. If determined by the findings of the ESIA, there may also be a need for a Biodiversity Action Plan. Together with stakeholders, the elaboration of these plans will be a task of the ESIA consultants. While a preliminary Gender Assessment and Action Plan has already been completed (annexed to the FP), it too will be reviewed, and modifications suggested as by the ESIA consultants. Where available to date, indicative outlines for several of the other management plans are attached in Annexures 6-9 to this ESMF.

The ESMP will also incorporate these substantial works already conducted to draft a project grievance redress mechanism (*GRM*). Recommendations on that matter can be found below in Section 7.4.

R&MM2

- The ESMF specifies the need for undertaking an ESIA for all project activities and the development of an ESMP and associated management plans. UNDP's SESP requires that no activities that may cause adverse social and environmental impacts will proceed until the ESIA has been completed and per the revised ESMF, adoption of appropriate mitigation and management measures are completed. It is suggested that the ESIA consultants, together with stakeholders, create a list of such possible activities that is available to all stakeholders and respected by the various governance and stakeholder bodies of the project.
- Additionally, it is recommended that project financial disbursements are scheduled to incentivise and ensure timely completion of all social and environmental risk measures – including the prompt completion of the ESIA, the elaboration of the proposed ESMP and associated management plans (including the review and possible modification of the preliminarily drafted Gender Action Plan), and the adoption and readiness of all recommended mitigation measures.

The table below has built upon the initial conclusions and proposed mitigation measures of the SESP and has further strengthened and supplemented the risk and mitigation measure analysis to ensure a robust framework for identifying, avoiding, mitigating and addressing all potential social and environmental risks.

The mitigation measures proposed below (third column) are further elaborated along with additional ESMF recommendations and mitigation measures appearing in text boxes throughout this ESMF. Where applicable, these Recommendations and Mitigation Measures (R&MMs) are cross-referenced in the Risk Matrix below for ease of application and as such, they should be read and applied together.

Upon conclusion and prior dissemination of the completed ESIA, this ESMF Risk Matrix below will be reviewed in a meeting of stakeholders and modified accordingly (with Project Board approval) based on the ESIA findings and any additional knowledge about the RBP Project activities and priorities.

Table 1 Risk matrix		
	<u>The following are Mitigation Measures applicable to all risks assessed below</u>	
	▪ .	
RISK	COMMENT	MITIGATION MEASURES
<p>Risk 1: Project intentions to promote land regularization in National Protected Areas, Protective Forests and within areas of forest restoration, and project plans to have CONFENAIE and its members prioritize REDD+ activities and the communities that will implement them, may result in disputes among those with overlapping claims of ownership and use rights (including disputes among local governance bodies (cantons, parochial units, the governance structures of indigenous and other collectives), among private individuals and collectives, as well as among the leaders and members of CONFENAIE.</p>	<p><i>Several the proposed activities require a baseline study on land tenure in the area concerned, and then regularization of those property ownerships. The likelihood of overlapping claims, even the procedural requirement of notifying the public of intents to adjudicate (title) lands, can give rise to conflicts. Intended agreements between MAE and individuals and collectives also me give rise to disputes around interpretation, application, non-compliance, suspension, termination and withdrawal.</i></p> <p><i>When CONFENAIE and its members must prioritize activities of Life Plans and communities that will receive support –internal politics may cause conflicts among members and with the organization’s executive.</i></p>	<ul style="list-style-type: none"> ▪ Provision of spaces for capacity building and dialogues among stakeholders to work through differences, educate each other about their respective concerns and the rights of their fellow stakeholders under Applicable Law.⁴ (See R&MM6, R&MM7, & R&MM9). ▪ Adoption of a grievance redress mechanism (GRM) based on the work and deliberations already done by the multi-stakeholder body, the Mesa de Trabajo REDD+ (MdT REDD+) consistent with UNDP guidance on GRMs and the well-known “effectiveness criteria” for non-judicial GRMs. (see R&MM15). Apply the new mechanism in pilot areas and as needed, strengthen, per lessons learned. ▪ Awareness campaigns around the availability and ways to access the GRM. (See R&MM15) ▪ Increased technical and financial support, empowerment and respect to local dispute resolution mechanisms; whereby the decisions of the same are respected by the project going forward and matters before those mechanisms can be tracked and reported along with the project-level GRM. ▪ As participation in the RBP Project activities is voluntary, any agreements entered into between participants and the Government will

⁴ “Applicable Law” as defined by the UNDP SES means national law and obligations under international law, whichever is the higher standard.



		<p>include a mutually agreed dispute resolution provision that does not prejudice the rights of stakeholders to a just and effective remedy. This provision and its relationship with the GRM will be clarified. (see Annexure 10 on considerations for agreement templates).</p> <ul style="list-style-type: none"> ▪ The project establishes clear, transparent and objective criteria for prioritizing activities and geographies and for the selection of private actors, local governments and collectives to receive project support to avoid perceptions (or actual acts) of discrimination or arbitrariness.
<p>Risk 2: Private Sector stakeholders lack the knowledge or capacity to participate effectively in the project. Some may lack the sustained interest and/or not see the value of the benefits being promised compared to those they may secure through their other forest-related economic endeavors. Well-beings are not improved over time and they withdraw from the project arrangements related to conservation and alternative deforestation free economic initiatives.</p>		<ul style="list-style-type: none"> ▪ The project will sustain the active engagement and participation of private sector stakeholders in the design of the deforestation free commodity market research, value chain and product development to ensure stakeholder ownership. Exchanges should document the expectations of each stakeholder on how they define improved well-being and a sustainable livelihood (so that the new market can hopefully meet those objectives). ▪ Regular capacity sessions, incentives where possible,⁵ and technical support for private sector stakeholders (including smallholder farmers, other producers, manufacturers and buyers) to create understanding and acceptance of the conservation objectives and increase their ability and strengthen relationships along supply chains to ensure their successful participation in the newly proposed deforestation free commodity market. ▪ Culturally appropriate, diverse in format, wide-reaching communications campaign that also utilizes each stakeholder’s preferred formats and modes of disseminating information. (see R&MM13). ▪ Where benefits are being provided to encourage the transition to a new deforestation free commodity market, these are distributed equitably and their competitiveness in the context of other economic opportunities will be reviewed periodically.
<p>Risk 3. The project will be developed in areas where there is a high proportion of indigenous people with important cultural heritage, ancestral land and resource rights, and also poor rural farmers and collectives. It aims to bring together these stakeholders with differing levels of resources, rights, and power through a</p>	<p><i>Project activities involve no activities that will be imposed on stakeholders. All participation in activities is voluntary.</i></p> <p><i>In some reforestation arrangements (to be based on</i></p>	<ul style="list-style-type: none"> ▪ Establish a multi-stakeholder body (a <i>Capacity and Training committee</i>) charged with assessing the needs, then developing and implementing capacity building and training exercises, as well as mechanisms to provide technical support to stakeholders. (This can be

⁵ All references to incentives and types thereof in this ESMF are included in the event that one or more incentives are utilized by the Project. This is yet to be fully determined. All discussions and implementation of incentives will be guided by and carried out consistently with any applicable UNDP and GCF policies and standards on the same.



<p>multi-level governance framework for designing and implementing land use planning and protected areas resource management plans. The project could lead to adverse impacts on enjoyment of the human rights of the affected populations because duty-bearers might not have the capacity to meet their obligations in the project or because rightsholders might not have the capacity to claim or seek protection of their rights. The risk of adverse impacts to property rights is notable. The Project could have inequitable or discriminatory adverse impacts on affected populations, particularly indigenous peoples with titled and untitled property rights in project areas, and other individuals and collectives living in poverty or otherwise marginalized.</p>	<p><i>MAE agreements with local governments and other entities) -the regularization of property rights within the area in question is contemplated, as is the agreement of other private landowners (individuals and collectives) to voluntarily agree to the arrangement.</i></p> <p><i>In the case of National Protected Areas and Protective Forests, also land regularization will be need. Where indigenous peoples' lands are to be titled based on conditions of limited resource use or access (agreements to adhere to resource management plans for the area) could represent infringements of rights to property –especially if no compensation is provided in exchange for the curtailment of rights as a condition of titling.</i></p>	<p>a function of one of the applicable governance bodies). (see R&MM8)</p> <ul style="list-style-type: none"> ▪ In good faith implement Ministerial Agreement No. 33 and the National Guideline on Consultation for the Implementation of REDD+ Actions in Collective lands and Territories consistent with the UNDP SES, Standard 6 on indigenous peoples. (see R&MM12) ▪ Ensuring that all activities, including reforestation initiatives of <i>mancomunidades</i> and other local governments are based on the voluntary participation of holders of property rights in the affected areas. ▪ Provide that all land titling (land regularization) is conducted pursuant to transparent and clear procedures and criteria consistent with the rights of private individuals as well as the rights of indigenous peoples and other collectives as recognized in Applicable Law. Where national laws do not outline these procedures clearly, work with stakeholders to create such a mechanism consistent with Applicable Law. ▪ Where titling is done by the MAE within Protective Forests and National Protected Areas, and such titling (adjudication) (per the express terms of MAE Norma Técnica No. 265) is conditioned on limitations to the property owners' human right to use and access natural resources within their lands (including consent to abide by the area management plan), just and fair compensation for this infringement of rights will need to be provided in accordance with Applicable Law – such compensation is to be previously agreed upon and distinct from equitable benefit sharing arrangements.⁶ ▪ With stakeholders, develop a <i>Stakeholder Engagement Plan</i> consistent with the UNDP SES and Applicable Law. (see R&MM10) ▪ With stakeholders, develop an <i>Indigenous Peoples Plan</i> consistent with the UNDP SES and Applicable Law. (see R&MM12). ▪ See also the mitigation measures associated with Risk 6 (regarding possible cultural heritage and economic displacement risks). ▪ The project will put in place a mechanism, to ensure non-discrimination and equitable
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⁶ Note that the scenario in which an indigenous community with already recognized property rights voluntarily agrees to submit their lands into a conservation area in exchange for benefits, does not necessarily trigger compensation. However, in the case where land regularization has to take place (i.e. ownership rights are *not* yet recognized) and the State is conditioning its required recognition of such rights (the titling) upon acceptance by the community of limitations on their rights to access, use, control and administer the natural resources in their lands – this is an infringement of a human right to property that raises compensation concerns.



		<p>access to any available incentives that may be provided by the RBP Project.</p> <ul style="list-style-type: none"> ▪ The project will hire an expert on indigenous peoples and collectives, their rights under Applicable Law (including as relates to property, governance, cultural heritage and FPIC), and how to conduct stakeholder engagement, consultation and consent processes. ▪ Once all the property owners are clarified within lands of Protective Forests and other protected areas –such proprietors will participate in the prompt revision of area management plans to be revised consistent with their rights under Applicable Law. ▪ Ensure that CONFENAIE, local governments, and affected Stakeholders are properly resourced to engage effectively and conduct good faith consultation and consent processes according to Ministerial Agreement No. 33, that National Consultation Guideline and Applicable Law (in full recognition that the duty belongs to the State and is not delegable and consultations with national indigenous organizations is not a substitute for the requirement of direct consultations with affected communities). (see R&MM12) ▪ Ensure that any <i>convenio</i> (agreement) templates to be used between MAE and holders of property rights or between local governments and property owners within their jurisdiction, are first elaborated in a multi-stakeholder forum for approval by the Project Board, and in a manner that is both consistent with Applicable Law and helps to facilitate the work of all actors with assessment, monitoring and reporting requirements. See Annexure 10 for considerations related to these templates. ▪ Institute a tracking and filing system to verify and document all consultation and consent processes and agreements reached with property rights’ holders (private sector, indigenous peoples, or others). (See R&MM12)
<p>Risk 4: Environmental and especially social impacts of project activities are not assessed and monitored regularly and adequately and do not prompt real time changes to project operations, management plans, and implementation to improve project results and avoid adverse impacts; results of assessments and monitoring are not accessible to stakeholders to ensure effective participation and public accountability, or connected to mechanisms to allow sharing across institutions and</p>	<p><i>Assessments and monitoring previously developed for the Socio Bosque Conservation Programme tended to emphasize environmental impacts at first then later included stronger assessment of social impacts. Reforestation convenios signed with parties, such as with the municipalities in the province de la Loja (Bosque Seco) only required reporting</i></p>	<ul style="list-style-type: none"> ▪ Together with stakeholders, examine existing Indicators developed in the National REDD+ AP preparations and prepare indicators specific to the Project to monitor and assess environmental and social impacts. ▪ Use of participatory monitoring –where local natural resource users and conservation and restoration actors actively participate in monitoring (including those that may sign <i>convenios/agreements</i>). Where relevant and with permission, seek to incorporate traditional



<p>departments responsible for reporting, accountability, and public communication.</p>	<p><i>of reforestation efforts. The FP for PROAmazonia also recognized the need to articulate and systemize the assessment and reporting requirements and gathering, analysis and sharing of said information. Applicable Law requires transparency and accountability, as well as the identification, avoidance and mitigation, and addressing of potential adverse harms.</i></p>	<p>knowledge and practices in the monitoring systems.</p> <ul style="list-style-type: none"> ▪ Strengthen existing mechanisms and define new ones as necessary, to regularly gather all social and environmental impacts (identifying responsibilities of respective actors, and methods of communication and the systematization of indicators and methods used for particular geographies and circumstance); ensure the mechanism clearly describes how information is transmit to the appropriate parties for analysis and incorporation into the SIS for eventual public disclosure, use in the SOI, and to influence project changes. These mechanisms should be articulated transparently and in detailed format in project operational manuals/guidance and/or protocols. (For financial and programmatic efficiency, preferably work with PROAmazonia on this initiative). (see R&MM1) ▪ Define in writing and implement simple mechanisms to transparently demonstrate responses to impact assessments and monitoring, and to facilitate the making of adjustments to strengthen project implementation to improve outcomes and avoid adverse impacts that may arise during project implementation (through multi-stakeholder bodies and including modification of management plans). (see R&MM1)
<p>Risk 5: The implementation of restoration activities and public-private partnerships for marketing deforestation-free commodities may not be fully successful as plants in their growing stage are very vulnerable to effects of climate change and other external factors and the estimated coverage might not be completely reached.</p>		<ul style="list-style-type: none"> ▪ The project will provide technical assistance to the communities that signed reforestation agreements in order to monitor the survival rate of the plants and their adaptation to different ecosystems, as well climate changes that could put their products at risk. ▪ The project will hire an expert on restoration and other restoration options.
<p>Risk 6: The project will implement land-use plans, conservation and forest restauration efforts to reduce the pressure on forest areas and increase protection of key forest stratum. Some of these activities may place restrictions on existing and future natural resource uses. Although the project does not envisage such restrictions resulting in economic displacements or infringements on cultural heritage, this could happen, especially for poorer and marginalized individuals and collectives who may not have resources to change their current practices and resource uses or whose livelihoods, physical and cultural survival is deemed connected to these resources, or where the peoples in question did not</p>	<p><i>The project intends no activity to result in physical or economic displacement or unlawful limitations on cultural heritage (tangible or intangible), but recognizes the unintended possibilities when dealing with natural resources, questions of livelihoods, and indigenous peoples and other culturally distinct collectives.</i></p> <p><i>If Protective Forest and National Protected Area management plans do not consider the livelihood needs and cultural practices of these</i></p>	<ul style="list-style-type: none"> ▪ Implementation only of PDOTs and Life Plans developed by the GADs and indigenous peoples and other collectives, respectively, and updated through participatory processes and with the informed and voluntary agreement of the authors of those plans. ▪ Prior to concluding voluntary agreements, discuss, and <i>document</i> information about stakeholder cultural heritage sites requiring protection, and the traditional practices, and traditional livelihood resource uses they deem necessary to maintain their subsistence, economic livelihoods and well-being (as applicable international law describes: their physical and cultural survival). (See Annexure 10 on considerations for agreement templates as related to culture and traditional practices).



<p>fully understand the natural resource use limitations to which they were agreeing.</p>	<p><i>communities, economic displacement and infringements on cultural heritage may occur (particularly regarding intangible heritage such as knowledge, practices, technologies, innovations, and institutions related to traditional ways of life).</i></p>	<ul style="list-style-type: none"> ▪ Wherever possible, new restoration and other conservation-related agreements with stakeholders and the terms of updated protected area/Protective Forest management plans will expressly ensure continuation of traditional practices and use and maintenance of cultural heritage (i.e. resource access). Where limitations on such practices and uses are required to achieve conservation objectives, these will be expressly documented, and voluntary agreements will require acknowledgement of these limitations, and proper benefits and/or compensation will be provided. (see above, Risk 3, related to compensation) ▪ All conditions and parameters of the project are implemented in good faith (i.e. all is voluntary, in accordance with the indigenous peoples and other collectives' forms of decision-making, through their representative institutions, and based on all relevant materials and information previously disclosed to ensure informed decision-making by the community or peoples in question). ▪ The project will ensure equitable access to any available incentives that may be provided by the Project with the aim of promoting sustainable climate-resilient production, including participation in the deforestation free commodity market. ▪ Terms of any (<i>convenios</i>) agreements reached with indigenous peoples and collectives address the matters detailed above in this Risk 6. See Annexure 10 for considerations related to these templates. ▪ With stakeholders, develop a <i>Cultural Heritage Management Plan</i> consistent with the UNDP SES and Applicable Law. ▪ With stakeholders, develop a <i>Livelihood Action Plan</i> consistent with the UNDP SES and Applicable Law. ▪ Include cultural heritage impacts within the context of assessment and monitoring exercises. ▪ Develop new indicators to monitor cultural impacts of the Project if appropriate ones cannot be borrowed from those indicators already developed for the National REDD+ AP.
<p>Risk 7: Pollution Prevention and Harm to Biodiversity</p> <p>Potential that project activities associated with intensification of commodity agriculture for the no-deforestation commodity markets may result in the</p>	<p>The project may drive or introduce the use of pesticides and fertilizers, especially if forest conservation leads to intensification of agricultural practices on already cleared land that could potentially</p>	<ul style="list-style-type: none"> ▪ The robust assessment and monitoring mechanisms will establish baseline conditions to monitor changes in the ecosystem due to reforestation and other agricultural initiatives supported by this Project.



<p>release of pollutants to the environment with the potential for adverse local, regional, and/or transboundary impacts and adverse impacts on the biodiversity of the area.</p>	<p>adversely impact the ecosystem, its biodiversity, and the environmental services it provides.</p>	<ul style="list-style-type: none"> ▪ The ESIA will review Ecuador's applicable policies, laws and regulations related to potential pollution prevention and resource efficiency risks, to ensure they are consistent with UNDP's SES (including pest management requirements) and recommend gap-filling measures where needed. ▪ Any pest and/or vector management activities related to the Project will be based on integrated pest management approaches and aim to reduce reliance on synthetic chemical pesticides. ▪ With stakeholders, develop a <i>Biodiversity Action Plan</i> consistent with the UNDP SES and Applicable Law. (*As this is a low risk, the final determination regarding the need for this plan and/or its scope can be determined by the findings of the ESIA as it further investigates and assesses risk. While pollution will be avoided and minimized by the Project, in cases where pollution may occur, as determined by the ESIA, this plan will be developed and put in place to ensure that prevention and control practices are in place.)
<p>Risk 8: The project activities will take place within or adjacent to critical habitats and/or environmentally sensitive areas, including legally protected areas and ancestral lands. It will support implementation of land-use planning in these areas, sustainable harvesting of forest and reforestation, soil restoration, as well as planning, regulation and enforcement in other areas where, to a large extent, economic activity such as farming, harvesting and grazing has expanded with little control. Unless this considers sustainable practices and harvesting limits as well as climate-resilient interventions, this may adversely affect conservation values of these areas and/or increase vulnerability to climate change of production sectors and local communities.</p>	<p><i>While the project does contemplate reforestation, and encouragement of the production of deforestation free commodities (some of which may be agricultural products), experiences thus far have not seen evidence that climate change vulnerabilities will be high, but the project plans to be vigilant about the same in light of the impact it would cause on the project's success.</i></p>	<ul style="list-style-type: none"> ▪ The project will consider the findings of different production models already examined and previously detailed feasibility studies, as well as the prior identification of critical and vulnerable areas of high deforestation, degradation, and conservation value identified in the National REDD+ AP preparations and prior REDD+ projects. ▪ The project will host discussion forums, capacity meetings and stakeholder engagements that seek to learn about traditional practices and benefit from traditional knowledge that already promote sustainable land use planning, harvesting, and forest management efforts. (See R&MM10) ▪ Based on the above and intensive engagement with stakeholders, a multi-stakeholder body will establish the criteria for selecting priority areas of geography and climate change activities to be supported by the applicable PDOTs, LUPs and Life Plans. (In the latter as they relate to Life Plans of indigenous peoples and native communities, deference will be given to the prioritizations of CONFENAIE and its members –when made through their deliberative processes, based on transparent and objective criteria developed consistent with the Project goals, and in accordance with applicable consultation and consent processes). (see R&MM12) ▪ Safeguards and MRV systems for REDD+ will be implemented to guide the definition and



		<p>implementation of land use plans and management schemes in the selected landscapes to avoid environmental and social harms and permit responsive and timely adjustments to activities to account for vulnerabilities to climate change.</p> <ul style="list-style-type: none"> ▪ With stakeholders, develop a <i>Biodiversity Action Plan</i> consistent with the UNDP SES and Applicable Law. (*As this is a low risk, the final determination regarding the need for this plan and/or its scope can be determined by the findings of the ESIA as it further investigates and assesses risk.) ▪ The project will ensure equitable access to any available incentives that may be provided by the Project aimed at promoting sustainable climate-resilient production.
<p>Risk 9: Displacement of emissions to other sectors or biomes throughout the country,</p>	<p><i>The focus on critical areas in the Amazon and the national scope of the project as well, will help to offset any potential for displaced emissions. However, there is always a risk that actions to reduce emissions for deforestation and forest degradation provoke displacement of activities to other critical biomes in Ecuador. Also, project activities could unintentionally stimulate growth in non-forestry sectors (e.g., mining, industrial production) that generate GHG emissions, which could offset progress made by REDD+ activities.</i></p>	<ul style="list-style-type: none"> ▪ The Project will need to implement robust environmental assessments and monitoring mechanisms and this should be done per a written protocol that details who, when, where and how assessments and monitoring is done, the manner in which the results are gathered and analysed, and incorporated into the SIS, shared among government institutions and actors, and linked into management mechanisms and project governance to secure immediate response. ▪ The project's focus on improving the forest monitoring system to address degradation will also act as an early warning system. ▪ Displacement of emissions to other sectors, can be offset by the success of the private-public partnerships and successful multi-stakeholder development of an alternative deforestation free commodity market.
<p>Risk 10: Reversals (non-permeance of carbon stocks). Risk of reversals is assumed in all REDD+ projects including conservation, sustainable management of forests, and enhancement of C stocks. These risks are related to factors that could result in participant's withdrawal from the voluntary program.</p>	<p><i>Risk could manifest if the project is unable to define and prove sustainable the planned deforestation free product market or collectives that agreed to limitations on their natural resource use rights realize such limitations limit their traditional practices beyond what they contemplated.</i></p> <p><i>There is risk of incentive structures, compensation, and other program benefits (still to be defined) not adequately covering opportunity costs and participants needs in the</i></p>	<ul style="list-style-type: none"> ▪ Voluntary agreements must be clear about what practices that are important to a community can continue, and not continue, thereby avoiding misunderstandings, disappointment and withdrawal later. ▪ Tailoring resource management plans for National Protected Areas and Protective Forests to consider the livelihood needs and practices of the proprietors is key. ▪ Capacity building and resource assistance is needed to ensure that non-governmental stakeholders can comply with their commitments (avoiding suspension of any incentives or benefits that may be provided by the Project and disenchantment with the arrangements). ▪ Where a reforestation or other conservation arrangement involves various proprietors,



	<p><i>long term –especially with respect to livelihoods. This risk is equally relevant to cases where beneficiaries may feel locked into lands use without the capacity and resources to adapt their livelihoods and land use practices.)</i></p> <p><i>Similarly, there is a risk that if there are delayed or inadequate or unequitable distribution of incentives and/or benefits that may be provided by the Project among parties after program rollout (including where partners lacked the capacity to fulfil their responsibilities, or where corrupt practices prevent proper division of benefits). This could also lead to dissatisfaction and conflict, resulting in withdrawal from the program or restoration. This risk is associated with a myriad of factors, including the consultation process, potential financial and operations risks (such as corruption in the government or fund distribution parties).</i></p> <p><i>Finally, non-human factors can also contribute to the risk of reversals, notably those linked to climate change pressures (such as natural disasters, extreme flooding, fires, etc.), which could off-set REDD+ efforts.</i></p>	<p>national oversight is needed to ensure that all who may be promised a benefit, incentive, or other support receive it equitably from the implementing partner (i.e. municipalities distribute the benefits to all of the participating landowners within the area of concerned).</p> <ul style="list-style-type: none"> ▪ Demonstrating project flexibility and periodically updating and revising management plans and partner agreements as necessary will assist the project to adjust to new concerns and realities keeping all involved content with their particular arrangements and committed to conservation, restauration, and avoided deforestation.
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5.2 Procedures to Address Social and Environmental Impacts

As noted above, the RBP Project has already defined its intended outputs and identified a select group of activities which will contribute to achieving those outputs. As the project develops, it is envisioned that the manner in which these activities are applied will require greater development and prioritization per the advice and deliberations of stakeholder working groups, technical committees, Project Board discussions and with respect to activity 4.4 (“Strengthening REDD+ implementation in Indigenous Territories”), per the decisions of CONFENAIE, its members and the decision-making authorities of the communities it serves. For instance:

- Based on the project-financed research and stakeholder consultations, when it is determined what kind of deforestation free product market should be developed, the relevant parties will have to defined specific activities to make said market materialize (from both the supply and demand side).
- While CONFENAIE and its members have identified the general activities it wishes to pursue under the RBP Project, within those activities there still are decisions to be made about prioritizing and selecting particular communities, geographies and additional efforts that need to be made to realize the activities without adverse risks.
- Once the PDOTs, Life Plans and land use plans (LUPs) are updated consistent with climate change sensitivities and orientations per the PROAmazonia project, and once the owners of those plans prioritize implementation of one or more actions defined in those plans, relevant stakeholders may need to develop an additional set of activities to facilitate the implementation desired.
- As baseline data is gathered about land ownership within the Protective Forests and other National Protected Areas, as well as related to the planned restoration arrangements with the local governments, associations, and other interested parties, additional activities may be required to regularize those titles, address overlapping claims, and even, where applicable, address any concerns about the norms and processes for delimiting, demarcating and titling said lands and/or perfecting their registration, and/or compensation for titles which include limitations on use and access to resources.

Considering the above, this ESMF has been drafted with the aim of providing a risk assessment and set of mitigation measures that should capture most if not all of the risks that might accompany the known activities and any decisions around making those activities more precise and distilling them down to their implementation modalities. However, as new activities are fully specified in the future, the SESP will still need to be applied to these activities. That is, each new activity will need to be run through the risk screening process. If indicated by that screening, the project will need to be updated to determine whether additional risks of social and environmental impacts may arise from these new activities and therefore, need additional assessment and treatment in a management plan. New activities will not proceed until such an assessment has been conducted and, if warranted, appropriate management measures are in place. Following the assessment, the project would need to be updated and a revised management plan would be submitted to the Project Board (or PAC) for review. (See UNDP SES Guidance on Assessment and Management)

Where the additional SESP screenings are undertaken and they identify potential social and environmental risks that could be categorized as High Risk, these components will be redesigned to eliminate and/or minimize such risks. Project components that may still present High Risks after redesign will be excluded from the project. The SESP, the ESMF, ESMP and other management plans will also be updated if there are any significant changes in the project's design or context that may materially change its social and environmental risk profile and consequently the mitigation measures and action plans to address them.



R&MM3

- Given the nature of the RBP Project (where the full scope and content of activities are to be further defined as it commences), this ESMF recommends that the project establish a small multi-stakeholder committee (to include the Project Management Unit (PMU)) that meets at least twice a year to examine any new activities being developed (i.e. not expressly covered under the original FP). This “new activities” committee should be tasked with determining for Project Board approval, if additional screenings, assessments and management plan modifications may be warranted. The members of this committee should be made public, as with their mandate, and stakeholders should be invited to communicate with them directly on related issues. If a pressing matter arises between committee meetings, the committee should be able to work with the Project Board to address it in a timely manner (that is, efficiently and prior to the commencement of any planned activity). This committee could be a subset of members of the MdT REDD+.

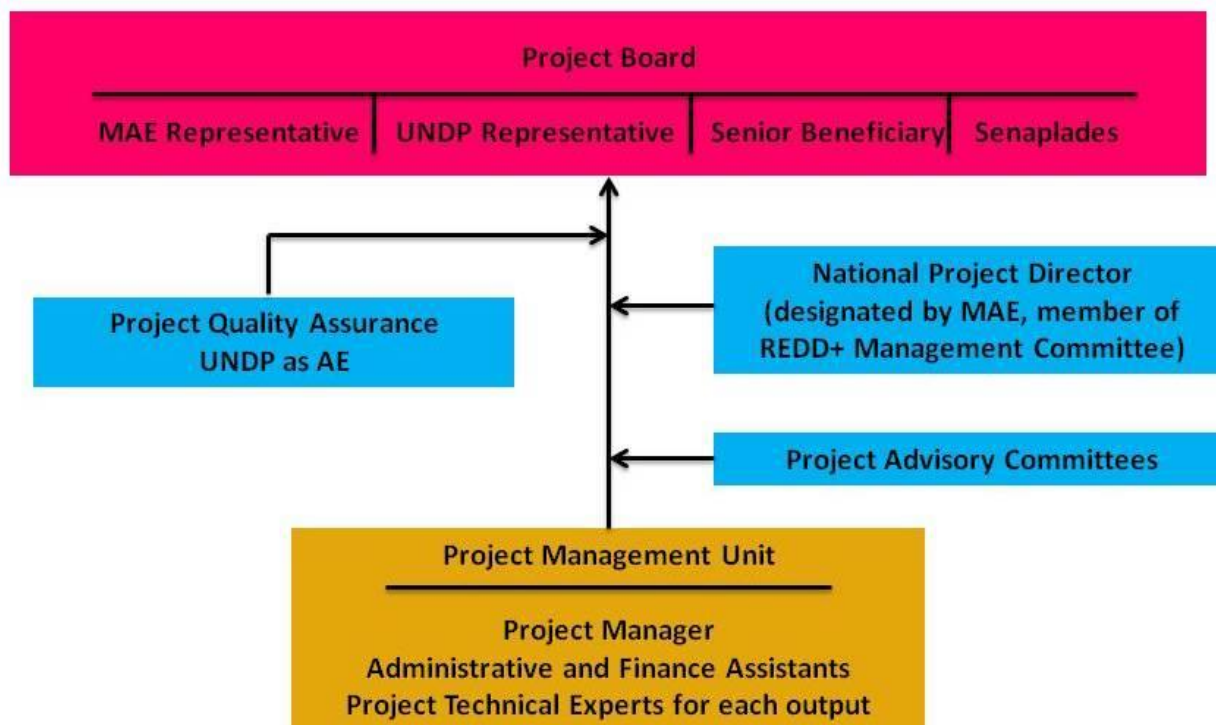
Also, because of the dynamics of the RBP Project, it is recommended that a reasonable budget is allocated for supplementary ESIA and SESP work that may be required (each tailored narrowly to address only the new activities that cannot be said to already be covered by, and addressed by the existing ESIA, ESMF and various management plans).

To avoid unnecessary additional screenings and assessments, it is recommended that the ESIA ToR require that the Consultant consider, per stakeholder engagements realized during the ESIA, the likelihood and nature of future activities not yet defined and make reasonable efforts to accommodate their scope in the findings and conclusions of the ESIA. The Consultant’s draft of the management and engagement plans should strive, to the extent practicable, to contain sufficient scope and flexibility to safeguard against potential adverse impacts of those activities that might be reasonably anticipated.

6 IMPLEMENTATION AND OPERATION: MANAGEMENT STRUCTURE AND PROJECT DELIVERY

Section C.2.5 of the RBP Project funding proposal (FP) provides the definition of roles and responsibilities of project staff and associated agencies, as well as stakeholders, in the governance and overall administration, design and implementation of project activities, and responsibilities around the application of social and environmental procedures (e.g. screening, assessment, preparation of management plans, monitoring).

That section of the FP also includes a preliminary project organization structure. Below is an adaptation of that structure reflecting the changes that have since been determined during the new governance formulation discussions with PROAmazonia:



As suggested above, in light of the nature and goals of the National REDD+ AP, the commitments of Ecuador as expressed in its various strategies on issues ranging from gender and biodiversity to sustainable development and forest management, and based on the experience and with the support of PROAmazonia, the Government is currently building a national governance mechanism for REDD+ to be the umbrella for all the REDD+ funds and activities (such as GCF, REM, FIP, others) in the country under the framework of the National REDD+ AP. This national governance mechanism is being built considering the arrangements set for PROAmazonia, *the importance of multi-stakeholder participation in project governance and the implementation of the mitigation measures and recommendations of the ESMF*, and will include a Project, a Management Committee, and Technical Advisory Committees.

The implementation of the RBP Project will therefore follow the national mechanism which is being created, and the arrangements set for PROAmazonia. The FP provides for and describes three levels of intended management: Decision-making, Technical Advisory, and Project Management and Implementation.

The roles, mandates, composition, functions and decision-making mechanisms (if applicable) of the Project Board, Project Management Unit and Project Manager, as well as the Project National Director and the UNDP in its Project Assurance capacity are each described in detailed in the FP.

Based on a review of the FP descriptions of these entities, the ESMF additionally recommends the following with respect to the Senior Beneficiary, one of three members that make up the **Project Board**.



R&MM4

- The FP describes the “Senior Beneficiary” as one of the three categories of participants in the Project Board. “The Senior Beneficiary’s primary function within the Board is to ensure the realization of project results from the perspective of project beneficiaries. The Senior Beneficiary role is held by a representative of civil society, including from the private sector and the communities and organizations of the indigenous peoples, local communities, Afro Ecuadorian and montubio populations, and comunes.” The ESMF recommends that the Senior Beneficiary should mean a group of individuals which includes, at a minimum: a representative from: (i) indigenous peoples and native communities; (ii) Afro Ecuadorians, (iii) *montubios*; (iv) private sector SME; (v) private sector downstream company (i.e. retailer, manufacturer), and (v) local governance (DAGs) such as *mancomunidades*.

Also noted in the FP is the fact that the **Project Management Unit** already established for PROAmazonia will serve as PMU for this project. Consequently, it will need to be strengthened with additional administrative and finance capacities; and with the hiring of the project technical experts for each output as mentioned above

R&MM5

- A ToR will be developed by the hiring of staff needed for the PMU, including the Project Manager and Project Technical Advisors. It is imperative that the final ToR provides for a PMU that counts with a staff that is, at a minimum, familiar with GRMs, the situation of indigenous peoples and other collectives in Ecuador and their rights under applicable law; assessment and monitoring of social and environmental impacts, and the implementation of REDD+ projects and the application of social and environmental safeguards.

With respect to **Project Assurance** role executed by the UNDP, it is reminded that UNDP’s role here ensures appropriate project management milestones are managed and completed in a manner that is consistent with UNDP social and environmental safeguards, standards and policies. Project Assurance must be independent of the PMU function. The ESMF would further add the following:

R&MM6

- As part of the assurance role, UNDP is responsible for assuring that the project is in compliance with the UNDP standards and policies, including the SES. It is essential that the UNDP has staff trained in the requirements of the SES and capable of training PMU and other project staff on the same. If additional training is needed, this should be arranged.
- Per the GCF, as the Accredited Entity, UNDP will need to acquire (even if from MAE) and deliver upon request, all necessary environmental licenses or clearances, and demonstration of land rights prior to carrying out activities of the project that would require the same (i.e. concluding participation agreements and implementing a new management plan in a protected area or a forest restoration agreement with local governments before regularizing land ownership and seeking the consent of the landholders within the geographic area in question). This means that the UNDP staff person responsible for assurance and safeguards needs to follow closely all base-line studies on lands, land regularization activities, outcomes of consultation and consent processes, and consequently, all agreements reached with landowners and other stakeholders (like smallholder farmers or small business enterprises). This further will involve ensuring that a mechanism is in place to track and record these agreements and coordinate with local government units and protected area administrators that may have certain responsibilities for securing these deliverables under the oversight of the State.

Lastly, the ESMF emphasizes that the success of the RBP Project and its implementation consistent with applicable standards and safeguards is fundamentally dependent on the capacity of all of those involved in project governance and administration – including the governing institutions that will play integral roles, such as MAE, the Ministry of Agriculture (MAG), and the Decentralized Autonomous Governments (DAGs). This means they must have knowledge about the relevant thematic areas, the skills to engage stakeholders of wide interests and geographies, the technical and financial resources to execute their responsibilities, and also a solid understanding of the project requirements related to safeguards, monitoring, reporting, transparency and stakeholder participation.

R&MM7

- With the help of the experts being hired by the PMU, training and capacity sessions on one or more of the following should be provided to relevant officials early on in the project, and where necessary refreshed or supplemented as the project progresses and new needs are identified: forest governance under applicable law; how the GRM works; land regularization in Ecuador; rights of indigenous peoples and other collectives under Applicable Law (including rights to property, self-governance and consultation and consent); and conducting effective stakeholder engagement). Such identification could be discussed in the *Capacity and Training Committee* referenced in the Risk Matrix. See also, R&MM8 (below).

6.1. Project Delivery and Administration

As Implementing Partner, MAE is responsible and accountable for managing this project, including the monitoring and evaluation of project interventions, achieving project outcomes, and for the effective use of GCF resources. MAE will also be responsible at the highest level for ensuring that project implementation follows the national policies and standards. The Implementing Partner is responsible for:

- Approving and signing the multiyear workplan,
- Approving and signing the combined delivery report at the end of every quarter; and,
- Signing the financial report or the funding authorization and certificate of expenditures.

In addition, the implementing partner may enter into agreements with other organizations or entities, known as “Responsible Parties”, which may carry out project activities and produce project outputs on behalf of the Implementing Partner. Responsible Parties are accountable directly to the Implementing Partner. Given the nature of this project, appropriate responsible parties will be selected and indicated, as per UNDP rules and regulations.

The implementation of this project will be closely coordinated with the Amazon Programme for the Conservation of Forests and Sustainable Production (PROAmazonia), which combines the GCF approved Project, “*Priming Financial and Land-Use Planning Instruments to Reduce Emissions from Deforestation*” and the GEF project “*Sustainable Development of the Ecuadorian Amazon: Integrated Management of Multiple Use Landscapes and High Value Conservation Forests*” into an integrated programme to support the implementation of the REDD+ Action Plan and National Biodiversity Strategy. In May 2017, an interinstitutional agreement was signed between the MAE and the Ministry of Livestock, Agriculture, Aquaculture and Fisheries (MAG) to create PROAmazonia and to establish the coordination and implementation mechanisms. The National Secretariat for Planning and Development (Senplades) is another key institution for the implementation of PROAmazonia and the national governance mechanism for REDD in Ecuador. While not mentioned in the FP to the GCF, in the governance structure under formation, Senplades since has been added to the Project Board.

6.2 Administration of Environmental and Social Management Framework

The Implementing Partner, MAE is ultimately responsible for overseeing the implementation and compliance with the ESMF and shall do this with the assistance of the PMU and the Project Assurance of the UNDP. MAE will oversee the implementation of the ESMF and developed management plans and will be part of any tender documentation.

MAE will be responsible for minor revision or updates of this document and relevant management plans during the course of work and in a manner consistent with UNDP standards and policies. Material changes to the ESMF will be made by the Project Board after consultation with the PMU, relevant UNDP staff, and as appropriate, key stakeholders not represented in the Project Board.

The UNDP will ensure compliance with the social and environmental safeguards and as part of its Project Assurance function, ensure the good faith implementation and compliance with the ESMF, the ESMP and its corresponding management plans.

The Project National Director will be supported by the Technical Advisory Team Committees and review coherence of project interventions, including as related to risks.

The PMU, under supervision of the UNDP and MAE, is responsible on a day-to-day basis for managing and monitoring project risks initially identified and for submitting new risks to the project Board for consideration and decision on possible actions if required. The PMU also updates the status of these risks by maintaining the project risks log. On a day-to-day basis, the PMU will provide for the completion, implementation and revision of the ESMF, SESP, ESMP and corresponding management plans (the latter by providing advice to the Project Board and seeking approvals and instructions).

The PMU, with the help of the UNDP is accountable for the provision of specialist advice on environmental and social issues and for environmental and social monitoring and reporting (the latter requiring ultimate delivery to the GCF by the UNDP). The PMU will provide progress reports on the implementation of the ESMF, ESMP and management plans as requested by MAE, UNDP and/or the Donor.

The PMU will be responsible for the day-to-day compliance of the ESMF at the specific project site. The PMU will maintain and keep all administrative and social and environmental records which would include a log of complaints and incidents together with records of any measures taken to mitigate the cause of the complaints or incidents (see below sections on incident reporting and on complaints).

All MAE and UNDP personnel working on the project have accountability for preventing or minimising environmental and social impacts.

6.3 Social and environmental procedures, site and activity-specific work plans/instructions

Social and environmental procedures provide a written method describing how the management objectives for a particular project element are to be obtained. They contain the necessary detail to be site or activity-specific and are required to be followed for all construction works. Site and activity-specific work plans and instructions are to be issued consistent with ESMF.

6.4 Social and environmental incident reporting

Any incidents, including non-conformances to the procedures of the ESMF, are to be noted by the site supervisor/designated officer in monthly social and environmental inspections using an Incident Record and the details entered into a register (including nature of incident, parties involved, remediation recommended, completion of remediation, all relevant dates (i.e. date or period of incident, and restart date)). For any incident that causes or has the potential to cause material or significant social and/or environmental harm, the site supervisor/designated officer shall notify the Project Manager as soon as possible. Incidents can also be reported by other stakeholders. In any case, the delivery organisation/contractor must cease work until remediation has been completed as per the approval of the PMU. Where significant harm may have occurred, approval of the Project Board is also required. Incident Records should be shared regularly with the GRM and made available to the public.

For project work sites, a weekly social and environmental checklist (including OHS issues) is to be completed by the relevant site supervisor/designated officer and maintained within a register. A weekly social and environmental checklist is to be completed and will include reference to any issues identified in the daily checklists completed by the designated officer(s). The completed checklist is to be forwarded to the Project Manager for review and follow-up if any issues are identified. Such checklists shall be accessible to the public.

6.5 Corrective Actions

Any non-conformances to the ESMF, ESMP and/or respective management plans are to be noted in monthly social and environmental inspections and logged into the register referred to in section 6.4 above. Depending on the severity of the non-conformance, the site supervisor/designated officer may specify a corrective action and promptly notify the Project Manager of the same. The progress of all corrective actions will be tracked by the supervisor/designated officer using the register. Any non-conformances and the issue of corrective actions are to be advised to the Project Manager.

6.6 Review and auditing

The ESMF, ESMP and respective management plans are to be reviewed at least every quarter by UNDP staff and the PMU. The objective of the review is to update the documents, as needed, to reflect knowledge gained during the course of project delivery/construction and to reflect new knowledge and changed community standards (values).

The ESMF and the resulting ESMP and respective management plans also will be reviewed and amendments made if:

- There are relevant changes to social and environmental conditions or generally accepted management practices; or
- New or previously unidentified social and environmental risks are identified; or
- Information from the project monitoring and surveillance methods indicate that current control measures require amendment to be effective; or
- There are changes to environmental legislation that are relevant to the project; or
- There is a request made by a relevant regulatory authority.

Any material changes to the project management plans are to be developed in a multi-stakeholder platform. These changes are to be implemented in consultation with the UNDP Staff and PMU as informed by the deliberations of the MdT REDD+. When an update is made, all members of the project governance bodies, as well as site personnel, are to be made aware of the final revision as soon as possible, e.g. through a tool box meeting or written notification.

6.7 Capacity Building and Training

MAE has the responsibility for ensuring systems are in place so that relevant staff and contractors are aware of the environmental and social requirements for project implementation, including the ESMF.

R&MM8

- All project staff, especially the PMU, and members of the Project Board will be required to attend an induction training that covers: (i) substantive matters relevant to the ESMF requirements, (including health, safety, social, environment and cultural requirements); (ii) explains the responsibilities of all the relevant parties for matters of monitoring, reporting and assurance related to social and environmental impacts and mitigation measures; and (iii) covers the operational mechanisms related to public transparency and accountability as well as those mechanisms to be used for ensuring coordination and information sharing among MAE, UNDP and GCF as well as with local governments, private sector actors and other partners with contract responsibilities (defining the who, what, why, where, how).
- As the success of this project relies substantially on the voluntary willingness of stakeholders to participate meaningfully and effectively, make informed decisions about doing so, and carrying out various responsibilities (reporting, tracking, auditing, monitoring, etc) -- capacity and training for all voluntary partners is essential. The project will establish a multi-stakeholder body charged with assessing the capacity and training needs of such stakeholders (a "Capacity and Training committee"), making recommendations to the PMU and Project Board as necessary, and then developing and implementing capacity building and training exercises, as well as mechanisms to provide technical support to stakeholders. (This can be a function of one of the applicable governance bodies).



7 STAKEHOLDER ENGAGEMENT, INFORMATION DISCLOSURE AND TRANSPARENCY

7.1 Meaningful and Effective Stakeholder Participation

Regarding the process of participation, there are several mechanisms that will allow --at least in the interim -- the effective participation of stakeholders throughout the process of implementing the RBP Project. After stakeholder mapping, these mechanisms were established during the preparations of the National REDD+ AP.

Ecuador has developed and promoted three types of spaces for dialogue, these were the National REDD+ roundtable at the national level (Mesa de Trabajo REDD+ or MdT REDD+), the Working Groups typically functioning as subgroups of the MdT REDD+, and Technical Committees. Each of these will continue to operate during the period of the RBP Project.

The **Mesa de Trabajo REDD+ (MdT REDD+)** was the national space for citizen participation that facilitated the dialogue, involvement, participation and monitoring of the different processes by the actors, in the framework of the preparation for the implementation of the REDD+ approach. The MdT REDD+ was first established in 2012 with 11 representatives coming from civil society (academic, private sector, national NGOs and women's and youth organizations) and representatives of indigenous communities, peoples and nationalities, Afro Ecuadorian people, *montubio* people and communes. After a 2015 assessment, it was augmented to 29 members to better reach out to additional stakeholders --including representatives of smallholder farms, the upstream and downstream private sector, grassroots organizations in the regions of the Sierra, Coast and Amazon, as well as additional representatives from the beneficiaries of programs or projects of the MAE. This platform will be used for stakeholder deliberations and recommendations throughout RBP Project implementation. During this period, the MdT REDD+ will continue to be governed by principles of public deliberation, responsibility, co-responsibility, information and transparency, interculturality and equality.

R&MM9

- In a multi-stakeholder setting, the project will evaluate the appropriateness of the MdT REDD+ and any other PROAmazonia stakeholder platforms and assess, if necessary, how their structures, mandates and resourcing can be further adapted for the RBP Project. At a minimum, review the ToRs of such platforms to ensure gender equity in the participants. If gaps exist, address them or consider the creation of an additional project-specific body that can regularly bring multi-stakeholders together to assist and contribute to project implementation, including the design of new activities, mitigation measures, strategies and mechanisms aimed at improving project results and the livelihoods of the Ecuadorian people
- See also “*Capacity and Training-Committee*” established per R&MM8.

In addition, members of the MdT REDD+ have had a practice of breaking into **Working Groups** and **Technical Committees** when key issues require additional consideration and expertise. Members of the MdT REDD+ participate in different working groups and invited additional experts to contribute as needed. The groups and committees endure until the issue they were tasked with discussing has been exhausted. Issues can range from GRMs to safeguards and more. The mechanism for establishing and operating these working groups and technical teams will continue.



As noted above, the project builds on extensive stakeholder engagement and consultations which will continue throughout project implementation, including in the identification, assessment, and development of management measures for forthcoming project activities. The project was discussed with a wide range of stakeholders including relevant government departments, industry groups, NGOs, and individual community members and approved by Government. In particular, the last five meetings of the MdT REDD+ directly addressed the use of proceeds from results-based payments and the building of consensus on the five outputs and nine proposed activities. A meeting was held in August of 2018 to look at the specifically proposed outputs and activities. These reports were annexed to the FP. Meaningful, effective and informed stakeholder engagement and participation will continue to be undertaken and will seek to build and maintain over time a constructive relationship with stakeholders. The scale and frequency of the engagements will reflect the nature of the activity, the magnitude of potential risks and adverse impacts, and concerns raised by affected communities.

Without prejudice to the disclosure requirements of the *National Consultation Guide for the Implementation of REDD-plus Actions in Lands or Collective Territories* (see below), stakeholders overall will have access to relevant project information in order to understand potential project-related opportunities and risks and to engage in project design and implementation. Specifically, the following information will be made available:

- Stakeholder engagement plans and summary reports of stakeholder consultations,
- Social and environmental screening reports (SESP) with project documentation,
- Draft social and environmental assessments, including any draft management plans,
- Final social and environmental assessments and associated management plans,
- Any required social and environmental monitoring reports.

This information is to be disclosed in a timely manner, in an accessible place, and in a form and language understandable to affected persons and other stakeholders. These elements of effective disclosure are briefly elaborated below:

Timely disclosure: information on potential project-related social and environmental impacts and mitigation/management measures will be provided in advance of decision-making whenever possible. In all cases, draft and final screenings, assessments and management plans must be disclosed and consulted on prior to implementation of activities that may give rise to potential adverse social and environmental impacts.

Accessible information: Appropriate means of dissemination will need to be considered in consultation with stakeholders. This could include posting on websites, public meetings, local councils or organizations, newsprint, television and radio reporting, flyers, local displays, direct mail.

Appropriate form and language: Information needs to be in a form and language that is readily understandable and tailored to the target stakeholder group.

R&MM10

- Given the nature of the proposed outputs and activities and the likely partners, beneficiaries, and key stakeholders, and based on the findings of this ESMF, the REDD+ past experiences, and the ESIA Report: There will be developed a generally applicable Stakeholder Engagement Plan. An indicative outline for this plan is found at Annexure 9 to this ESMF.



7.2 Indigenous Peoples and other Collectives

Central to the success of the project is the voluntary participation of stakeholders –including indigenous peoples and native communities, Afro Ecuadorian communities, *montubios* and *communes* (indigenous peoples and other collectives”). Agreements with these populations are to be reached by the collective in a free, prior and informed manner by the representatives and governing institutions designated by the affected collectives, and respecting the affected peoples’ own decision-making norms, values and customs. Indigenous peoples and collectives are to be partners and beneficiaries of the project activities. The project recognizes that indigenous peoples and other collectives have expertise relevant to Project outputs and activities, and they are in possession of traditional knowledge and practices that can contribute to the project’s success. The improvement of the livelihoods, their equitable access to the benefits of climate change initiatives, and the reduction of poverty within these populations are national goals.

R&MM11

- To achieve these goals, the meaningful and effective participation of indigenous peoples and other collectives in project governance, design, implementation and decision-making are understood as desirable. Building upon the approach taken for the MdT REDD+, representatives of indigenous peoples and other collectives will be in both decision-making and advisory bodies of the Project. These representatives will be those chosen or designated by the collectives in question, and represent to the greatest extent possible, the distinct regions and cultural identities among them. To the extent practical, financial and technical support will be given to the representatives to improve their access to the project opportunities, increase their capacity to participate effectively and where applicable, carry out their respective responsibilities to disseminate information to their constituencies and bring information back to the central governance and advisory bodies

Furthermore, as indicated above, the country also developed a process to define how consultation for REDD+ in collective lands and territories would take place; it considered the national normative framework on rights and international standards associated with effective and meaningful participation, good faith consultations, and where applicable, free, prior and informed consent (FPIC). This process promotes the recognition and respect of different forms of coexistence, social organization, exercise of authority and proper forms of governance and dispute resolution. In line with the Constitution and international agreements ratified by Ecuador, the MAE led the preparation of the National Consultation Guide for the Implementation of REDD-plus Actions in Lands or Collective Territories. (hereinafter “National Consultation Guideline”). This was supported by the Office of the United Nations High Commissioner for Human Rights and Civil Society, represented through the REDD-plus Working Group, among other actors, who contributed to the participatory development of the Guide. This work began in 2012, and during 2014 four workshops were held, one national and the rest subnational (provinces of Esmeraldas, Pastaza and Sucumbíos) for the development of the guide. These events were attended by members of local communities and indigenous peoples, WEM provincial departments, DAGs and members of the MdT REDD+.



R&MM12

- Given the nature of the proposed outputs and activities and the likely partners, beneficiaries, and key stakeholders; and based on the findings of this ESMF, the REDD+ past experiences, and the ESIA Report: There will be developed a generally applicable Indigenous Peoples Plan. An indicative outline for this plan can be found at Annexure 7 to this ESMF
- The *National Consultation Guideline* will be implemented in good faith and applied and interpreted consistent with the UNDP SES on consultation and FPIC (see SES on Indigenous Peoples and its corresponding guidance note, as well as the REDD+ Guidelines on FPIC (each consistent with international law applicable to Ecuador). For instance, consistent with UNDP SES, Standard 6, requirement 9, good faith consultation and FPIC process will be triggered for “any matters that may affect the rights and interests, lands, resources, territories (whether titled or untitled to the people in question) and traditional livelihoods” of the indigenous peoples (and collectives) concerned.
- Where agreements with the Government and other stakeholders may arise to implement his Project, the agreements and consultation and FPIC procedures will still recognize and reflect that it is the State’s duty and obligation to secure consultation and consent of collectives and this duty is not delegable. Continued engagement of the State will be required –both in terms of oversight as the duty bearer, monitoring of compliance, and with respect to the provision of sufficient technical and financial support to CONFENAIE and others who will be expected to implement consultation and consent responsibilities. (See also R&MM13 below)
- In light of the safeguard importance of prior consultation and consent, and the Projects obligation vis a vis GCF to demonstrate FPIC took place *prior* to any activity that may cause the affects described above that give rise to FPIC, the project will need to establish a method to track and report on all agreements reached, and demonstrate if needed, that such agreement was reached in accordance with the UNDP SES. This will require coordination (including record keeping) among MAE, UNDP and other actors involved (i.e. local governments, protected area administrators, CONFENAIE).
- Where RBP Project Activity 4.4 “Strengthening REDD+ Implementation in Indigenous Territories” will be largely guided by the instructions and request of CONFENAIE and its members, in the implementation of this activity, the Project will be cognizant of the distinctions between the capacities of a national indigenous organization and the *legal rights* of the communities and peoples that they serve and assist in good faith. Where activities are designed with specificity of geography and the people it may affect, Government/Project consultation with CONFENAIE will not be a substitute for the prior consultation and consent required with the affected indigenous peoples and native communities.

7.3 Information, disclosure and transparency

The MAE, with the assistance of the UNDP and PMU will develop and release updates on the project on a regular basis to provide interested stakeholders with information on project status. Updates may be via a range of media e.g. print, radio, social media or formal reports. A publicized telephone number will be maintained throughout the project to serve as a point of contact for enquiries, concern, and information on how to present complaints and/or grievances. All publicly available material will be published in Spanish and to the extent possible, local language (particularly where material may have a specific effect on a given region or population).

In particular, the RBP Project teams will use a number of mechanisms that proved successful during the implementation of the Socio Bosque Conservation Programme as well the National REDD+ AP preparations. These include, among others: 1) information presented on the web pages of the MAE, the UN-REDD Joint National Program (PNC) and UN-REDD global; 2) preparation of informative notes of events and monthly bulletins that were distributed through the web pages or via email; 3) promotion of events and dissemination of information through social media networks (facebook, twitter and youtube); 4) the creation of pamphlets and other question and answer pamphlets; 5) presentations to communities in the various regions of concern by project staff; and 6) workshops for dissemination, information gathering and training.

Given the importance of timely and transparent communication, the project also will work closely with the PROAmazonia and any communication platforms it has already developed as well.

The target audience for these mechanisms included national institutions or organizations linked to REDD-plus, international organizations and actors from countries related to the implementation of REDD-plus, communities, peoples and nationalities, associations and local representatives.

These dissemination mechanisms will allow for the sharing of information and also enabled the establishment of interactive spaces for receiving comments, suggestions and contributions, as well as clarifying doubts or questions. As noted in R&MM13, the project will develop a Communications Strategy to coordinate needed communications with stakeholders. The Communication Strategy will be linked with the project Stakeholder Engagement Plan.

As noted earlier, all draft and final social and environmental assessments and management plans will be disclosed in a timely, accessible manner, enabling meaningful dialogue and consultations with stakeholders on the potential social and environmental impacts of planned activities.



R&MM13

- The project will develop a Communication Strategy. This can be a separate strategy or one that is jointly shared and developed with the PROAmazonia and may build upon and tailor an already existing REDD+ Communication Strategy where appropriate. A multi-stakeholder group (i.e. a Working Group of the MdT REDD+) will consider the project's communication needs and develop a draft strategy for acceptance by the whole MdT REDD+ and approval of the Project Board.
- As the effectiveness of the non-governmental stakeholder representatives in the governance bodies, MdT REDD+, working groups and committees depends on their capacity to convey information to and from their constituents, the Communication Strategy should include mechanisms to assist these representatives (i.e. production of minutes, summaries of meetings, and other user-friendly, culturally appropriate pamphlets or audios tailored to their needs; the use of communication networks used by their, constituents (facebook, whatsapp, postings in schools, churches, etc).

7.4 Grievance Redress Mechanism

Per the UNDP SES, Moderate Risk projects require the availability of a project-level grievance mechanism (GRM). Where needed, UNDP and MAE will strengthen the Implementing Partners' capacities to address project-related grievances. In addition, the UNDP SRM and SECU will be available to project stakeholders as a supplemental means of redress for concerns that have not been resolved through standard project management procedures.

During the design and implementation of any project, a person or group of people may perceive or experience potential harm, directly or indirectly due to the project activities. The grievances that may arise can be related to social issues such as eligibility criteria and entitlements, disruption of services, temporary or permanent loss of livelihoods, impacts overall to human rights, and other social and cultural issues. Grievances may also be related to environmental issues such as excessive dust generation, damages to infrastructure due to construction related vibrations or transportation of raw material, noise, traffic congestions, decrease in quality or quantity of private/ public surface/ ground water resources during irrigation rehabilitation, damage to home gardens and agricultural lands, etc.

Should such a situation arise, there must be a mechanism through which affected parties can resolve such issues with the project personnel in an efficient, unbiased, transparent, timely and cost-effective manner. To achieve this objective, a GRM is required for this project.

With the help of stakeholders, MAE elaborated a study entitled "*REDD+ se propone el Mecanismo de Quejas y Resolución de Controversias para REDD+*" (REDD+ proposes a Mechanism for complaints and the resolution of Controversies for REDD+). This draft was the subject of debate and deliberation by stakeholders in the October 2016 meeting of the MdT REDD+. In large part it suggests a system in which grievances are presented to the MAE and once deemed eligible, they are referred to other existing mechanisms for dispute resolution as deemed most fitting given the nature of the particular grievance. This document is a good review of available national mechanisms. Further consideration will be given, however, as to whether an adequate project-level GRM will require more than a mechanism based on a referral system. Even where some of these national dispute resolution mechanisms (judicial, administrative or otherwise) are effective, such a system of referrals may be unable to satisfy the critical elements and "effectiveness criteria" of a non-judicial, project-level GRM.

R&MM14

• This ESMF recommends that the MAE take the lead on organizing an initiative with stakeholders to develop and adopt a project-level GRM (which could also apply to the PROAmazonia and similar REDD+ activities in the future) that considers the findings of the REDD+ study and is designed to be:

(i) Consistent with the UNDP Supplemental Guidance: Grievance Redress Mechanism for further information on designing and evaluating grievance redress mechanisms (See GRM ToR found at Annexure 4 of this ESMF,

(ii) Informed by the findings of the “REDD+ proposes a Mechanism for complaints and the resolution of Controversies for REDD+” and the MdT REDD+ deliberations of October 2016; and

(iii) In conformity with the “effectiveness criteria” developed by the UN Guiding Principles on Business and Human Rights and since widely accepted as necessary elements to a successful non-judicial GRM such as the required REDD+ project-level GRM.

Consistent with the above, among other things, the GRM when adopted should:

- a. *be a legitimate process that allows for trust to be built between stakeholder groups and assures stakeholders that their concerns will be assessed in a fair and transparent manner;*
- b. *allow simple and streamlined access to the Grievance Redress Mechanism for all stakeholders and provide adequate assistance for those that may have faced barriers in the past to be able to raise their concerns;*
- c. *provide clear and known procedures for each stage of the Grievance Redress Mechanism process, and provides clarity on the types of outcomes available to individuals and groups;*
- d. *ensure equitable treatment to all concerned and aggrieved individuals and groups through a consistent, formal approach that, is fair, informed and respectful to a concern, complaints and/or grievances;*
- e. *be rights based (i.e. mechanisms and outcomes are consistent with human rights recognized by applicable law);*
- f. *to provide a transparent approach, by keeping any aggrieved individual/group informed of the progress of their complaint, the information that was used when assessing their complaint and information about the mechanisms that will be used to address it; and*
- g. *enable continuous learning and improvements to the GRM. Through continued assessment, the learnings may reduce potential complaints and grievances.*

The GRM will be gender- and age-inclusive and responsive and address potential access barriers to women, the elderly, the disabled, youth and other potentially marginalized groups as appropriate to the Project. The GRM will not impede access to judicial or administrative remedies as may be relevant or applicable and will be readily accessible to all stakeholders at no cost and without retribution.

Information about the GRM and how to make a complaint and/or grievance must be communicated during the stakeholder engagement process and placed at prominent places for the information of the key stakeholders.

It is preferred that all complaints and/or grievances regarding social and environmental issues can be received either orally (to the field staff), by phone, in complaints box or in writing to the designated agency (MAE or other). A key part of the grievance redress mechanism is the requirement for the GRM lead to



maintain a register of complaints and/or grievances received at the respective project site offices. At a minimum (see ToR in the Annexure), the following information will be recorded:

- a. time, date and nature of enquiry, concern, complaints and/or grievances;
- b. type of communication (e.g. telephone, letter, personal contact);
- c. name, contact address and contact number;
- d. response and review undertaken as a result of the enquiry, concern, complaints and/or grievances; and
- e. actions taken and name of the person taking action.

Once adopted, the GRM could be tested in one or more pilot areas where grievances exist, and based on lessons learned, modified accordingly. Regardless, the GRM should include a provision requiring its review and amendment, as needed, at least within the first year of operation, and every two years thereafter.

R&MM15

- It is most important that the GRM is developed with stakeholders so that ownership is shared, credibility in the system starts from the beginning, and all are vested in its existence, accessibility, and the public awareness campaign around its existence. Upon completion, those in charge of communications should promptly design and implement such a campaign. Indeed, the RBP Project must provide for a sufficient budget for the design and implementation of the GRM, as well as the communication initiatives around it.
- The finalized GRM will need to clarify that it does not prejudice the rights of aggrieved parties to use any other dispute resolution mechanisms available to him/her and specify how it operates alongside of the dispute resolution mechanisms found in the contracts and agreements (convenios) with stakeholder partners (providing for friendly resolution, mediation and then litigation). For instance, does a party to a reforestation agreement reached per activity 3.3 have equal access to the GRM, or must it exhaust first the remedies in his/her agreement?

7.5 UNDP SRM and SECU

In addition to the project-level and national grievance redress mechanisms, complainants have the option to access UNDP’s Accountability Mechanism, with both compliance and grievance functions. The Social and Environmental Compliance Unit (SECU) investigates allegations that UNDP’s Standards, screening procedure or other UNDP social and environmental commitments are not being implemented adequately, and that harm may result to people or the environment. SECU is housed in the Office of Audit and Investigations and managed by a Lead Compliance Officer. A compliance review is available to any community or individual with concerns about the impacts of a UNDP programme or project. The SECU is mandated to independently and impartially investigate valid requests from locally impacted people, and to report its findings and recommendations publicly.

The Stakeholder Response Mechanism (SRM) also offers locally affected people an opportunity to work with other stakeholders to resolve concerns, complaints and/or grievances about the social and environmental impacts of a UNDP project. The SRM is intended to supplement the proactive stakeholder engagement that is required of UNDP and MAE throughout the project cycle. Communities and individuals may request a Stakeholder Response Mechanism process when they have used standard channels for project management and quality assurance and are not satisfied with the response (in this case the project



level grievance redress mechanism). When a valid SRM request is submitted, UNDP focal points at country, regional and headquarters levels will work with concerned stakeholders and Implementing Partners to address and resolve the concerns. Visit www.undp.org/secu-srm for more details. The relevant form is attached at the end of the ESMF.

8 MONITORING AND EVALUATION OF ESMF IMPLEMENTATION

Table 2 (below) provides a summary of specific measures related to implementation of the ESMF requirements.

Table 2. Summary of ESMF Implementation Activities

Monitoring Activity	Purpose	Frequency	Expected Action	Roles and Responsibilities
Development of Environmental and Social Impact Assessment (ESIA)	Carried out and drafted in a participatory and gender responsive manner, in-depth analysis of potential social and environmental impacts, as well as identification / validation of mitigation measures linked to projects activities.	Quarters two and three of programme implementation	Risks and potential impacts are assessed according the site of implementation and the modality, with support of external consultants and participation of project team and stakeholders; management actions are identified and incorporated into project implementation strategies.	MAE with the support of UNDP will launch the ESIA process. A group of consultants will lead the process and garner the expertise needed. Stakeholders will review the terms of reference and validate the findings. The Consultants and the team will ensure that relevant changes and updates are made to the ESMF in accordance with the ESIA findings and again validated by stakeholders.
Development of Management plans	Carried out by ESIA consultants.	Quarters two and three of the programme implementation	Develop ESMP and associated management plans in consultation with stakeholders and based on findings of ESIA.	On behalf of MAE, the PMU will initiate, UNDP will oversee for consistency with UNDP SES. Stakeholders will be asked to effectively engage with project support.
Track progress of ESMF	Application of mitigation measures, as well as any required changes to	Quarterly, or in the frequency required for	Slower than expected progress will be addressed	Collection of data will be ascribed to various stakeholder groups and the PMU.



<p>implementation</p>	<p>ESMF, including site-specific plans as required by applicable SES, will be monitored through a participatory process, and with results reported to Project Board on bi-annual basis (recall material changes to ESMF and project plans need Project Board approval).</p>	<p>each measure.</p>	<p>by project management.</p>	<p>The project management unit, and particularly the safeguards and gender officer, and other thematic specialists/experts within the PMU will integrate the mitigation measures into the overall monitoring and reporting framework of the project.</p>
<p>Implementation of mitigation measures and monitoring of potential impacts identified in ESIA,</p>	<p>Permanent and participatory implementation and monitoring of social and environmental impacts and mitigation measures, in accordance with Environmental and Social Management Framework and the subsequently developed ESMP and management plans (to be updated as necessary based on ESIA findings)</p>	<p>Continuous</p>	<p>Implementation of ESMF; participatory monitoring of ESIA findings and the mitigation measures of management plans (i.e. identifying and aligning indicators, monitoring potential impacts and risks); integration of ESMF into project implementation strategies</p>	<p>The PMU will be responsible for the implementation of the mitigation measures in conjunction with stakeholders in various parts of the project, these include DAGs, upstream/downstream private sector actors, indigenous peoples and other collectives, etc. Reporting to the UNFCCC will be done by Climate Change Directorate of the MMA and reporting on consistency with safeguards to GCF will be done by the UNDP.</p>
<p>Learning</p>	<p>Knowledge, good practices and lessons learned regarding social and environmental risk management will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.</p>	<p>At least annually</p>	<p>Relevant lessons are captured by the project team and used to inform management decisions.</p>	<p>MIA with the PMU with the communications officer, and the learning units of the project, including sub-national and local partners. The GRM which tracks grievances and forecast risks and areas of concern will also play a role.</p>



<p>Annual Project Quality Assurance</p>	<p>The quality of the project will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform management decision making to improve the project.</p>	<p>Annually</p>	<p>Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project performance. Project Board oversight and instruction expected.</p>	<p>UNDP.</p>
<p>Review and adapt activities and approach as necessary</p>	<p>Internal review of data and evidence from all monitoring actions to inform decision making. There will be elaboration of a detailed and clear mechanism regarding the collection of social and environmental impacts, the gathering and analysing of such data, sharing across institutions and with stakeholders, and responding timely to the need for project changes.</p>	<p>At least annually</p>	<p>Performance data, risks, lessons and quality will be discussed by the PMU, UNDP and Project board and used to make course corrections.</p>	<p>MAE, UNDP and all members of the Project Board.</p>
<p>Project Report</p>	<p>As part of progress report to be presented to the Project Board and key stakeholders, analysis, updating and recommendations for risk management will be included.</p>	<p>Annually, and at the end of the project (final report)</p>		<p>PMU</p>
<p>Project Review (Project Board)</p>	<p>The project's governance mechanism (i.e., project board) will hold regular project reviews during which an updated analysis of risks and recommended risk mitigation measures will be discussed</p>	<p>At least annually</p>	<p>Any risks and/ or impacts that are not adequately addressed by national mechanisms or project team will be discussed in Project Board. Instructions and recommendations will be made.</p>	<p>Project Board and PMU. (UNDP as Project Assurance entity).</p>



	based on reports provided by the PMU.			
REDD+ Specific				
System of Information on Safeguards SIS	Feed into and strengthen developing SIS (mechanisms for how REDD+ safeguards are addressed and respected during project implementation, in order to comply with the requirement of the Warsaw framework on REDD).	Continuously	The information on how REDD+ safeguards are addressed and respected during project implementation will be available online, once the SIS web-platform is up and running and it will be aligned with the protocols the project will develop around information gathered by social and environmental assessments and monitoring.	MAE at the National Level with support from UNDP as required and data gathered by the PMU and stakeholders.
Summary of Information to the UNFCCC on how safeguards are addressed and respected	Summarize for the UNFCCC, how the REDD+ safeguards have been and are being addressed and respected during project implementation, prior to seeking REDD+ RBP.	Summary of information (Sol) as part of the National Communication on every 4 years; encouraged to submit the Sol more frequently (every 2 years) directly to the UNFCCC REDD+ platform.	Elaboration of the summary of information, once every 4 years, in the National Communication. Direct submission of the Summary of Information to the UNFCCC REDD+ platform on more frequent basis (every 2 years) is encouraged.	MAE at the National Level with support of the PMU and UNDP as required.



9 BUDGET FOR ESMF IMPLEMENTATION

A budget has been prepared for the implementation of the ESMF as follows:

Item	Cost
Development of ESIA, ESMP and management plans	\$350,000
Stakeholder Engagement, Consultations and Capacity building	\$400,000
Establishment of the Grievance Redress Mechanism and associated capacity building activities	\$250,000
Implementation, monitoring and evaluation of ESMP and management plans, including ensuring links to and strengthening the SIS	\$1,000,000
Total	\$2,000,000

Annexures

Annexure 1. UNDP SESP for the RBP Project

Annexure 2. Indicative Outline for ESIA Report

Annexure 3. Indicative Outline for ESMP

Annexure 4. Sample ToR for Project-level Grievance Redress Mechanism

Annexure 5. Guidance for Submitting a Request to UNDP SECU and/or SRM

Annexure 6. Indicative Outline for Biodiversity Action Plan

Annexure 7. Indicative Outline for Indigenous Peoples Plan

Annexure 8. Indicative Outline for Livelihood Action Plan

Annexure 9. Guidance and Indicative Outline on Stakeholder Engagement Plan

Annexure 10: Considerations for the Elaboration of Templates for Agreements between Landowners for Reforestation and other Conservation Arrangements

Annexure 1. UNDP SESP for the RBP Project

Project Information

Project Information	
• <i>Project Title</i>	Ecuador REDD-plus RBP for results period 2014
• <i>Project Number</i>	N/A
• <i>Location (Global/Region/Country)</i>	Ecuador

Part A. Integrating Overarching Principles to Strengthen Social and Environmental Sustainability

QUESTION 1: How Does the Project Integrate the Overarching Principles in order to Strengthen Social and Environmental Sustainability?

Briefly describe in the space below how the Project mainstreams the human-rights based approach

The project is being conducted in the context of a substantial legal and policy framework that strives to protect, promote and respect human rights constitutionally, via numerous international agreements and instruments to which Ecuador is a party, and a host of national laws relevant to resource management, conservation, sustainable economic development, and the enjoyment of fundamental rights and freedoms. The RPB Project proposes activities seek not just to conserve the environment, but the well-being of those who live in and depend on the nation's forests and other critical habitats for their livelihoods and/or their cultural identity. Because the proposed RBP activities envision activities that could adversely affect indigenous peoples, Afro Ecuadorians, *montubios* and communes ("collectives"), the overall project risk has been rated as Moderate. The project design and intended implementation, however, is fundamentally based on partnerships with all stakeholders (public and private (including these indigenous peoples and local communities)), as well as meaningful, effective, inclusive and *voluntary* participation of these stakeholders (and where required, the free prior and informed consent of these collectives). The voluntary nature of the RBP Project activities, the multi-stakeholder participation in the project design, the project's applicable legal and policy framework, and the mitigation measures already in place and those to be added in accordance with the ESMF – all will work together to ensure not only that risks of human rights impacts are minimal, but also that opportunities to advance the enjoyment of these rights will be seized.

Briefly describe in the space below how the Project is likely to improve gender equality and women's empowerment

The RBP Project recognizes that REDD+ goals are best achieved when the contributions and perspectives of women are incorporated in the project design and implementation and when women have a vested interest in the project's success through the enjoyment of equitable project benefits. In the context of the RBP Project, Ecuador is committed to promoting gender equality, the empowerment of women, and reducing gender disparities and inequalities in climate funding and overall access to and control over resources and development benefits. Responding to a growing recognition that more affirmative and special measures could be

taken to mainstream the gender focus in REDD+ programming, a Gender Action Plan was conducted which examined the proposed RBP activities in the context of the GCF's policy on Gender, Principle 2 of UNDP's SES (Gender Equality and Women's Empowerment), the Ecuador's national gender strategy, and the findings and recommendations of several studies commissioned earlier by the REDD+ programme. The RBP Project will implement the action plan's recommendations on gender including mitigation measures and affirmative activities aimed at increasing female participation in, and equitable access to: training, capacity building, technical assistance and resources, and social and economic benefits and opportunities comparable to men.

Briefly describe in the space below how the Project mainstreams environmental sustainability

Environmental sustainability is mainstreamed into the project through the commitments and enhanced capacities of the stakeholders involved; field-based and scientific foundational research on ecosystems and sustainable forest management economic alternatives; real time, transparent and participatory monitoring; initiatives to enhance cooperation in local governance and management of resources; promotion of sustainable economic development through deforestation free commodity markets; long-term engagements with natural resource users that have improved livelihoods and well-beings by committing to conservation, restoration, and avoided deforestation; and avoidance of the introduction of non-native species and the promotion of land tenure security.

Part B. Identifying and Managing Social and Environmental Risks

<p>QUESTION 2: What are the Potential Social and Environmental Risks?</p> <p><i>Note: Describe briefly potential social and environmental risks identified in Attachment 1 – Risk Screening Checklist (based on any “Yes” responses). If no risks have been identified in Attachment 1 then note “No Risks Identified” and skip to Question 4 and Select “Low Risk”. Questions 5 and 6 not required for Low Risk Projects.</i></p>		<p>QUESTION 3: What is the level of significance of the potential social and environmental risks?</p> <p><i>Note: Respond to Questions 4 and 5 below before proceeding to Question 6</i></p>		<p>QUESTION 6: What social and environmental assessment and management measures have been conducted and/or are required to address potential risks (for Risks with Moderate and High Significance)?</p>	
<p>Risk Description</p>		<p>Impact and Probability (1-5)</p>	<p>Significance (Low, Moderate, High)</p>	<p>Comments</p>	
				<p><i>Mitigation Measures applicable to all risks below (“Generally Applicable Measures”)</i></p>	

			<ul style="list-style-type: none"> ▪ <i>All risks identified below</i> will be further assessed and mitigated by the conduct during project inception of an Environmental and Social Impact Assessment. This will be carried out by experts in accordance with the Terms of Reference being developed by MAE and the UNDP based on the existing findings of the SESP and ESMF. The ESIA will involve research, consultations, field work, stakeholder engagement and management planning related to all RBP activities of the project and assess benefits and risks pertaining to, among others: biodiversity conservation and lands and resource management such as selection of species for restoration, the rights of indigenous peoples, national and local land use planning, resource rights, benefit sharing and social and governance aspects. ▪ <i>All risks identified below</i> will be substantially mitigated by one or more of the following measures: multi-stakeholder participation in project governance; capacity building workshops and initiatives for all stakeholders; heightened stakeholder engagement (regular exchanges and meetings, communication campaigns, substantial good faith consultations and where applicable, free prior and informed consent (FPIC), and a substantial budget to carry out all of these activities to ensure the project’s aim of informed voluntary participation of stakeholders.
<p>Risk 1: Project intentions to promote land regularization in protected areas, including Protective Forests, and project plans to have CONFENAIE and its members prioritize REDD+ activities and the communities that will implement them, may result in disputes among those with overlapping claims of ownership and use rights (including disputes among local governance bodies (cantons, parochial units, the governance structures of indigenous and other collectives), among private individuals and collectives, as well as among the leaders and members of CONFENAIE.</p>	<p>I = 4 P =2</p>	<p>Moderate</p>	<ul style="list-style-type: none"> ▪ Provision of spaces for capacity building and dialogues provided to work through differences, educate actors about respective rights of stakeholders under Applicable Law,⁷ and exchange experiences ▪ Adoption of a grievance redress mechanism (GRM) based on the work already done by the REDD+ working group titled “<i>REDD + proposal for complaint and dispute resolution mechanism for REDD</i>”, taking into consideration comments expressed in the October 2016 meeting of the MdT REDD+, the UNDP guidance on GRMs, and the widely accepted eight “effectiveness criteria” for non-judicial GRMs. Apply the new mechanism in pilot areas and as needed, strengthen, per lessons learned. ▪ Awareness campaigns around the availability and ways to access the GRM. ▪ Increased technical and financial support, empowerment and respect to local dispute resolution mechanisms; whereby the decisions of the same are respected by the project going forward and matters before those

⁷ “Applicable Law” as defined by the UNDP SES means national law and obligations under international law, whichever is the higher standard.

				<p>mechanisms can be tracked and reported along with the project-level GRM.</p> <ul style="list-style-type: none"> As participation in the RBP Project activities is voluntary, any agreements entered into between participants and the Government will include a mutually agreed dispute resolution provision that does not prejudice the rights of stakeholders to a just and effective remedy.
<p>Risk 2: Private Sector stakeholders lack the knowledge or capacity to participate effectively in the project. Some may lack the sustained interest and/or not see the value of the benefits being promised compared to those they may secure through their other forest-related economic endeavours. Well-beings are not improved over time and they withdraw from the project arrangements related to conservation and alternative deforestation free economic initiatives.</p>	<p>I = 3 P = 3</p>	<p>Moderate</p>		<ul style="list-style-type: none"> Sustain the active engagement and participation of private sector stakeholders in the design of the deforestation free market research, value chain and product development to ensure stakeholder ownership. Exchanges should document the expectations of each stakeholder on how they define improved well-being and a sustainable livelihood (so that the new market can hopefully meet those objectives). Regular capacity sessions, [financial] and technical support for private sector stakeholders (including producers, manufacturers and other buyers) to create understanding and acceptance of the conservation objectives and increase their ability and strengthen relationships along supply chains to ensure their successfully participation in the newly proposed deforestation. Culturally appropriate, diverse in format, wide-reaching communications campaign that also utilizes each stakeholder's preferred formats and modes of disseminating information.
<p>Risk 3. The project will be developed in areas where there is a high proportion of indigenous people with important cultural heritage, ancestral land and resource rights, and also poor rural farmers and collectives. It aims to bring together these stakeholders with differing levels of resources, rights, and power through a multi-level governance framework for designing and implementing land use planning and management. The project could lead to adverse impacts on enjoyment of the human rights of the</p>	<p>I = 4 P = 2</p>	<p>Moderate</p>	<p><i>Project activities involve no activities that will be imposed on stakeholders. All participation in activities is voluntary.</i></p>	<ul style="list-style-type: none"> Establish a multi-stakeholder body charged with assessing the needs, then developing and implementing capacity building and training exercises, as well as mechanisms to provide technical support to stakeholders. (This can be a function of one of the applicable governance bodies). Where applicable, implement Ministerial Agreement No. 33 on consultation and consent is applied in good faith. Ensuring that all activities, including initiatives of <i>mancomunidades</i> are based on the voluntary participation of all holders of property rights in the affected areas. It will follow that any agreements of participation (<i>convenios</i>)

<p>affected populations because duty-bearers might not have the capacity to meet their obligations in the project or because rightsholders might not have the capacity to claim or seek protection of their rights. The Project could have inequitable or discriminatory adverse impacts on affected populations, particularly indigenous peoples with titled and untitled property rights in project areas, and other individuals and collectives living in poverty or otherwise marginalized.</p>				<p>include just and fair provisions for party withdrawal from the agreements.</p> <ul style="list-style-type: none"> ▪ Provide that all land titling (land regularization) is conducted pursuant to transparent and clear procedures and criteria consistent with the rights of private individuals as well as the rights of indigenous peoples and other collectives as recognized in Applicable Law. Where national laws do not outline these procedures clearly, work with stakeholders to create such a mechanism consistent with Applicable Law. ▪ With stakeholders, develop a <i>Stakeholder Engagement Plan</i> consistent with the UNDP SES and Applicable Law. <i>(Also relevant to other risk mitigation)</i>. ▪ With stakeholders, develop an <i>Indigenous Peoples Plan</i> consistent with the UNDP SES and Applicable Law. <i>(Also relevant to other risk mitigation)</i>. ▪ With stakeholders, review the <i>Gender Action Plan</i> considering the ESIA results and make revisions if necessary. ▪ The project will put in place mechanism, to ensure non-discrimination and equitable access to any available credit and other fiscal and economic incentives that may be provided by the RBP Project. ▪ <i>The project will hire an expert on indigenous peoples, the Applicable Law</i> related to the same, and how to work with and conduct stakeholder engagement, consultation and consent processes with indigenous peoples and other collectives. ▪ Once clarified, those with property rights within lands of Protective Forests and other protected areas participate in the prompt revision of area management plans to be revised consistent with their rights under Applicable Law. ▪ Ensure that CONFENAIE, the government, and affected Stakeholders are properly resourced to engage effectively and conduct good faith consultation and consent processes according to Ministerial Agreement No. 33 and Applicable Law.
<p>Risk 4: Environmental and especially social impacts of project activities are not</p>	<p>1 = 2</p>	<p>Low</p>	<p><i>The project will build on lessons learned and</i></p>	<ul style="list-style-type: none"> ▪ Together with stakeholders, development of new indicators, and strengthen existing Indicators developed

<p>assessed and monitored regularly and adequately and do not inform real time changes to project operations and implementation to improve project results and avoid adverse impacts; results of assessments and monitoring are not accessible to stakeholders to ensure effective participation and public accountability.</p>	<p>P = 2</p>		<p><i>mechanisms for impact assessments and monitoring previously developed for prior REDD+ approved projects (including Socio Bosque and PROAmazonia). Applicable Law requires transparency and accountability, as well as the identification, avoidance and mitigation, and addressing of potential adverse harms.</i></p>	<p>in the National REDD+ AP preparations, to monitor and assess environmental and social impacts.</p> <ul style="list-style-type: none"> ▪ Use of participatory monitoring –where local natural resource users and conservation and restoration actors actively participate in monitoring (including those that may sign <i>convenios/agreements</i>). Where relevant and with permission, seek to incorporate traditional knowledge and practices in the monitoring systems. ▪ Strengthen existing mechanisms and define new ones as necessary, to regularly gather all social and environmental impacts (identifying responsibilities of respective actors, and methods of communication and the systematization of indicators and methods used for particular geographies and circumstance); ensure the mechanism clearly describes how information is transmit to the appropriate parties for analysis and incorporation into the SIS for eventual public disclosure, use in the SOI, and to influence project changes. ▪ Define and implement simple mechanisms to transparently demonstrate responses to impact assessments and monitoring, and to facilitate the making of adjustments to strengthen project implementation to improve outcomes and avoid adverse impacts that may arise during project implementation (through multi-stakeholder bodies and including modification of management plans).
<p>Risk 5: The implementation of restoration activities and public-private partnerships for marketing deforestation-free commodities may not be fully successful as plants in their growing stage are very vulnerable to effects of climate change and other external factors and the estimated coverage might not be completely reached.</p>	<p>I = 2 P = 1</p>	<p>Low</p>		<ul style="list-style-type: none"> ▪ The project will provide technical assistance to the communities that signed reforestation agreements in order to monitor the survival rate of the plants and their adaptation to different ecosystems, as well climate changes that could put their products at risk. ▪ The project will hire an expert on restoration and other restoration options. ▪ Work closely with private sector actors to understand what they need to sustain their livelihoods and how they measure and define a sustainable and viable economic endeavour (to assess expectations).
<p>Risk 6: The project will implement land-use plans, conservation and forest</p>	<p>I = 3</p>	<p>Moderate</p>	<p><i>The project intends no activity to result in physical or</i></p>	<ul style="list-style-type: none"> ▪ Implementation only of PDOTs and Life Plans developed by the GADs and the indigenous peoples and other

<p>restoration efforts to reduce the pressure on forest areas and increase protection of key forest stratum. Some of these activities may place restrictions on existing and future natural resource uses. Although the project does not envisage such restrictions resulting in economic displacements or infringements on cultural heritage, this could happen, especially for poorer and marginalized individuals and collectives who may not have resources to change their current practices and resource uses or whose livelihoods, physical and cultural survival is deemed connected to these resources.</p>	<p>P = 2</p>		<p><i>economic displacement or unlawful limitations on cultural heritage (tangible or intangible) but recognizes the unintended possibilities when dealing with natural resources, questions of livelihoods, and indigenous peoples and other culturally distinct collectives.</i></p>	<p>collectives respectively, and updated through participatory processes and with the informed and voluntary agreement of the authors of those plans.</p> <ul style="list-style-type: none"> ▪ Through consultations, discuss, and <i>document</i> information about stakeholder cultural heritage sites requiring protection, and the traditional practices, cultural heritage and resource uses to date to maintain their subsistence, economic livelihoods and well-being. ▪ Wherever possible, new agreements with stakeholders and protected area management plans will ensure continuation of traditional practices and use of cultural heritage (i.e. resource access) and where limitations on such practices and uses are required to achieve conservation objectives, they will be expressly documented, and voluntary agreements will require acknowledgement of these limitations. ▪ All conditions and parameters of the project are implemented in good faith (i.e. all is voluntary, in accordance with the indigenous peoples and other collectives' forms of decision-making, through their representative institutions, and based on all relevant materials and information previously disclosed to ensure informed decision-making by the community or peoples in question). ▪ The project will ensure equitable access to any available incentives that may be provided by the Project and aimed at promoting sustainable climate-resilient production. ▪ With stakeholders, develop a <i>Cultural Heritage Management Plan</i> consistent with the UNDP SES and Applicable Law. ▪ With stakeholders, develop a <i>Livelihood Action Plan</i> consistent with the UNDP SES and Applicable Law. ▪ Where adverse impacts to intangible cultural heritage (like traditional knowledge or practices) is possible, it is recommended that going forward the convenios be very specific about any possible limits or impacts to such heritage to ensure full informed consent. ▪ Include cultural heritage impacts within the context of assessment and monitoring exercises.
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				<ul style="list-style-type: none"> Where indicators regarding cultural impacts are not yet incorporated into those being developed for the National REDD+ AP, this will be done.
<p>Risk 7: Pollution Prevention and Harm to Biodiversity. This refers to the potential that project activities associated with intensification of commodity agriculture for the no-deforestation commodity markets may result in the release of pollutants to the environment with the potential for adverse local, regional, and/or transboundary impacts, including harms to the biodiversity.</p>	<p>I = 3 P = 1</p>	<p>Low</p>	<p>The project may drive or introduce the use of pesticides and fertilizers, especially if forest conservation leads to intensification of agricultural practices on already cleared land or if tree plantations require inputs that could potentially adversely impact the ecosystem, the biodiversity within, and the services it provides.</p>	<ul style="list-style-type: none"> The robust assessment and monitoring mechanisms will establish baseline conditions to monitor changes in the ecosystem due to reforestation and other agricultural initiatives supported by this Project. The ESIA will review Ecuador's applicable policies, laws and regulations related to potential pollution prevention and resource efficiency risks, to ensure they are consistent with UNDP's SES (including pest management requirements) and recommend gap-filling measures where needed. If the ESIA determines the need, with stakeholders, develop a <i>Biodiversity Action Plan</i> consistent with the UNDP SES and Applicable Law.
<p>Risk 8: The project activities will take place within or adjacent to critical habitats and/or environmentally sensitive areas, including legally protected areas and ancestral lands. It will support implementation of land-use planning in these areas, sustainable harvesting of forest and reforestation, soil restoration, as well as planning, regulation and enforcement in other areas where, to a large extent, economic activity such as farming, harvesting and grazing has expanded with little control. Unless this takes into account sustainable practices and harvesting limits as well as climate-resilient interventions, this may adversely affect conservation values of these areas and/or increase vulnerability to climate change of production sectors and local communities.</p>	<p>I = 3 P = 1</p>	<p>Low</p>	<p><i>While the project does contemplate one or more of plantation development, or reforestation, it has not seen evidence that these climate change vulnerabilities will be high, but the project plans to be vigilant about the same considering the impact it would cause on the project's success.</i></p>	<ul style="list-style-type: none"> The project will consider the findings of different production models already examined and previously detailed feasibility studies, as well as the prior identification of critical and vulnerable areas of high deforestation, degradation, and conservation value identified in the National REDD+ AP preparations and prior REDD+ projects. Based on the above and intensive engagement with stakeholders, a multi-stakeholder body will establish priority areas of geography and climate change activities to be supported by the applicable PDOTs and Life Plans. (In the latter, deference will be given to the prioritizations of CONFENAIE and its members –when made through their deliberative processes and in accordance with applicable consultation and consent processes). Safeguards and MRV systems for REDD+ will be implemented to guide the definition and implementation of land use plans and management schemes in the selected landscapes so as to avoid environmental and social harms and permit responsive and timely adjustments to activities to account for vulnerabilities to climate change. With stakeholders, develop a <i>Biodiversity Action Plan</i> consistent with the UNDP SES and Applicable Law.

				<ul style="list-style-type: none"> ▪ The project will ensure equitable access to any available incentives that may be provided by the Project and aimed at promoting sustainable climate-resilient production.
<p>Risk 9: Displacement of emissions to other sectors or biomes throughout the country,</p>	<p>I = 2 P = 1</p>	<p>Low</p>	<p><i>The focus on critical areas in the Amazon and the national scope of the project as well, will help to offset any potential for displaced emissions. However, there is always a risk that actions to reduce emissions for deforestation and forest degradation provoke displacement of activities to other critical biomes in Ecuador. Also, project activities could unintentionally stimulate growth in non-forestry sectors (e.g., mining, industrial production) that generate GHG emissions, which could offset progress made by REDD+ activities.</i></p>	<ul style="list-style-type: none"> ▪ The assessments and monitoring exercises▪ The project's focus on improving the forest monitoring system to address degradation will also act as an early warning system. ▪ Displacement of emissions to other sectors, can be offset by the success of the private-public partnerships and successful multi-stakeholder development of an alternative deforestation free commodity market.
<p>Risk 10: Reversals (non-permeance of carbon stocks). Risk of reversals is assumed in all REDD+ projects including conservation, sustainable management of forests, and enhancement of C stocks. These risks are related to factors that could result in participant's withdrawal from the voluntary program.</p>	<p>I = 3 P = 2</p>	<p>Moderate</p>	<p><i>Risk could manifest if the project is unable to define and prove sustainable the planned deforestation free product market or collectives that agreed to limitations on their natural resource use rights realize such limitations limit their traditional practices beyond what they contemplated.. Finally, non-human factors can also contribute to the risk of reversals.</i></p>	<ul style="list-style-type: none"> ▪ Voluntary agreements must be clear about what practices that are important to a community can continue, and not continue, thereby avoiding misunderstandings, disappointment and withdrawal later. ▪ Tailoring resource management plans for protected areas and Protective Forests to consider the livelihood needs and practices of the proprietors is key.
<p>QUESTION 4: What is the overall Project risk categorization?</p>				

	Select one (see SESP for guidance)		Comments
	<i>Low Risk</i>	<input type="checkbox"/>	
	<i>Moderate Risk</i>	X	The proposed program includes activities with potential adverse social and environmental risks and impacts, that are limited in scale, can be identified with a reasonable degree of certainty, and can be addressed through application of standard best practice, mitigation measures, stakeholder engagement, capacity building, and robust assessment and monitoring mechanisms implemented during Project implementation.
	<i>High Risk</i>	<input type="checkbox"/>	
	QUESTION 5: Based on the identified risks and risk categorization, what requirements of the SES are relevant?		
	Check all that apply		Comments
	<i>Principle 1: Human Rights</i>	X	See above
	<i>Principle 2: Gender Equality and Women's Empowerment</i>	X	“ “
	<i>1. Biodiversity Conservation and Natural Resource Management</i>	X	“ “
	<i>2. Climate Change Mitigation and Adaptation</i>	<input type="checkbox"/>	
	<i>3. Community Health, Safety and Working Conditions</i>	<input type="checkbox"/>	
	<i>4. Cultural Heritage</i>	X	“ “
<i>5. Displacement and Resettlement</i>	X	“ “	

	6. Indigenous Peoples	X	“ “
	7. Pollution Prevention and Resource Efficiency	X	

Final Sign Off

Signature	Date	Description
QA Assessor		UNDP staff member responsible for the Project, typically a UNDP Programme Officer. Final signature confirms they have “checked” to ensure that the SESP is adequately conducted.
QA Approver		UNDP senior manager, typically the UNDP Deputy Country Director (DCD), Country Director (CD), Deputy Resident Representative (DRR), or Resident Representative (RR). The QA Approver cannot also be the QA Assessor. Final signature confirms they have “cleared” the SESP prior to submittal to the PAC.
PAC Chair		UNDP chair of the PAC. In some cases, PAC Chair may also be the QA Approver. Final signature confirms that the SESP was considered as part of the project appraisal and considered in recommendations of the PAC.

SESP Attachment 1. Social and Environmental Risk Screening Checklist

Checklist Potential Social and Environmental Risks		
Principles 1: Human Rights		Answer (Yes/No)
1.	Could the Project lead to adverse impacts on enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population and particularly of marginalized groups?	Yes
2.	Is there a likelihood that the Project would have inequitable or discriminatory adverse impacts on affected populations, particularly people living in poverty or marginalized or excluded individuals or groups? ⁸	Yes
3.	Could the Project potentially restrict availability, quality of and access to resources or basic services, in particular to marginalized individuals or groups?	No
4.	Is there a likelihood that the Project would exclude any potentially affected stakeholders, in particular marginalized groups, from fully participating in decisions that may affect them?	Yes
5.	Is there a risk that duty-bearers do not have the capacity to meet their obligations in the Project?	Yes
6.	Is there a risk that rights-holders do not have the capacity to claim their rights?	Yes
7.	Have local communities or individuals, given the opportunity, raised human rights concerns regarding the Project during the stakeholder engagement process? [No
8.	Is there a risk that the Project would exacerbate conflicts among and/or the risk of violence to project-affected communities and individuals?	Yes
Principle 2: Gender Equality and Women's Empowerment		
1.	Is there a likelihood that the proposed Project would have adverse impacts on gender equality and/or the situation of women and girls?	Yes
2.	Would the Project potentially reproduce discriminations against women based on gender, especially regarding participation in design and implementation or access to opportunities and benefits?	Yes
3.	Have women's groups/leaders raised gender equality concerns regarding the Project during the stakeholder engagement process and has this been included in the overall Project proposal and in the risk assessment?	No
4.	Would the Project potentially limit women's ability to use, develop and protect natural resources, taking into account different roles and positions of women and men in accessing environmental goods and services? <i>For example, activities that could lead to natural resources degradation or depletion in communities who depend on these resources for their livelihoods and well being</i>	Yes

⁸ Prohibited grounds of discrimination include race, ethnicity, gender, age, language, disability, sexual orientation, religion, political or other opinion, national or social or geographical origin, property, birth or other status including as an indigenous person or as a member of a minority. References to "women and men" or similar is understood to include women and men, boys and girls, and other groups discriminated against based on their gender identities, such as transgender people and transsexuals.

Principle 3: Environmental Sustainability: Screening questions regarding environmental risks are encompassed by the specific Standard-related questions below		
Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management		
1.1	Would the Project potentially cause adverse impacts to habitats (e.g. modified, natural, and critical habitats) and/or ecosystems and ecosystem services? <i>For example, through habitat loss, conversion or degradation, fragmentation, hydrological changes</i>	Yes
1.2	Are any Project activities proposed within or adjacent to critical habitats and/or environmentally sensitive areas, including legally protected areas (e.g. nature reserve, national park), areas proposed for protection, or recognized as such by authoritative sources and/or indigenous peoples or local communities?	Yes
1.3	Does the Project involve changes to the use of lands and resources that may have adverse impacts on habitats, ecosystems, and/or livelihoods? (Note: if restrictions and/or limitations of access to lands would apply, refer to Standard 5)	Yes
1.4	Would Project activities pose risks to endangered species?	No
1.5	Would the Project pose a risk of introducing invasive alien species?	No
1.6	Does the Project involve harvesting of natural forests, plantation development, or reforestation.	Yes
1.7	Does the Project involve the production and/or harvesting of fish populations or other aquatic species?	No
1.8	Does the Project involve significant extraction, diversion or containment of surface or ground water? <i>For example, construction of dams, reservoirs, river basin developments, groundwater extraction</i>	No
1.9	Does the Project involve utilization of genetic resources? (e.g. collection and/or harvesting, commercial development)	No
1.10	Would the Project generate potential adverse transboundary or global environmental concerns?	No
1.11	Would the Project result in secondary or consequential development activities which could lead to adverse social and environmental effects, or would it generate cumulative impacts with other known existing or planned activities in the area? <i>For example, a new road through forested lands will generate direct environmental and social impacts (e.g. felling of trees, earthworks, potential relocation of inhabitants). The new road may also facilitate encroachment on lands by illegal settlers or generate unplanned commercial development along the route, potentially in sensitive areas. These are indirect, secondary, or induced impacts that need to be considered. Also, if similar developments in the same forested area are planned, then cumulative impacts of multiple activities (even if not part of the same Project) need to be considered.</i>	No
Standard 2: Climate Change Mitigation and Adaptation		
2.1	Will the proposed Project result in significant ⁹ greenhouse gas emissions or may exacerbate climate change?	No

⁹ In regards to CO₂, 'significant emissions' corresponds generally to more than 25,000 tons per year (from both direct and indirect sources). [The Guidance Note on Climate Change Mitigation and Adaptation provides additional information on GHG emissions.]

2.2	Would the potential outcomes of the Project be sensitive or vulnerable to potential impacts of climate change?	Yes
2.3	Is the proposed Project likely to directly or indirectly increase social and environmental vulnerability to climate change now or in the future (also known as maladaptive practices)? <i>For example, changes to land use planning may encourage further development of floodplains, potentially increasing the population's vulnerability to climate change, specifically flooding</i>	No
Standard 3: Community Health, Safety and Working Conditions		
3.1	Would elements of Project construction, operation, or decommissioning pose potential safety risks to local communities?	No
3.2	Would the Project pose potential risks to community health and safety due to the transport, storage, and use and/or disposal of hazardous or dangerous materials (e.g. explosives, fuel and other chemicals during construction and operation)?	No
3.3	Does the Project involve large-scale infrastructure development (e.g. dams, roads, buildings)?	No
3.4	Would failure of structural elements of the Project pose risks to communities? (e.g. collapse of buildings or infrastructure)	No
3.5	Would the proposed Project be susceptible to or lead to increased vulnerability to earthquakes, subsidence, landslides, erosion, flooding or extreme climatic conditions?	No
3.6	Would the Project result in potential increased health risks (e.g. from water-borne or other vector-borne diseases or communicable infections such as HIV/AIDS)?	No
3.7	Does the Project pose potential risks and vulnerabilities related to occupational health and safety due to physical, chemical, biological, and radiological hazards during Project construction, operation, or decommissioning?	No
3.8	Does the Project involve support for employment or livelihoods that may fail to comply with national and international labor standards (i.e. principles and standards of ILO fundamental conventions)?	No
3.9	Does the Project engage security personnel that may pose a potential risk to health and safety of communities and/or individuals (e.g. due to a lack of adequate training or accountability)?	No
Standard 4: Cultural Heritage		
4.1	Will the proposed Project result in interventions that would potentially adversely impact sites, structures, or objects with historical, cultural, artistic, traditional or religious values or intangible forms of culture (e.g. knowledge, innovations, practices)? (Note: Projects intended to protect and conserve Cultural Heritage may also have inadvertent adverse impacts)	Yes
4.2	Does the Project propose utilizing tangible and/or intangible forms of cultural heritage for commercial or other purposes?	Yes
Standard 5: Displacement and Resettlement		
5.1	Would the Project potentially involve temporary or permanent and full or partial physical displacement?	No
5.2	Would the Project possibly result in economic displacement (e.g. loss of assets or access to resources due to land acquisition or access restrictions – even in the absence of physical relocation)?	Yes
5.3	Is there a risk that the Project would lead to forced evictions? ¹⁰	No

¹⁰ Forced evictions include acts and/or omissions involving the coerced or involuntary displacement of individuals, groups, or communities from homes and/or lands and common property resources that were occupied or depended

5.4	Would the proposed Project possibly affect land tenure arrangements and/or community-based property rights/customary rights to land, territories and/or resources?	Yes
Standard 6: Indigenous Peoples		
6.1	Are indigenous peoples present in the Project area (including Project area of influence)?	Yes
6.2	Is it likely that the Project or portions of the Project will be located on lands and territories claimed by indigenous peoples?	Yes
6.3	<p>Would the proposed Project potentially affect 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)?</p> <p><i>If the answer to the screening question 6.3 is "yes" the potential risk impacts are considered potentially severe and/or critical and the Project would be categorized as either Moderate or High Risk.</i></p>	Yes
6.4	Has there been an absence of culturally appropriate consultations carried out with the objective of achieving FPIC on matters that may affect the rights and interests, lands, resources, territories and traditional livelihoods of the indigenous peoples concerned?	Yes
6.5	Does the proposed Project involve the utilization and/or commercial development of natural resources on lands and territories claimed by indigenous peoples?	Yes
6.6	Is there a potential for forced eviction or the whole or partial physical or economic displacement of indigenous peoples, including through access restrictions to lands, territories, and resources?	Yes
6.7	Would the Project adversely affect the development priorities of indigenous peoples as defined by them?	Yes
6.8	Would the Project potentially affect the physical and cultural survival of indigenous peoples?	Yes
6.9	Would the Project potentially affect the Cultural Heritage of indigenous peoples, including through the commercialization or use of their traditional knowledge and practices?	Yes
Standard 7: Pollution Prevention and Resource Efficiency		
7.1	Would the Project potentially result in the release of pollutants to the environment due to routine or non-routine circumstances with the potential for adverse local, regional, and/or transboundary impacts?	No
7.2	Would the proposed Project potentially result in the generation of waste (both hazardous and non-hazardous)?	No
7.3	<p>Will the proposed Project potentially involve the manufacture, trade, release, and/or use of hazardous chemicals and/or materials? Does the Project propose use of chemicals or materials subject to international bans or phase-outs?</p> <p><i>For example, DDT, PCBs and other chemicals listed in international conventions such as the Stockholm Conventions on Persistent Organic Pollutants or the Montreal Protocol</i></p>	No
7.4	Will the proposed Project involve the application of pesticides that may have a negative effect on the environment or human health?	Yes
7.5	Does the Project include activities that require significant consumption of raw materials, energy, and/or water?	No

upon, thus eliminating the ability of an individual, group, or community to reside or work in a particular dwelling, residence, or location without the provision of, and access to, appropriate forms of legal or other protections.

While it's considered that Cancun safeguards (f) and (g) are implicitly captured in the UNDP Social and Environmental Standards and Policies (See [Demonstrating Consistency: UNDP Social and Environmental Standards and Policies and UNFCCC Cancun Safeguards](#), 1 June 2016), it is important to consider these Cancun safeguards separately in the SESP and ESMP because they: 1) are not explicitly referenced in the UNDP standards; 2) are unique, assumed risks for forest and land use; and 3) should be reflected separately in the national reporting of the SIS/SOI.

Cancun safeguard (f) – Address the risk of reversals	
<ul style="list-style-type: none"> • <i>Does the scope of the project include conservation, sustainable management of forests, and/or enhancement activities?</i> 	Yes
<ul style="list-style-type: none"> • <i>Are C stocks conserved, enhanced, managed through the project activities likely to be vulnerable to: climate change (e.g., more frequent drought, flooding, Wildfire? Institutional failure?</i> 	Yes
Cancun safeguard (g) – Reduce displacement of emissions	
<ul style="list-style-type: none"> • <i>Is the scale of the project subnational?</i> 	No
<ul style="list-style-type: none"> • <i>Does the scope of the project include less than all 5 REDD+ activities?</i> 	No
<ul style="list-style-type: none"> • <i>Are any project activities likely to result in displacement of land-use change at the local level? Within national borders?</i> 	No

Annexure 2. Indicative Outline for ESIA Report

Please refer to the [UNDP SES Guidance Note on Assessment and Management](#) for additional information.

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

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

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

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

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

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

(a) Environmental risks and impacts, including: any material threat to the protection, conservation, maintenance and rehabilitation of natural habitats, biodiversity, and ecosystems; those related to climate change and other transboundary or global impacts; those related to community health and safety; those related to pollution and discharges of waste; those related to the use of living natural resources, such as fisheries and forests; and those related to other applicable standards.¹¹

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

¹¹ For example, the Environmental, Health, and Safety Guidelines (EHSGs), which are technical reference documents with general and industry-specific statements of Good International Industry Practice. The EHSGs contain information on industry-specific risks and impacts and the performance levels and measures that are generally considered to be achievable in new facilities by existing technology at reasonable cost. Available at www.ifc.org/ehsguidelines.

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

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

(8) Conclusions and Recommendations: Succinctly describes conclusion drawn from the assessment and provides recommendations.

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

Annexure 3: Indicative Outline for ESMP

Below is an indicative outline for the development of an ESMP once project activities have been fully specified and assessed. A number of elements of the SMF feed directly into the ESMP. Please refer to the [UNDP SES Guidance Note on Assessment and Management](#) for additional information. The following Annexure on Key Environmental and Social Indicators and Management Measures is an integral part of the ESMP but is provided separately for ease of use.

An ESMP may be prepared as part of the Environmental and Social Impact Assessment (ESIA) or as a stand-alone document.¹² The content of the ESMP should address the following sections:

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

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

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

(4) Engagement and Management Plans: Provides additional management plans as indicated by the SESP and ESMF and confirmed by the ESIA. These stakeholder engagement and management plans are described in the UNDP SES and indicative outlines of a number of these are annexed to the ESMF received by Consultant.

(5) Implementation action plan (schedule and cost estimates): For all four above aspects (mitigation, monitoring, capacity development, and stakeholder engagement), ESMP provides (a) an implementation schedule for measures that must be carried out as part of the project, showing phasing and coordination with overall project implementation plans; and (b) the capital and recurrent cost estimates and sources of

¹² This may be particularly relevant where contractors are being engaged to carry out the project, or parts thereof, and the ESMP sets out the requirements to be followed by contractors. In this case the ESMP should be incorporated as part of the contract with the contractor, together with appropriate monitoring and enforcement provisions, including all developed key environmental and social indicators and management measures.

funds for implementing the ESMP. These figures are also integrated into the total project cost tables. Each of the measures and actions to be implemented will be clearly specified and the costs of so doing will be integrated into the project's overall planning, design, budget, and implementation.

Annexure 4. Sample ToR for Project-level Grievance Redress Mechanism

Below is a sample Terms of Reference (ToR) for the creation of a project-level grievance redress mechanism (GRM). See also the [UNDP Supplemental Guidance: Grievance Redress Mechanism](#) for further information on designing and evaluating grievance redress mechanisms. The newly drafted GRM developed with stakeholders in the context of the PROAmazonia programme funded by GCF and GEF and titled “*REDD + proposes the Complaints and Dispute Resolution Mechanism for REDD +*”, will be revised, strengthened, and adopted based on this annex which also addresses the “effectiveness criteria”.¹³

Sample Terms of Reference: Project-level Grievance Redress Mechanism

I. Mandate

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 and commissions, CSOs and NGOs, and other natural resource users (collectively, the “*Stakeholders*”) in the context of the REDD+ Project;
- (iii) Conduct itself at all times in a flexible, collaborative, and transparent manner aimed at problem solving and consensus building.

II. Functions

The functions of the GRM will be to:

- (iv) Receive, Log and Track all Grievances received;
- (v) Provide regular status updates on Grievances to Claimants, Policy Board (PB) members and other relevant Stakeholders, as applicable;
- (vi) Engage the PB members, Government institutions and other relevant Stakeholders in Grievance resolution;
- (vii) 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;
- (viii) Identify growing trends in Grievances and recommend possible measures to avoid the same;
- (ix) Receive and service requests for, and suggest the use of, mediation or facilitation;
- (x) 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);

¹³ Principle 31 of the UN Guiding Principles on Business and Human Rights *available at* https://en.wikipedia.org/wiki/United_Nations_Guiding_Principles_on_Business_and_Human_Rights).

- (xi) Ensure increased awareness, accessibility, predictability, transparency, legitimacy, and credibility of the GRM process;
- (xii) Collaborate with Partner Institutions and other NGOs, CSOs and other entities to conduct outreach initiatives to increase awareness among Stakeholders as to the existence of the GRM and how its services can be accessed;
- (xiii) Ensure continuing education of PB members and their respective institutions about the relevant laws and policies that they will need to be aware of to participate in the development of effective resolutions to Grievances likely to come before the GRM;
- (xiv) Monitor follow up to Grievance resolutions, as appropriate.

III. Composition

The GRM will be composed of:

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

- (a) A standing GRM Sub-Committee [made up of x, y, z PB members]; and/or
- (b) Ad hoc GRM Task Teams in response to specific requests for grievance

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

IV. [Name of Implementing Partner]

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

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

V. Project Board

The Project Board would perform the following core functions:

GRM Sub-Committee and/or GRM Task Team will:

- Take direct action to resolve the grievance/dispute (e.g. bring the relevant parties together to discuss and resolve the issue themselves with oversight by the PB);
- Request further information to clarify the issue, and share that information with all relevant parties, or ensure that a government agency represented on the PB took an appropriate administrative action to deal with a complaint;
- Refer the grievance/dispute to independent mediation, while maintaining oversight; or

- Determine that the request was outside the scope and mandate of the PB and refer it elsewhere (e.g. Ministry of Justice and Police or to the courts).

VI. Communicating a Grievance

(i) Who can Submit a Grievance?

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

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

(ii) How is the Grievance Communicated?

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

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

To facilitate communications with and between the GRM and potential Claimants, the GRM will receive support from the PB members' institutions, District Commissioners, [local actors and others?]

(iii) What information should be included in a Grievance?

The Grievance should include the following information:

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

VII. Logging, Acknowledgment, and Tracking

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

Within one (1) week from the receipt of a Grievance, the GRM will send a *written* acknowledgement to Claimant of the Grievance received with the assigned tracking number.¹⁴

Each Grievance file will contain, at a minimum:

- i. the date of the request as received;
- ii. the date the written acknowledgment was sent (and oral acknowledgment if also done);
- iii. the dates and nature of all other communications or meetings with the Claimant and other relevant Stakeholders;
- iv. any requests, offers of, or engagements of a Mediator or Facilitator;
- v. the date and records related to the proposed solution/way forward;
- vi. the acceptance or objections of the Claimant (or other Stakeholders);
- vii. the proposed next steps if objections arose;
- viii. the alternative solution if renewed dialogues were pursued;
- ix. notes regarding implementation; and
- x. any conclusions and recommendations arising from monitoring and follow up.

IX. Maintaining Communication and Status Updates

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

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

X. Investigation and Consensus Building

Within one (1) week of receiving a Grievance, [Implementing Partner] will notify the PB and any other relevant institutions of the receipt of the Grievance.

The PB will identify [Need to develop a specific procedure for doing this] a specific team of individuals drawn from the PB and/or their respective institutions to develop a response to the Grievance. The names of these individuals will be made available to the Claimant.

The designated PB members [hereafter called Task Team] will promptly engage the Claimant and any other relevant Stakeholders deemed appropriate, to gather all necessary information regarding the Grievance.

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

As necessary, the Task Team will convene one or more meetings with relevant individuals and institutions in [national capital], or elsewhere in [name of country] as needed.

¹⁴ Oral acknowledgments can be used for expediency (and also recorded), but must be followed by a written acknowledgment.

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

The PB members will procure the cooperation of their respective staff with the investigation.

At any point during the investigation, the Task Team may determine that an onsite field investigation is necessary to properly understand the Grievance and develop an effective proposed solution and way forward.

XI. Seeking Advisory Opinion and/or Technical Assistance

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

XII. Making Proposed Actions and Solutions Public and Overseeing Implementation

The Task Team will communicate to the Claimant one or more proposed actions or resolutions and clearly articulate the reasons and basis for proposed way forward.

If the Claimant does not accept the resolution, the Task Team will engage with the Claimant to provide alternative options.

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

XII. Monitoring and Evaluation

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

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

XIII. Mediation

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

- professional experience and expertise in impartial mediation;
- knowledge of [project type and activities in the country] and the region, including an understanding of indigenous and tribal culture and practices;
- [national and local language, as appropriate] proficiency;
- availability in principle for assignments of up to 20 days; and

- willingness to declare all relationships and interests that may affect their ability to act as impartial mediators in particular cases.

If mediation succeeded in resolving the dispute or grievance, the outcome would be documented by [Implementing Partner] and reviewed by the Task Team. If it were unsuccessful, stakeholders would have the option to return to the Task Team for assistance.

XIV. Without Prejudice

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

Annexure 5. Guidance for Submitting a Request to UNDP SECU and/or SRM



*Empowered lives.
Resilient nations.*

Guidance for Submitting a Request to the Social and Environmental Compliance Unit (SECU) and/or the Stakeholder Response Mechanism (SRM)

Purpose of this form

- **If you use this form, please put your answers in bold writing to distinguish text**
- **The use of this form is recommended, but not required. It can also serve as a guide when drafting a request.**

This form is intended to assist in:

- (1) Submitting a request when you believe UNDP is not complying with its social or environmental policies or commitments and you believe you are being harmed as a result. This request could initiate a 'compliance review', which is an independent investigation conducted by the Social and Environmental Compliance Unit (SECU), within UNDP's Office of Audit and Investigations, to determine if UNDP policies or commitments have been violated and to identify measures to address these violations. SECU would interact with you during the compliance review to determine the facts of the situation. You would be kept informed about the results of the compliance review.

and/or

- (2) Submitting a request for UNDP "Stakeholder Response" when you believe a UNDP project is having or may have an adverse social or environmental impact on you and you would like to initiate a process that brings together affected communities and other stakeholders (e.g., government representatives, UNDP, etc.) to jointly address your concerns. This Stakeholder Response process would be led by the UNDP Country Office or facilitated through UNDP headquarters. UNDP staff would communicate and interact with you as part of the response, both for fact-finding and for developing solutions. Other project stakeholders may also be involved if needed.

Please note that if you have not already tried to resolve your concern by communicating directly with the government representatives and UNDP staff responsible for this project, you should do so before making a request to UNDP's Stakeholder Response Mechanism.

Confidentiality If you choose the Compliance Review process, you may keep your identity confidential (known only to the Compliance Review team). If you choose the Stakeholder Response Mechanism, you can choose to keep your identity confidential during the initial eligibility screening and assessment of your case. If your request is eligible and the assessment indicates that a response is appropriate, UNDP staff will discuss the proposed response with you, and will also discuss whether and how to maintain confidentiality of your identity.

Guidance

When submitting a request please provide as much information as possible. If you accidentally email an incomplete form, or have additional information you would like to provide, simply send a follow-up email explaining any changes.

Information about You

Are you...

1. A person affected by a UNDP-supported project?

Mark "X" next to the answer that applies to you: Yes: No:

2. An authorized representative of an affected person or group?

Mark "X" next to the answer that applies to you: Yes: No:

If you are an authorized representative, please provide the names of all the people whom you are representing, and documentation of their authorization for you to act on their behalf, by attaching one or more files to this form.

3. First name:

4. Last name:

5. Any other identifying information:

6. Mailing address:

7. Email address:

8. Telephone Number (with country code):

9. Your address/location:

10. Nearest city or town:

11. Any additional instructions on how to contact you:

12. Country:

What you are seeking from UNDP: Compliance Review and/or Stakeholder Response

You have four options:

- Submit a request for a Compliance Review;
- Submit a request for a Stakeholder Response;
- Submit a request for both a Compliance Review and a Stakeholder Response;
- State that you are unsure whether you would like Compliance Review or Stakeholder Response and that you desire both entities to review your case.

13. Are you concerned that UNDP's failure to meet a UNDP social and/or environmental policy or commitment is harming, or could harm, you or your community? Mark "X" next to the answer that applies to you: Yes: No:

14. Would you like your name(s) to remain confidential throughout the Compliance Review process?

Mark "X" next to the answer that applies to you: Yes: No:

If confidentiality is requested, please state why:

15. Would you like to work with other stakeholders, e.g., the government, UNDP, etc. to jointly resolve a concern about social or environmental impacts or risks you believe you are experiencing because of a UNDP project?

Mark "X" next to the answer that applies to you: Yes: No:

16. Would you like your name(s) to remain confidential during the initial assessment of your request for a response?

Mark "X" next to the answer that applies to you: Yes: No:

If confidentiality is requested, please state why:

17. Requests for Stakeholder Response will be handled through UNDP Country Offices unless you indicate that you would like your request to be handled through UNDP Headquarters. Would you like UNDP Headquarters to handle your request?

Mark "X" next to the answer that applies to you: Yes: No:

If you have indicated yes, please indicate why your request should be handled through UNDP Headquarters:

18. Are you seeking both Compliance Review and Stakeholder Response?

Mark "X" next to the answer that applies to you: Yes: No:

19. Are you unsure whether you would like to request a Compliance Review or a Stakeholder Response?
Mark "X" next to the answer that applies to you: Yes: No:

Information about the UNDP Project you are concerned about, and the nature of your concern:

20. Which UNDP-supported project are you concerned about? (if known):

21. Project name (if known):

22. Please provide a short description of your concerns about the project. If you have concerns about UNDP's failure to comply with its social or environmental policies and commitments, and can identify these policies and commitments, please do (not required). Please describe, as well, the types of environmental and social impacts that may occur, or have occurred, as a result. If more space is required, please attach any documents. You may write in any language you choose

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23. Have you discussed your concerns with the government representatives and UNDP staff responsible for this project? Non-governmental organisations?

Mark "X" next to the answer that applies to you: Yes: No:

If you answered yes, please provide the name(s) of those you have discussed your concerns with

Name of Officials You have Already Contacted Regarding this Issue:

First Name	Last Name	Title/Affiliation	Estimated Date of Contact	Response of Individual	from	the
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24. Are there other individuals or groups that are adversely affected by the project?

Mark "X" next to the answer that applies to you: Yes: No:

25. Please provide the names and/or description of other individuals or groups that support the request:

First Name	Last Name	Title/Affiliation	Contact Information
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Please attach to your email any documents you wish to send to SECU and/or the SRM. If all of your attachments do not fit in one email, please feel free to send multiple emails.

Submission and Support

To submit your request, or if you need assistance please email: project.concerns@undp.org

Annexure 6. Indicative Outline for Biodiversity Action Plan

Elements of Biodiversity Action Plan

Please refer to the [UNDP SES Guidance Note: Standard 1: Biodiversity Conservation and Sustainable Natural Recourse Management](#) for additional information.

Where biodiversity values of importance to conservation are associated with a project or its area of influence, the preparation of a Biodiversity Action Plan (BAP) or Biodiversity Management Plan (BMP) provides a useful means to focus a project's mitigation and management strategy. For project activities in critical habitats and protected areas, Standard 1 notes that a BAP needs to be in place. For projects solely designed to strengthen biodiversity and maintain or restore ecosystems in areas of critical habitat, the project document itself would constitute such a plan. Biodiversity plans are highly encouraged when also operating in natural habitats (or in modified habitats with biodiversity values of importance to conservation).

Targeted biodiversity-related mitigation and management measures may be integrated into more general Environmental and Social Management Plans (ESMPs) or related plans. However, a BAP or BMP provides focused attention to actions in ecologically critical areas. A BAP/BMP may be included as part of a broader ESMP.

As noted in the Section 2.1 of this guidance note, National Biodiversity Strategies and Action Plans (NBSAP) are the primary instruments for implementing the Convention on Biological Diversity at the national level. A BAP/BMP is a more targeted instrument for enhancing and conserving biodiversity and ecosystem services in particular habitats, demonstrated on an appropriate geographic scale. A BAP/BMP should seek to achieve net gains to the biodiversity values for which the critical habitat was designated. A BAP/BMP is highly context specific.

There is no one widely recognized, cross-sectoral framework for the development of a BAP/BMP. Typically, a BAP will be undertaken to address significant gaps in information for undertaking biodiversity-related actions (such as insufficient baseline data or understanding of key biodiversity values) whereas a BMP would be developed where adequate information is available for developing appropriate actions.

General elements of a BAP/BMP include the following:

(1) Description of biodiversity context: Identifies national and/or regional biodiversity context; location of projects site/s; relevant physiography; general description of relevant ecosystems, habitats, flora, fauna; priority biodiversity features and components of elevated significance.

(2) Objectives and targets biodiversity actions and mitigation: Identifies measures and actions to enhance and conserve biodiversity and/or in accordance with the mitigation hierarchy avoid, minimize, mitigate, potentially significant adverse social and environmental impacts to acceptable levels. Describes – with technical details – each biodiversity-related action/mitigation measure, including the type of issue/impact to which it relates and the conditions under which it is required (e.g., continuously or in the event of contingencies), together with designs, implementation descriptions and operating procedures, as appropriate; takes into account, and is consistent with, other relevant mitigation plans (e.g. indigenous peoples, economic displacement).

(3) Implementation action plan (schedule and cost estimates): Outlines an implementation schedule for measures that must be carried out as part of the project, showing phasing and coordination with overall project implementation plans; and the capital and recurrent cost estimates and sources of funds for implementing the BAP/BMP. Describes institutional arrangements, identifying which party is responsible for carrying out the actions/mitigation and monitoring measures.

(4) Stakeholder Engagement: Outlines plan to engage in meaningful, effective and informed consultations with relevant stakeholders, including locally affected groups. Includes information on (a) means used to

inform and involve affected people and description of effective processes for receiving and addressing stakeholder concerns and grievances regarding the project's social and environmental performance.

(5) Monitoring and reporting: Identifies monitoring objectives and specifies the type of monitoring, with linkages to the biodiversity actions and mitigation measures. Describes parameters to be measured, methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and definition of thresholds that will signal the need for corrective actions. Establishes reporting schedule and format

Annexure 7. Indicative Outline for Indigenous Peoples Plan

Please refer to the [UNDP SES Guidance Note: Standard 6: Indigenous Peoples](#) for additional information.

If the proposed Project may affect the rights, lands, resources or territories 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:

- A. Executive Summary of the Indigenous Peoples Plan: Concisely describes the critical facts, significant findings, and recommended actions
- B. Description of the Project: General description of the project, the project area, and components/activities that may lead to impacts on indigenous peoples
- C. Description of Indigenous Peoples: A description of affected indigenous people(s) and their locations, including:
 - i. description of the community or communities constituting the affected peoples (e.g. names, ethnicities, dialects, estimated numbers, etc.);
 - ii. description of the resources, lands and territories to be affected and the affected peoples connections/ relationship with those resources, lands, and territories; and
 - iii. an identification of any vulnerable groups within the affected peoples (e.g. uncontacted and voluntary isolated peoples, women and girls, the disabled and elderly, others).
- D. Summary of Substantive Rights and Legal Framework: A description of the substantive rights of indigenous peoples and the applicable legal framework, including:
 - i. 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).
 - ii. Analysis as to whether the Project involves activities that are contingent on establishing legally recognized rights to lands, resources, or territories that indigenous peoples have traditionally owned, occupied or otherwise used or acquired. Where such contingency exists (see Standard 6 Guidance Note, sections 6 & 7), include:
 - a. 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
 - b. list of the activities that are prohibited until the delimitation, demarcation and titling is completed.
 - iii. 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 7):
 - a. 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
 - b. list of the activities that are prohibited until the recognition is achieved.

- E. Summary of Social and Environmental Assessment and Mitigation Measures
 - i. A summary of the findings and recommendations of the required prior social and environmental impact studies (e.g. limited assessment, ESIA, SESA, as applicable) – specifically those related to indigenous peoples, their rights, lands, resources and territories. 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.
 - ii. Where potential risks and adverse impacts to indigenous peoples, their lands, resources and territories are identified, the details and associated timelines for the planned measures to avoid, minimize, mitigate, or compensate for these adverse effects. Identification of special measures to promote and protect the rights and interests of the indigenous peoples including compliance with the affected peoples' internal norms and customs.
 - iii. If the Project will result in the relocation of indigenous peoples from their lands and territories, a description of the consultation and FPIC process leading to the resulting agreement on relocation and just and fair compensation, including the possibility of return.
 - iv. A description of measures to protect traditional knowledge and cultural heritage in the event that the Project will result in the documentation and/or use and appropriation of such knowledge and heritage of the indigenous peoples and the steps to ensure FPIC before doing so.
- F. Participation, Consultation, and FPIC Processes
 - i. 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.
 - ii. 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 consultation and FPIC (consistent with section 4 of the Standard 6 Guidance Note).
- G. 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.
- H. Capacity support
 - i. Description of Project activities aimed at increasing capacity within the government and/or the affected indigenous peoples, and facilitating exchanges, awareness, and cooperation between the two.
 - ii. 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
 - iii. 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.
- I. 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.
- J. Monitoring, Reporting, Evaluation
 - i. 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.

- ii. Define the mechanisms put in place to allow for periodic review and revision of the **IPP** in the event that new Project circumstances warrant modifications developed through consultation and consent processes with the affected indigenous peoples.
- K. Institutional Arrangements: Describes institutional arrangement responsibilities and mechanisms for carrying out the measures contained in the **IPP**, including participatory mechanisms of affected indigenous peoples. Describes role of independent, impartial entities to audit, conduct social and environmental assessments as required, and/or to conduct oversight of the project.
- L. Budget and Financing: An appropriately costed plan, with itemized budget sufficient to satisfactorily undertake the activities described.

Note: The **IPP** will be implemented as part of Project implementation. However, in no case shall Project activities that may adversely affect indigenous peoples – including the existence, value, use or enjoyment of their lands, resources or territories – take place before the corresponding activities in the **IPP** are implemented. The relationship between the implementation of specific **IPP** measures and the permitted commencement of distinct Project activities shall be detailed within the **IPP** to allow for transparent benchmarks and accountability.

Where other Project documents already develop and address issues listed in the above sections, citation to the relevant document(s) shall suffice.

Annexure 8. Indicative Outline for Livelihood Action Plan

Please refer to the [UNDP SES Guidance Note: Standard 5: Displacement and Resettlement](#) for additional information.

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

1. Introduction

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

2. Minimizing Displacement

- Describe the justification for the displacement
- Describe efforts and measures to minimize displacement, and expected outcomes of these efforts and measures
- Describe how requirements of Indigenous Peoples Standard have been addressed if Indigenous Peoples are displaced.

3. Census and Socioeconomic Surveys

- Provide results of the census, assets inventories, natural resource assessments, and socioeconomic surveys and briefly describe how these were performed, i.e., techniques used, individuals interviewed, etc.
- Identify all people and communities potentially affected by displacement activities and potential impacts to each

4. Legal Framework

- Describe all relevant international, national, local, and community laws and customs that apply to displacement activities, with particular attention to laws and customs relating to tenure rights
- Describe how free, prior, informed consent was obtained for displacement of indigenous peoples and tribal communities, if applicable
- Describe project-specific mechanisms to address conflicts
- Describe entitlement/compensation policies for each type of impact
- Describe method of valuation used for affected structures, land, trees, and other assets
- Prepare entitlement matrix, which includes budget and timeframe for payment of entitlements

5. Displacement-related Property

- Describe how affected people have been involved in a participatory process to identify replacement property when they have lost access to property to which they have legitimate rights. Describe the advantages and disadvantages of the properties, including the property chosen.

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

6. Income Restoration

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

7. Institutional Arrangements

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

8. Implementation Schedule

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

9. Participation and Consultation

- Describe the various stakeholders
- Describe the process of promoting consultation/participation of affected populations and stakeholders in resettlement preparation and planning
- Describe the process of involving affected populations and other stakeholders in implementation and monitoring
- Describe the plan for disseminating LAP information to affected populations and stakeholders, including information about compensation for lost assets, eligibility for compensation, displacement assistance, and grievance redress

10. Grievance Redress

- Describe the step-by-step process for registering and addressing grievances and provide specific details regarding a cost-free process for registering complaints, response time, and communication modes
- Describe the mechanism for appeal
- Describe the provisions for approaching civil courts if other options fail

11. Monitoring and Evaluation

- Describe the internal/performance monitoring process. Ensure monitoring program seeks to measure whether displaced enjoy at least a standard of living and access to livelihoods equal to what they enjoyed before displacement
- Define key monitoring indicators derived from baseline survey. Provide a list of monitoring indicators that will be used for internal monitoring, including number and location of displaced persons
- Describe institutional (including financial) arrangements

- Describe frequency of reporting and content for internal monitoring
- Describe process for integrating feedback from internal monitoring into implementation
- Define methodology for external monitoring
- Define key indicators for external monitoring
- Describe frequency of reporting and content for external monitoring. Ensure monitoring program is regular and ongoing following project completion until durable solutions are reached
- Describe process for integrating feedback from external monitoring into implementation
- Describe arrangements for final external evaluation
- Describe need for updates to census, assets inventories, resource assessments, and socioeconomic surveys, if necessary, as part of LAP monitoring and evaluation

12. Costs and Budgets

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

Annexes

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

Annexure 9. Indicative Outline for Stakeholder Engagement Plan

Please refer to the [UNDP SES Guidance Note on Stakeholder Engagement](#) for additional information.

Appropriately scaled plans. No one type or format of a stakeholder engagement plan will accommodate all projects. Its content will depend on various factors, including the nature, scale, location, and duration of project; the diverse interests of stakeholders; the scale of the project’s potential positive and adverse impacts on people and the environment; and the likelihood of grievances.

For a relatively small project with few if any potential adverse social and environmental impacts or initial stakeholder concerns (e.g. Low Risk project, straightforward Moderate Risk project), it is likely that only a “simplified” stakeholder engagement plan would be needed, focusing primarily on initial consultations, information disclosure and periodic reporting (see Box 8). In such cases, the “plan” would be relatively simple and easily described in the body of the Project Document (that is, no separate plan would be needed).

A project with greater complexity and potentially significant adverse social and environmental impacts (complex Moderate Risk project or High-Risk project) should elaborate a more strategic plan. A “comprehensive” plan would outline mechanisms that buttress not just disclosure and good communications, but iterative consultations and possibly consent processes over the course of the social and environmental assessment process, development of mitigation and management plans, monitoring project implementation, and evaluation. A separate, detailed stakeholder engagement plan should be appended to the Project Document (see outline below).

Box 8. Triggering the appropriate scale of stakeholder engagement plans

- *Simplified stakeholder engagement plan:* Project funding aimed at providing technical support (training in survey equipment) and materials (office space, computers, GPS equipment) to a national land and survey commission will likely have minimal impact on stakeholders other than the government.
- *Comprehensive stakeholder engagement plan:* Project funding to the same land and survey commission to actually conduct land titling in indigenous and forest-dependent communities across the nation, however, would require a comprehensive plan.

All stakeholder engagement plans – whether simplified or comprehensive (see below) – should address basic minimum criteria. The following checklist (Table 7) will help ensure that the plan addresses key issues and components.

Table 7. Key questions for developing a stakeholder engagement plan ¹⁵	
Who	<ul style="list-style-type: none"> ✓ Which stakeholder groups and individuals are to be engaged based on the stakeholder analysis? ✓ Have potentially marginalized groups and individuals been identified among stakeholders?
Why	<ul style="list-style-type: none"> ✓ Why is each stakeholder group participating (e.g. key stakeholder objectives and interests)?
What	<ul style="list-style-type: none"> ✓ What is the breadth and depth of stakeholder engagement at each stage of the project cycle? ✓ What decisions need to be made through stakeholder engagement?

¹⁵ As modified, see Asian Development Bank (ADB), Strengthening Participation, p. 43.

<i>How</i>	<ul style="list-style-type: none"> ✓ <i>How will stakeholders be engaged (strategy and methods, including communications)?</i> ✓ <i>Are special measures required to ensure inclusive participation of marginalized or disadvantaged groups?</i>
<i>When</i>	<ul style="list-style-type: none"> ✓ <i>What is the timeline for engagement activities, and how will they be sequenced, including information disclosure?</i>
<i>Responsibilities</i>	<ul style="list-style-type: none"> ✓ <i>How have roles and responsibilities for conducting stakeholder engagement been distributed among project partners (e.g. resident mission, executing agency, consultants, NGOs)?</i> ✓ <i>What role will stakeholder representatives play?</i> ✓ <i>Are stakeholder engagement facilitators required?</i>
<i>Resources</i>	<ul style="list-style-type: none"> ✓ <i>What will the stakeholder engagement plan cost and under what budget?</i>

Building mutual trust and ensuring meaningful and effective engagement is facilitated by stakeholder ownership of the relevant processes. All efforts should be made to work with the relevant stakeholders to design by mutual agreement the engagement and consultation processes, including mechanisms for inclusiveness, respecting cultural sensitivities, and any required consent processes.¹⁶ Cultural understanding and awareness is central to meaningful stakeholder engagement.

Moreover, a general solicitation of feedback or input cannot be relied upon, nor accepted as the sole method of consultation. Information laden questions presenting various options, the reasons for those options, and their consequences may be a better method in that it presents information in a relationship-building manner, does not assume full stakeholder knowledge of the project plans, and solicits input on specific project instances instead of placing the impetus on the stakeholder to make seemingly high-level suggestions.

Recall that stakeholder engagement may be minimal at certain times and intense at others, depending on the issues and particular project phase. Also, targeted input from select stakeholder groups may be needed at key points in project development and implementation.

As project information changes – perhaps from subsequent risk assessments, the addition of project activities, stakeholder concerns – the stakeholder engagement plan should be reviewed and modified accordingly to ensure its effectiveness in securing meaningful and effect stakeholder participation.

The stakeholder engagement plan should also anticipate if/when professional, neutral facilitators might be needed to lead key engagement activities. For projects where the stakeholder engagement process is likely to be complex or sensitive, social advisors or other expert staff should help design and facilitate the process and assist with participatory methodologies and other specialized techniques.¹⁷

Grievance redress processes for the project need to be described in the stakeholder engagement plan. Section 3.4 above elaborates on relevant SES requirements.

The plan should also outline a reasonable budget for stakeholder engagement activities, including potential support for groups to facilitate their participation where necessary (noting that meeting locations should be as convenient as possible and stakeholder acceptance of such support should not be interpreted as endorsement of the project).

Table 8 below provides a rough outline for a simplified stakeholder engagement plan. Many approaches exist, and this is one example of outlining key elements. It is important to not simply list stakeholders and say they will be consulted, but to identify **why** they are being engaged, **how** engagement will proceed, **who** will do it, **when**, and **how** it will be financed/supported.

¹⁶ Practical Approaches to Ensuring the Full and Effective Participation of Indigenous Peoples in ReDD+ (September 2013), BMZ, FPCP, UN-ReDD, p.12.

¹⁷ IFC Stakeholder Engagement, p. 101.

Table 8. Rough template of simplified stakeholder engagement plan					
Stakeholder Group	Why included (interests)	Participation methods		Timeline	Cost est.
		Method	Responsibility		

Below is an example of elements that should be addressed in a comprehensive stakeholder engagement plan. The scope and level of detail of the plan should be scaled to fit the needs of the project.

Outline of a Comprehensive Stakeholder Engagement Plan¹⁸

1. Introduction

- Briefly describe the project including design elements and potential social and environmental issues. Where relevant, include maps of the project site and surrounding area.

2. Regulations and Requirements

- Summarize any legal, regulatory, donor/lender requirements pertaining to stakeholder engagement applicable to the project. This may involve public consultation and disclosure requirements related to the social and environmental assessment process as well as relevant international obligations.

3. Summary of any previous stakeholder engagement activities

- If any stakeholder engagement activities had been undertaken to date, including information disclosure and/or consultation, provide the following details:
 - Type of information disclosed, in what forms and languages (e.g., oral, brochure, reports, posters, radio, etc.), and how it was disseminated
 - Locations and dates of any meetings undertaken to date
 - Individuals, groups, and/or organizations that have been consulted
 - Key issues discussed and key concerns raised
 - Responses to issues raised, including any commitments or follow-up actions
 - Process undertaken for documenting these activities and reporting back to stakeholders

4. Project Stakeholders

- List the key stakeholder groups who will be informed about and engaged in the project (based on stakeholder analysis). These should include persons or groups who:
 - Are directly and/or indirectly affected by the project

¹⁸ Outline relies on content provided in IFC, Guidance Note 1: Assessment and Management of Environmental and Social Risks and Impacts (2012), Annex B.

- Have “interests” in the project that determine them as stakeholders
- Have the potential to influence project outcomes or operations
- [Examples of potential stakeholders are beneficiaries and project-affected communities, local organizations, NGOs, and government authorities, indigenous peoples; stakeholders can also include politicians, private sector companies, labor unions, academics, religious groups, national environmental and social public sector agencies, and the media]
- Consider capacities of various stakeholder groups to effectively participate in the stakeholder engagement activities, and include measures to support them where capacity is limited

5. Stakeholder Engagement Program

- *Summarize the purpose and goals of the stakeholder engagement program*
- *Briefly describe what information will be disclosed, in what formats and languages, and the types of methods that will be used to communicate this information to each of the stakeholder groups identified in section 4 above. Methods used may vary according to target audience, for example:*
 - *Newspapers, posters, radio, television*
 - *Information centers and exhibitions or other visual displays*
 - *Brochures, leaflets, posters, non-technical summary documents and reports*
- *Briefly describe the methods that will be used to engage and/or consult with each of the stakeholder groups identified in section 4. Methods used may vary according to target audience, for example:*
 - *Interviews with stakeholder representatives and key informants*
 - *Surveys, polls, and questionnaires*
 - *Public meetings, workshops, and/or focus groups with specific groups*
 - *Participatory methods*
 - *Other traditional mechanisms for consultation and decision-making*
- *Describe how the views of women and other relevant groups (e.g. minorities, elderly, youth, other marginalized groups) will be taken into account and their participation facilitated*
- *Where relevant, define activities that require prior consultation and FPIC from indigenous peoples (and refer to Indigenous Peoples Plan and FPIC protocols)*
- *Outline methods to receive feedback and to ensure ongoing communications with stakeholders (outside of a formal consultation meeting)*
- *Describe any other engagement activities that will be undertaken, including participatory processes, joint decision-making, and/or partnerships undertaken with local communities, NGOs, or other project stakeholders. Examples include benefit-sharing programs, stakeholder-led initiatives, and training and capacity building/support programs.*

6. Timetable

- *Provide a schedule outlining dates/periodicity and locations where various stakeholder engagement activities, including consultation, disclosure, and partnerships will take place and the date by which such activities will be undertaken*

7. Resources and Responsibilities

- *Indicate who will be responsible for carrying out the specified stakeholder engagement activities*
- *Specify the budget and other resources allocated toward these activities*
- *[For projects with significant potential impacts and multiple stakeholder groups, it is advisable to hire a qualified stakeholder engagement facilitator to undertake all or portions of the stakeholder engagement activities]*

8. Grievance Mechanism

- *Describe the process by which people concerned with or potentially affected by the project can express their grievances for consideration and redress. Who will receive grievances, how and by whom will they be resolved, and how will the response be communicated back to the complainant? (see Guidance Note on Grievance Redress Mechanisms)*
- *Ensure reference is made to and stakeholders are informed of the availability of UNDP's Accountability Mechanism (Stakeholder Response Mechanism, SRM, and Social and Environmental Compliance Unit, SECU) as additional avenues of grievance redress.*

9. Monitoring and Reporting

- *Describe any plans to involve project stakeholders (including target beneficiaries and project-affected groups) or third-party monitors in the monitoring of project implementation, potential impacts and management/mitigation measures*
- *Describe how and when the results of stakeholder engagement activities will be reported back to project-affected and broader stakeholder groups. Examples include newsletters/bulletins, social and environmental assessment reports; monitoring reports.*

Annexure 10. Considerations for the Elaboration of Templates for Agreements between Landowners for Reforestation and other Conservation Arrangements

A number of the proposed activities in this project, such as Activity 1.2. “Improving the management of land rights within Protective Forests” and Activity 3.3. “Increasing forest restoration efforts in the south west region of Ecuador” are likely to require the conclusion of agreements (convenios) with landowners regarding forest restoration commitments or compliance with natural resource management plans in National Protected Areas and Protective Forests.

To avoid the potential risks identified in this ESMF, and to better clarify and facilitate the assessment, monitoring and reporting requirements of all relevant actors, all agreement templates should first be drafted by a multi-stakeholder body, with assistance from experts in the Applicable Law and project requirements, and then approved by the Project Board.

Based on a review of prior agreements entered into in the context of other REDD+ activities, such as the Socio Bosque Conservation Project, or the Forest Restoration Agreements entered into for the Bosque Seco Biosphere Reserve, the following is a *non-exhaustive* list of additional template elements that should be considered for future agreements. It is also possible that some of these elements could and should be reflected in any “operational manuals” or other guidelines crafted for the implementation of these arrangements.

1. The dispute resolution provisions clarify their relationship with the project-level GRM and the UNDP SRM and SECU (given that the agreements arise from the RBP Project).
2. As the overall project is based on voluntary participation, provide fair provisions allowing both parties to unilaterally withdraw (not just the MAE).
3. Provide that both MAE and the partner (individual, collective, local government, mancomunidad, protected area administrator, etc) must gather and report on both environmental and social impacts (annex specific guidance on how, when and by whom this is done, using what methods and indicators, etc).
4. Clarify government commitments to provide technical or financial support for the partner to carry out the assessment and monitoring referenced directly above.
5. Where a partner is required to further promote and secure the agreement of other landowners within an area subject to a convenio (i.e. a mancomunidad enters into a forest restoration agreement and its success depends on private or collective landowners’ participation), at a minimum
 - (i) explain how such agreements are to be obtained consistent with Applicable Law (attach guidance as necessary)
 - (ii) annex a template for those agreements,
 - (iii) provide a mechanism for tracking and recording those agreements and verifying that they were secured appropriately (and consistent with applicable safeguards), and
 - (iv) identify the role of the partner and MAE in this process (especially where the duty and obligation to secure FPIC from indigenous communities and other collectives cannot be fully delegated by the State)
6. Where benefits – such as tax breaks, favourable credit lines, or other economic or non-economic incentives and/or payments are provided for, clarify who is to receive them and if applicable, how they are to be equitably distributed among landowners or community members, as well as how such distribution is to be subject to accountability reports and periodic audits by MAE.

7. Include a provision where the relevant parties certify that all understand what activities are now permitted and not permitted within the area of conservation, reforestation or other resource management.

8. Related to #7 above, especially in the case of indigenous peoples and other collectives, after a documented discussion about their traditional practices, cultural heritage and livelihoods connected to the land, include an annex that details which of those practices are limited by the agreement.

9. In the case of agreements related to the titling of the lands of indigenous peoples and other collectives within Protected Areas and Protective Forests and consent to the area management plans, where the collective's right to access and use their natural resources is to be limited, document the agreement on just and fair compensation.

10. In the case of #9 above, affirm in the agreement that the indigenous peoples and other collectives effectively and meaningfully participated in the elaboration of, or amendment to, the management plan for the Protected Area or Protected Forests, *prior* to agreeing to comply with the same and prior to providing their free, prior and informed consent (FPIC) to the title to be issued.