

# **GHANA SHEA LANDSCAPE EMISSION REDUCTIONS PROJECT**

## **Environmental and Social Management Framework**

*As of 13 March 2020*

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## 1 EXECUTIVE SUMMARY

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The following provides the Environmental and Social Framework (ESMF) for the Ghana Shea Landscape Emission Reduction Project (GSLEP) proposed by Ghana to the Green Climate Fund. has been prepared for the submission of the proposal to the Green Climate Fund (GCF) for the purposes of assisting in the assessment of the potential environmental and social impacts of the proposal.

This is a project to be implemented by the “Implementing Partner” Forestry Commission (**FC**), with the technical support of the Global Shea Alliance for Output 2, and 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.

Ghana’s Forest Reference Level (FRL) indicates that the forests ecosystems of Ghana’s Northern Savannah Zone (NSZ), an area of 9.7 million hectares, with a population of over five million people, are facing a great threat with total forest cover declining by over 77% between 2001-2015, with a conversion of 1,058,492 million hectares (ha) of woodlands to grasslands and degraded forests. The main drivers of deforestation and forest degradation are conversion to agriculture, cutting for timber and wood fuels and mid to late dry season fires. This loss can be estimated to be the cause of Greenhouse Gas (GhG) emissions of about 3.568 mtCO<sub>2</sub>e per annum. Loss and degradation of woodlands and forests also presents significant environmental, social and economic risk in NSZ where the three poorest Regions of Ghana are located. At the national level the impacts of environmental degradation are being increasingly recognised and costing Ghana US\$ 850 million or 10% of GDP.

To date, woodland and land management on the NSZ has not received enough attention and investment due in part to institutional and systemic barriers, lack of alternative income opportunities and high level of dependence (90%) on rain fed agriculture within the NSZ, leading to outmigration from the region. Through the development of Ghana’s REDD+ Strategy and its Forest Reference Level, the severity of the forest loss and degradation has come to light. Consequently, a focus is now on the NSZ in order to achieve the national targets to significantly reduce emissions from deforestation and forest degradation. This approach will at the same time address threats that undermine livelihoods, ecosystem services and environmental integrity in order to maximize co-benefits from forests.

Project interventions will catalyze transformational change in the NSZ; The actions deliver 6.161 million tCO<sub>2</sub>e in emission reductions and removals over the first seven years of the project’s lifetime and 25.24 million tCO<sub>2</sub>e over 20 years. It will strengthen the livelihoods and climate resilience of over 500,200 in Northern, Upper East and Upper West Regions, the three most vulnerable regions of Ghana to Climate Change as noted by the President of Ghana during the National REDD+ Forum in October 2017.

This project identifies four interlinked outputs to rehabilitate and reforest areas of the NSZ while ensuring long-term community based sustainable management systems are in place that secure livelihoods and the ecosystem services that forests and woodlands provide. It presents the unique opportunity to engage in the forest commodity, shea and its by-products which are an important income generating activity for at least 600,000 women in Ghana and has gained prominence as a favoured ingredient in the cosmetics and food processing industry. It will foster public private partnerships.

The Project has been screened with 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.

Through the social and environmental screening procedure and consultations with women’s groups, traditional authorities at the local level, district assemblies at the district level, government institutions, private sector and a range of partners and relevant projects, a careful assessment of risks were considered as project outputs were defined (See Annex 6a to the Funding Proposal). The proposal development process was supported by the project development task force who participated in the risk assessment. A

further assessment was conducted by members of civil society working in the NSZ to review and confirm the description of risk factors and mitigation measures in March 2018. The mitigation measures have been incorporated into the Outputs and Activities.

The main risks that were discussed relate to setting up appropriate governance structures and contractual arrangements to prevent elite capture and allow incentives to continue to be realised over and beyond the project period. As communities will lead, manage and implement outputs 1-3, arrangements should ensure that roles and responsibilities are defined and agreed to, in a fair and appropriate way and benefits distributed equitably amongst stakeholders. The legal basis to secure access to timber and other resources to enable community management of forests to be tenable is required. When processes and capacity are put in place to comply with good practice guidelines, codes and management practices and all groups within the communities are engaged, barriers, governance and technical risks will be lowered.

Risks regarding appropriate fire management techniques are deemed to be lower as an adequate budget and relevant expertise has been accounted for, however cultural practices by some groups (such as hunters) will need to be considered and these groups engaged with to ensure late season fires are not set. Cropland, grassland and degraded land that will be reforested have to be identified through land use planning processes and community participation and with the requisite technical capacity in place. Areas designated for plantations must conform to biodiversity conservation and sustainable natural resource management guidelines. Land may have already been designated for a different purpose as a result of a policy or practices and further action may be needed to reconcile optimal land use. Moving from open-access to strong community management of lands, may result in some actors losing access to resources and governance arrangements need to mitigate the effects of this. Environmental risks include adequate rainfall for species to grow and availability of water sources for tree nurseries.

Finally, the risk of displacement and for reversals of carbon emission reductions need to be taken into account.

The mitigation measures include:

- The actors in the project, the FC, district assemblies, private sector companies, communities and women and men farmers will have access to forums, resources, expertise and know-how, therefore technical, structural and administrative factors will be addressed.
- A stakeholder engagement process is defined so that no groups are marginalised and a grievance redress mechanism to allow consensus building and solutions to be identified where there are conflicting interests.
- Implementation and monitoring of the ESMF, with application of UNDP SES guidance, as well as adaptive management through the integrated monitoring framework of the GSLERP.
- Execution of community led and farmer-led participatory processes, in order to build a relationship of trust and dialogue with FC, traditional authorities, district staff and private sector agents. Engagement includes capacity to negotiate, develop, implement and monitor agreements and ascertain and implement gendered roles and responsibilities.
- Ensure that land zoning is consistent with environmental and social standards and that the potential for large scale land use plans initiated by the Northern Development Authority recognises and engages the regional land use planning process and involve FC, CREMA governance, Taungya Farmers and District Assemblies.
- Engage with current policy reform on tree tenure on both off-reserve and on-reserve lands to enable communities and individuals to benefit directly from revenues from timber, wood fuels, shea and other NTFPs.
- Conduct in-depth capacity building and training in the NSZ, for FC, shea producers (women), farmers, land use planners at the district level, fire managers, extension workers at the district level, and all actors within the community management framework for which roles and responsibilities will be defined. Strong community governance and institutions will be the hallmark of the project.

- An awareness, communication and extension plan to seek the best way to carry out activities and continual adaptive management to ensure that changes in implementation are based on needs and lessons learnt.
- Integrate capacity building for the Shea Unit in COCOBOD, MOFA, CRIG In Bole (for research purposes) and the Ghana Shea Network to address extension needs and gaps.
- Ensure collaboration with the Sustainable Land Management project and the efforts made for water harvesting and lessons learnt for nursery management including various shapes for ground preparation and plastic bottle technology.
- Propose environmental and social indicators relevant for the NSZ and feed these into the national SIS; providing information relating to the social and environmental standards and safeguards to the national SIS.
- Use of innovative, accessible and effective approaches, to monitor land use change and carbon emission reductions as a result of project activities not only within the project areas but for the entire NSZ.

The project rests on a solid foundation of stakeholder engagement as well as prior experiences and lessons learned from related REDD+ activities in Ghana for example through

- The Strategic Environmental and Social Assessment (SESA) and Environmental and Social Management Framework (ESMF), undertaken with support provided by the Forest Carbon Partnership Facility (FCPF, 2016)
- Draft Recommendations for Addressing the UNFCCC REDD+ Safeguards in Ghana: Identification and Assessment of the Relevant Legal Framework, undertaken with support from Climate, Law and Policy (CLP, 2017)
- Ensuring a Gender-Responsive Emissions Reduction Program in Ghana: Gender Analysis and Roadmap, undertaken with support from IUCN. (2017)
- Development of Dispute Resolution Mechanism for REDD+ in Ghana, Consultancy Report, Commissioned by the Forestry Commission (2014)
- Benefit Sharing Mechanism for REDD+ in Ghana, CSIR Forestry Institute of Ghana, Commissioned by the Forestry Commission (2014)
- Tree Tenure and Benefit Sharing Framework in Ghana. Ministry of Lands and Natural Resources (June 2016).

Existing implementation mechanisms will be used as deemed appropriate and where they need strengthening or modification to respond to lessons learned, this has been highlighted in the context of the SESP and this ESMF.

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, the ESMF and its constituent SESP will be reviewed in context and as needed, revised. Also, all new avoidance and mitigation measures will be put in place before commencing any activity that has the possibility of causing adverse social or environmental impacts.

The preliminary findings and conclusions of this ESMF 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 and a Resettlement/Livelihood Policy Framework**. Together with stakeholders, the elaboration of these plans will be a task of the ESIA consultants. The Gender Assessment and Action Plan has already been completed (Annex 8), it too will be reviewed, and modifications suggested as by the ESIA consultants. Where available to date, indicative outlines for the management plans that will be envisaged are attached in Annexures 6-10 to this ESMF. Where there are potential impacts on these groups, UNDP will in conformity with the GCF IP policy prepare an Indigenous People's Plan.

As this is a Category B project, the ESIA and the Environmental and Social Management Plan will be disclosed at least 30 days in advance of the approval decision. The safeguard reports will be available in both English. The reports will be submitted to GCF and made available to GCF via electronic links in both the AE and the GCF's website as well as in locations convenient to affected peoples in consonance with requirements of GCF Information Disclosure Policy and Section 7.1 of (Information Disclosure) of GCF Environmental and Social Policy

The ESIA will, among others, stakeholder consultations regarding the need to further assess the activities under Output 1 including siting of community forests within the CREMA and identification of sites of nurseries where these are new and governance and benefit sharing in the CREMA. With respect to output 3, the assessment of reserves that are chosen for MTS will be carefully considered to ensure that conversion of natural or significantly regenerated forest are avoided.

The Forestry Commission's Best Practice Guidance will be applied to how the plantations are set up so that social, economic and environmental objectives are met. Other issues will include contract management with Taungya communities, fire management strategies and actors and consultation with communities in these areas around land tenure and rights over forest timber and non-timber projects.

For Output 2, the ESIA will focus on any risks associated with building warehouses for women's cooperatives and processing of shea by women's groups, including related to stakeholder engagement, labour, pollution and health and safety conditions for these warehouses. The ESIA will assess the applicable national policy, legal and regulatory framework for consistency with UNDP's SES and existing best practice guidelines. Gap-filling measures will be identified and included as part of the revised ESMP. The ESMP applies across all elements of the project and will be updated following completion of the ESIA.

The Risk Matrix in Section 5 below summarizes the key potential social and environmental impacts identified through application of UNDP's Social and Environmental Screening Procedure (SESP) as well as the proposed management measures and the institutional arrangement for their implementation. This table will serve as the basis for further assessment to be undertaken during the Environmental and Social Impact Assessment (ESIA).

### **Adoption of, and incentives to implement mitigation measures**

- The ESMF specifies the need for undertaking an ESIA for this project 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 adequate and 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 Gender Assessment and Action Plan – Annex 8), and the adoption and readiness of all recommended mitigation measures. The design and actual implementation of each mitigation measure may be a pre-condition to the carrying out of a specific project activity

The management measures will be overseen and led by the Project Management Unit, the Climate Change Directorate of the Forestry Commission, The Global Shea Alliance and UNDP. The Forestry Commission at the regional level will be managed through the Resource Management Support Centre in Tamale and District officers. Where necessary, these entities will seek the inputs and guidance from other divisions within the Forestry Commission including Forest Services Division (FSD); (ii) Wildlife Division (iii) Timber Industry Development Division (TIDD); (iv) Wood Industries Training Centre (Forestry Commission Training School); and (v) Resource Management Support Centre (in Kumasi) (RMSC).

The Forestry Commission, the Climate Change Directorate, Global Shea Alliance, partners in other government institutions, the UNDP and other stakeholders (i.e. local CREMA communities, women's cooperatives) have demonstrated a commitment to implement the project in order to achieve the project outputs and benefits and 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

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This ESMF has been prepared in support of GSLERP to the GCF. 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 thereby requiring appropriate avoidance and mitigation measures in place to ensure that all activities are carried out consistently with the SES.

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 been 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

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### *Climate Change Problem*

The Northern Savannah Zone (NSZ) is a fragile ecosystem sensitive to the effects of climate change. It is also a region undergoing rapid deforestation and forest degradation including the loss of valuable shea trees. According to Ghana's forest reference level report, the NSZ has lost 77% of its forest cover between 2001 and 2015, causing the removal not only of environmental services but also economic products (e.g. shea kernels and charcoal) that have acted as both a cornerstone of the economy and as a critical safety net for the poor.

The drivers of this change are a combination of conversion to agriculture (at just under 40,000 ha per annum), in particular a transition from tradition bush fallow agricultural systems to more expansive



machine ploughed and continuous cropping agricultural practices. Other drivers are logging, wood fuel harvesting and charcoal production and mid to late dry season fires that have resulted in extensive forest degradation, much of it severe. 100,000 ha per annum have fallen below 15% crown cover and have been reclassified as grassland areas. The loss of forest cover results in a more abundant growth of grasses, which, in turn, result in more intense fires in the dry season, frequently causing further degradation and deforestation and preventing regeneration of forest areas already impacted by other drivers. It is estimated that, 1,058,492 hectares have been deforested resulting in emissions of 3,568,400 tCO<sub>2</sub>e per year from the NSZ.

Growing deforestation and removal of trees renders in turn agricultural landscapes increasingly prone to desertification and land degradation which are exacerbated by the effects of climate change. Desertification, climate variability and food security are closely linked through drought, land cover changes, and climate and biological feedbacks. Women and men farmers interviewed in the Upper West Region perceived that rainfall had been decreasing, temperatures increasing, and bush fires, droughts and floods more prevalent. Adaptive capacity relates to agricultural and forestry output and income which is also related to water availability in these water-stressed landscapes.

### *Proposed interventions*

Urgent measures need to be taken now to restore the landscape and shea trees which will in parallel, improve social and environmental resilience and provide real economic benefits for inhabitants. This project seeks to enhance forest carbon stocks across the landscape by 1) restoring 200,000 hectares of off-reserve savannah forests/woodlands and place them under self-financing community management in Community Resource Management Areas (CREMA); 2) restoring 100,000 hectares of degraded shea parklands; 3) creating 25,500 hectares of modified taungya system/forest plantation in severely degraded forest reserves, and; 4) implementing an integrated monitoring system and completing the national REDD+ architecture for safeguards, forest monitoring and reporting systems. It is the first time that shea parklands and their wider landscapes are considered in a climate change cross cutting initiative, at scale.

These actions will deliver 6.139 million tCO<sub>2</sub>e in emission reductions and removals over the first seven years of the project's lifetime and 25.24 million tCO<sub>2</sub>e over 20 years.

### **3.1 Overview of the Project**

The project will directly strengthen the livelihoods and climate resilience of 100,200 people (78,850 women and 21,350 men). Restoration of trees, decreased deforestation and fire management covering almost 500,000 hectares will indirectly contribute to the retention of soil moisture, the reduction of evapotranspiration and maintenance of soil fertility. These interrelated social and environmental interventions are key; the National Adaptation Strategy for Climate Change notes the need to enhance the adaptability of vulnerable ecological and social systems by enhancing the capacity of susceptible groups to sustainably utilize land resources, enable value addition in the utilisation of forest resources and contribute to building an economy that is capable of withstanding shocks without putting Ghana's development agenda in jeopardy.

The proposal catalyses transformative change across this landscape, attracting significant private sector investment, through the focus of the shea value chain and shea restoration.

GCF funds and co-finance will support women collectors to re-stock 1.75 million trees in the parklands with higher and quicker yielding varieties of shea ensuring future supply, aggregation and direct marketing through performance-based contracts between NGOs who are members of the Global Shea Alliance and women's groups. Shea trees have a lifetime of hundreds of years and bear abundant crops during much of their lifetime. 400,000 other high value trees within CREMA and agroforestry systems will also be planted and nurtured providing a wide range of ecosystem services, timber and non-timber products.

The proposal therefore offers the opportunity to bring in significant private sector financing through the focus of the shea. The grant will enable activities into the future for many years to come by de-risking and leveraging additional and continuing public and private sector finance in two ways;

At the national level: GCF financing is enabling key elements of the Warsaw Framework requirements to be fulfilled with respect to safeguard, monitoring and reporting requirements. The overall framework to receive financing for emission reductions from the agriculture, forest and land use sector is thus bolstered. A number of related processes are being planned or are on-going which will allow Ghana to participate and benefit from these schemes; Ghana is assessing the eligibility to receive results based payments from the NSZ and other programmes by tapping into opportunities presented by the operationalization of cooperative and voluntary approaches and the mechanism established through Article 6 of the Paris Agreement. A REDD+ investment plan is currently being developed. A REDD+ registry is being set up and the Country is exploring the opportunity to create a long term financing facility which incorporates public and private finance (including the recent ERPA signed with the World Bank's Carbon Fund) to develop a sustainability platform which leverages and enables re-investment in the forests and landscapes sector.

At the community level in the NSZ: Revenues from community management of forests such as timber, non-timber forest products, charcoal, sale of surplus agricultural products from the Taungya groups and importantly through the women's cooperatives and shea value chain will provide the start-up capital to set up or strengthen an existing community revolving fund in each Community Resource Management Area (CREMA) and/or within each shea women's cooperative. This will enable communities to access loans to plan and invest to achieve their priority needs and contribute to continuing sustainable forest management and increasing adaptive capacity to climate change. The community or revolving fund will be set up in each CREMA will be rigorously set up, with accountable, gender responsive and transparent governance systems that can be replicated in other CREMA, the CREMA management committee would manage the funds.

The project will demonstrate that tree planting can be achieved at scale for shea. The model for reforestation is easily adapted and pursued by companies after the project ends, building on established partnerships (NGOs, communities) and infrastructure (nurseries, warehouses). Indeed, the project will create a long-term relationship between buyers and communities, which will encourage the continued investment into livelihoods and the environment. Most of the large companies in cosmetics and food industry buy shea-based ingredients through ingredient manufacturers, who are all engaged as part of the project. In this way, continuing engagement from various private sector partnerships to support community supply of shea over the long term at the district and regional levels is expected as the demand for quality shea continues to grow for many years to come.

At the level of the CREMA and the shea cooperative, the community revolving fund or trust fund will enable a transition from the current grant based scheme. Through the capacity building activities of the project, community revolving funds/shea cooperatives will reach a level of financial management and governance that would allow them to access financial instruments. These could be in the form of long-term agreements with shea companies who buy in exchange for products, translating communities' productive capacity in terms of shea trees/other trees or basic infrastructure into a value asset. UNDP has experience in Ecuador and a specific methodology has been developed which will inform a transfer of these experiences. In addition, a future concessional finance project could also be discussed over the life-time of the project. As part of the project development process, the Forestry Commission, UNDP, and the Global Shea Alliance have begun to engage with an interested donor to develop a complementary project focused on developing banking mechanisms to shea cooperatives.

Women will be key leaders in this endeavor as they are key levers with respect to leveraging their income from shea. Shea represents between 12%- 32% of household income and by-products such as soap and wood fuel provide important additional sources of income. The expected income streams created throughout the project (through facilitating aggregation and wood-related cost savings) for 20,000 women collectors is estimated at \$3,150,000.

Co-benefits include an increase in women empowerment, including increased decision-making, for 20,000 women. A significant source of co-benefits also derives from the non-shea trees planted in the agroforestry parklands, where a range of social goods and environmental services can be realized. Due to the increasing demand for shea (see trends on Page 28) and the significant improvement in the understanding of the enabling conditions that this project will result in for scaling up of shea restoration,

the Global Shea Alliance will develop a larger programme in the shea producing zones across west Africa (Burkina, Benin, Mali, Togo, Nigeria and Cote d'Ivoire). This will aim to scale up further the experiential knowledge on economic, social (especially for women) and environmental benefits obtained across wider landscapes.

Through this intervention and a sister initiative in the Cocoa Forest Mosaic Landscape, where implementation has begun, Ghana is poised to make a transformational change in its efforts to reduce carbon emissions and build resilience in vulnerable agriculture landscapes and their inhabitants.

### 3.2 Summary of Activities

The GSLEP Project will have the following components and activities, as listed and described below.

Output	Drivers and Vulnerabilities Addressed
<p>Output 1 and 3: Degraded, savannah forests restored under community management in CREMA and through MTS in forest reserves</p> <p>Output 2: Degraded shea parklands restored through public private partnerships</p> <p>Output 4: Integrated monitoring system implemented &amp; REDD+ systems strengthened</p>	<ul style="list-style-type: none"> <li>- Unsustainable harvesting of wood fuels and timber               <ul style="list-style-type: none"> <li>(i) Fires which contribute to lower adaptive capacity</li> <li>(ii) Conversion to agriculture and grassland</li> </ul> </li> </ul> <p>Limited alternatives available to prevent unsustainable use of forest resources by communities.</p> <ul style="list-style-type: none"> <li>- Decreased length and frequency of fallows</li> <li>- Unsustainable harvesting of wood fuels and timber</li> <li>- Low economic incentives for shea tree protection</li> </ul> <p>Reduced economic benefits due to the inefficiencies in the shea butter value chain</p> <ul style="list-style-type: none"> <li>- Incomplete compliance with the Warsaw Framework requirement</li> </ul> <p>No Environmental and Social Analysis done for the NSZ thus no Environmental and Social Management Framework</p>
<p><b>Output</b></p> <p>Output 1 and 3: Degraded, savannah forests restored under community management in CREMA and through MTS in forest reserves</p>	<p><b>Drivers and Vulnerabilities Addressed</b></p> <ul style="list-style-type: none"> <li>- Unsustainable harvesting of wood fuels and timber</li> <li>- Fires which contribute to lower adaptive capacity</li> <li>- Conversion to agriculture and grassland</li> </ul> <p>Limited alternatives available to prevent unsustainable use of forest resources by communities.</p>
<p>Output 2: Degraded shea parklands restored through public private partnerships</p>	<ul style="list-style-type: none"> <li>- Decreased length and frequency of fallows</li> <li>- Unsustainable harvesting of wood fuels and timber</li> <li>- Low economic incentives for shea tree protection</li> </ul> <p>Reduced economic benefits due to the inefficiencies in the shea butter value chain</p>

### 4 APPLICABLE LEGAL AND INSTITUTIONAL FRAMEWORK

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This section provides a review of the applicable policy, legal and regulatory (PLR) framework related to the potential risks and benefits of the implementation of the GSLERP proposed activities. The PLR framework underpins how social and environmental safeguards will be addressed and respected. This analysis will be further expanded in the ESMP when the ESIA is conducted, to compare national PLRs to applicable international law and UNDP SES as appropriate and indicate institutional and operational capacities and / or weaknesses, with recommendations to address identified gaps or weaknesses where appropriate and where indicated.

In keeping with Ghanaian law, the Environment Protection Agency is statutorily mandated to ensure that the implementation of all undertakings do not harm the environment or people and an ESIA will be in conformity with these requirements. UNDP will liaise sufficiently with the Agency to ensure compliance, however impacts and risks will be managed in a manner consistent with UNDP's social and environmental standards and GCF policies.

#### 4.1 National Framework

Table 1. National Applicable Law and Institutional Framework

Sector Policy	Some relevant legislation and Clauses	Possible gaps and requirements to implement REDD+ projects
The 1992 Constitution of Ghana	Article 36 (9): Safeguarding the national environment for posterity	Parliament is yet to enact law to regulate the property rights of spouses as provided in article 22 (2). In order to avoid gender discrimination against women, benefit sharing arrangements will need to be formulated in detail, especially between husbands/wives or between partners.
	Article 258: Lands and Natural Resources	
	Article 270(1): Chieftaincy	
	Article 22: Property rights of spouses	
Ghana Shared Growth and Development Agenda	Vision for the Environment and Natural Resource Sector in Section 4.2.2	The GSGDA is consistent with REDD+ principles and UNDP SES, and objectives and goes further to acknowledge the use of strategic environmental assessment to inform decision-making and mainstreaming environment into all sectors of the economy.
Land Policies	National Land Policy, 1999	The 1999 land policy does not appear to give support to off-reserve afforestation or reforestation programmes as provided under Section 4.4 (d) of ensuring sustainable land use. A review of the 1999 Land Policy to encompass off-reserve afforestation/reforestation programmes, e.g. community forestry/dedicated forest etc was recommended for REDD+ work. LVD Crop Compensation Rate: Current crop compensation rates do not cover timber tree species or naturally occurring trees or trees grown to provide ecosystem/environmental services.
	Administration of Lands Act of 1962 (Act 123)	
	Lands Commission (LC) Act 2008, Act 767	

Sector Policy	Some relevant legislation and Clauses	Possible gaps and requirements to implement REDD+ projects
	<p>Office of the Administrator of Stool Lands Act 1994, Act 481</p> <p>Land Use and Spatial Planning Bill, draft October 2011</p>	<p>The Land Use and Spatial Planning <u>Bill</u> provides a comprehensive coverage of land use planning at national, regional and district levels relevant to REDD+, and agricultural and forestry lands. This Bill should be pushed to law.</p>
<p>Forest Policies and Regulations</p>	<p>1994 Forest and Wildlife Policy</p> <p>2012 Forest and Wildlife Policy</p> <p>Forestry Commission Act of 1999 (Act 571)</p> <p>Forest Ordinance of 1927 (Cap 157)</p> <p>Trees and Timber Decree of 1974 (NRCD 273)</p> <p>Trees and Timber (Amendment) Law of 1983 (PNDCL 70)</p> <p>Trees and Timber Amendment Act of 1994 (Act 493)</p>	<p>The 1994 Forest and Wildlife policy promotes collaborative management of forest resources with rural or forest-based communities in Ghana. The Collaborative Wildlife Management Policy (2000), gave rise to CREMAs, devolving management authority to representative community institutions to create incentives for sustainable management of natural resources at the community level. The CREMA mechanism, is an innovative natural resource governance and landscape-level planning tool that authorizes communities to manage their natural resources for economic and livelihood benefits. The aim was to encourage local people to integrate wildlife management into their farming and land management systems as a legitimate land-use option.</p> <p>The Timber Resources Management Act made it illegal for farmers and other users of off reserve lands to harvest any naturally growing trees for commercial or domestic purposes, even if it is growing on their land. It also prohibited logging without prior authorisation from concerned groups or individuals.</p> <p>Under the Timber Resources Act, farmers and land owners have legal rights to planted trees. When Timber Utilisation Contracts are granted off-reserve, the contract holder is obliged to engage in a Social Responsibility Agreement (SRA) with the concerned communities in the proposed area of logging. According to the SRA, 5% of the stumpage fees should be directed to the community as compensation for damaged crops. However, this fee is often captured during the process and the SRAs have not been sufficiently effective in rewarding the farmers and communities for trees on their lands.</p>

Sector Policy	Some relevant legislation and Clauses	Possible gaps and requirements to implement REDD+ projects
	Forest Protection Decree of 1974 (NRCD 243)	In terms of legislation on off-reserve tree (both naturally-occurring and planted) harvesting and benefits to CREMAs, Timber Concessions Act of 1962 (Act 124) and Article 267(6) of the 1992 Constitution. Per these, the following are true for CREMAs, which are off-reserve:
	Forest Protection (Amendment) Act of 1986 (PNDCL 142)	<ul style="list-style-type: none"> <li>•All naturally-occurring timber on any other land is vested in the President and belongs to him.</li> <li>•Revenue from the exploitation of naturally-occurring trees is shared between the beneficiaries in the manner and proportion outlined in Article 267(6) of the 1992 Constitution.</li> </ul>
	Forest Protection Amendment Act of 2002 (Act 624)	Presently, in the off-reserves, the revenue accruing from naturally-occurring trees is split 50%-50% between the State and the following (i. the Stool through the Traditional Authority ii. the Traditional Authority and iii. the District Assembly). One of the implications for CREMAs is that in the off-reserve areas, the farmers are currently only expected to be consulted by the Stool whenever concessions or timber rights are being given out in respect of naturally-occurring trees on their farms but are not beneficiaries of sale proceeds. If they are to benefit, it will most likely lie largely on the Stool. This is currently being reviewed by the MLNR and the Forestry Commission.
	Concessions Act of 1962 (Act 124)	
	Timber Resources Management Act of 1997 (Act 547)	For planted trees (in off-reserves), in theory, plantations are currently the easiest for CREMAs to benefit from: 100% for farmers who are also landowners and 66% (two-thirds) for tenant farmers. Planted trees which are on farms is a little complicated as the farmers (or CREMA members) would still have to register individual trees in order to benefit.
	Economic Plant Protection Act of 1979	On the Wildlife Bill, the last update, as of December 2019, was that it was at the Cabinet level and is still not at Parliament.
	Interim Measures for Controlling Illegal Harvesting Outside Forest Reserves of 1995	There are 3 ways timber can be harvested; i.e. by being issued a Timber Utilization Contract (TUC), Timber Utilization permit (TUP) and a Salvage permit. TUPs are given for large-scale harvests whiles TUC are for community/district/group harvests meant for social development.
	Forest Plantation Development Fund Act of 2000 (Act 583)	Timber harvested using a TUC (which happens to be given to community groups), cannot be sold. The best approach is to have community plantations/woodlots where they have a much better chance of profiting directly from its sale.

Sector Policy	Some relevant legislation and Clauses	Possible gaps and requirements to implement REDD+ projects
Mining and Mineral Policies	National Mining Policy	Section 3 reveals that unless there is a law preventing the use of a land for some specified purpose, any land in the country may be the subject of application for a mineral right.
	Minerals Commission Act 1993, Act 450	Section 72 (1) gives the holder of a mining lease the upper hand with regard to the surface right. It is a source of conflict between mining firms and numerous farmers/farming communities with some surface rights within mining concessions.
	Mining and Minerals Act of 2006 (Act 703)	Current crop compensation rates cover known food/cash crops and some economic trees such as teak. There are no rates for naturally grown trees or timber species. Shade trees in cocoa farms are usually not counted as crops and so do not attract compensation. Forestry officials salvage or harvest such timber trees in cocoa farms prior to destruction by mining companies.
Environmental Protection & Assessment Policies and Regulations	Environmental Protection Agency Act, 1994 Act 490	The environmental protection/climate change policies and regulations are consistent with the UNDP SES and the REDD+ principles and objectives.
	National Environment Policy, 2013	
	Environmental Assessment Regulations 1999, LI 1652	
	National Climate Change Policy, 2013	
Energy Policies	Strategic National Energy Plan	Most of the rivers identified for small and medium scale hydro power projects (Ankobra, Tano and Pra) have forests or forest reserves along sections of the river banks. Careful planning and choice of technology is required during the development of any hydro-electric dam in order to minimize inundation of forest along these water bodies.
	National Energy Policy, 2010	



Sector Policy	Some relevant legislation and Clauses	Possible gaps and requirements to implement REDD+ projects
	Energy Commission Act 1997, Act 541 Renewable Energy Act, 2011, Act 832	The charcoal export license manual does not indicate clearly which offences warrant suspension and which offences warrant cancellation of licence. It is silent on how long a person can be suspended and if one's licence is cancelled whether he/she is eligible for re-application.
Water Policy	Water Resources Commission Act, 1996 Act 522 National Water Policy, 2007 Buffer Zone Policy, 2014	The Water Policy factors climate change issues into consideration and is generally consistent.
Agricultural Policy	Food and Agriculture Sector Development Policy (FASDEP) Ghana Irrigation Policy, June 2010 Tree Crops Policy, 2012	
Investment, Employment, Labour, Gender, Local government,	National Employment Policy National Gender and Children Policy	The National Labour Act of 2003 provides information on public and private employment and sets out the objectives and procedures as well as the rights of workers. This Act will be followed by the CREMA Community Executive Management Committee for hire of a forester,

Sector Policy	Some relevant legislation and Clauses	Possible gaps and requirements to implement REDD+ projects
Chieftaincy, Safety and others	Ghana Investment Promotion Centre Act 1994, Act 478	community mobiliser, accountant and clerk under the Community Trust Fund; and the Forestry Commission in the hiring of labour for plantations through their co-financing.
	Local Government Act 1993, Act 462	The National Employment Act is skewed towards industrial or manufacturing or processing companies and does not provide health and safety coverage for afforestation/ tree plantation activities. There is need for a separate health and safety policy for the forestry sector.
	Local Government Service Act, 2003, Act 656	The ADR Act does not apply to matters on the environment as indicated in Section 1b. REDD+ should push for amendment or inclusion of some environmental matters in the scope of application under ADR with regard to REDD+ related issues where necessary.
	Chieftaincy Act 759 of 2008	
	National Pensions Act, 2008, Act 766	
	The Labour Act 2003, Act 651	
	Workmen's Compensation Law 1987	
	Intestate Succession Law, PNDC Law 111 (1985)	
	The Children's Act 1998, act 560	
	Factories Offices and Shop Act, 1970, Act 328	

Sector Policy	Some relevant legislation and Clauses	Possible gaps and requirements to implement REDD+ projects
	<p>Ghana National Fire Service Act 1997,</p> <p>Control of Bush Fires Law of 1983 (PNDCL 46)</p> <p>Control and Prevention of Bush Fires Act 1990</p> <p>Ghana Meteorological Agency Act, 2004, Act 682</p> <p>Alternative Dispute Resolution Act 2010, Act 798</p>	

Applicable International Agreements and Protocols

The PLR Analysis referred to above also demonstrated that Ghana 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.

<b>INTERNATIONAL INSTRUMENTS</b>
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 Elimination of Discrimination Against Women
Convention on the Political Rights of Women
Convention on the Rights of the Child
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
Convention on the Rights of the Child on the involvement of children in armed conflict

Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
African Charter on Human and Peoples' Rights of 1981
International Labour Organization (ILO) Convention No. 169
Convention concerning Forced or Compulsory Labour
Convention on Equal Remuneration Convention
Convention on Abolition of Forced Labour Convention
Convention Concerning Discrimination in Respect of Employment and Occupation
Right to Organise and Collective Bargaining Convention
Convention on the Rights of Persons with Disabilities
Universal Declaration of Human Rights
United Nations Declaration on the Rights of Indigenous Peoples ( <i>with clarification on indigenous peoples</i> )
United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
Convention on Biological Diversity
United Nations Framework Convention on Climate Change - Decision 1/CP.16-
Paris Agreement
World Heritage Convention
Convention on the International Trade of Endangered Species of Wild Fauna and Flora (CITES)
Ramsar Convention (the Convention on Wetlands of International Importance as Waterfowl Habitat)

**4.2 Gap Assessment of National Policies and regulations as per UNDP’s SES and Cancun Safeguards**

Ghana’s process for ensuring compliance with the Cancun Safeguards was conducted in partnership with SNV Netherlands Development Organization, KASA Ghana (a civil society organization), and with technical support from Climate Law and Policy (CLP). This work was supported by the International Climate Initiative of BMUB<sup>1</sup> as part of a bigger project of Operationalizing National Safeguards Requirements for Results Based Payments where Ghana is defining its Country Approach to Safeguards (CAS). The end result of the CAS would be a functional SIS to report on how safeguards are being addressed and respected for REDD+ Implementation. Table 2 below outlines the process of developing Ghana’s CAS.

**Table 2: Process of developing Ghana’s Country Approach to Safeguards**

<ul style="list-style-type: none"> <li>• Step 1: Engaging stakeholders in Country Approaches to Safeguards</li> </ul>
<ul style="list-style-type: none"> <li>• Continued Awareness creation and Capacity building</li> <li>• Continued Consultation and Participation</li> <li>• Defining Institutional arrangements</li> </ul>

<sup>1</sup> This project, named Operationalising National Safeguard Requirements for Results-based Payments from REDD+, aimed to assist the government of Ghana (as well as Vietnam and Peru) to meet multiple safeguard requirements and be eligible for results-based payments.

<ul style="list-style-type: none"> <li>• Step 2: Setting Safeguards Goal and Scope</li> </ul>
<ul style="list-style-type: none"> <li>• Ghana has set its safeguards goal as ‘integrating environmental and social considerations of Policy Laws and Regulations (PLR) at national and international levels into REDD+ Policies Actions and Measures (PAMs); to promote environmental integrity without adverse impacts on the socio-cultural rights and livelihoods of stakeholders’</li> <li>• The scope is defined to apply to ‘REDD+ Policies Actions and Measures (PAMs) and other related activities’</li> </ul>
<ul style="list-style-type: none"> <li>• Step 3: Identifying, Assessing and Strengthening Existing Governance Arrangements</li> </ul>
<ul style="list-style-type: none"> <li>• Adopting robust and participatory methodological approaches to carry out Assessments.</li> <li>• Addressing gaps and weaknesses identified</li> </ul>
<ul style="list-style-type: none"> <li>• Step 4: Clarifying the Cancun and World Bank Safeguards in the Context of Ghana</li> </ul>
<ul style="list-style-type: none"> <li>• Adopting participatory approaches to clarify the Cancun and World Bank safeguards.</li> <li>• Analyzing Ghana’s framework (Policies, Laws and Regulations) and their relation to the 7 Cancun safeguards and the World Bank Operational Policies</li> </ul>
<ul style="list-style-type: none"> <li>• Step 5: Articulating how the Ghana’s safeguards goals would be achieved</li> </ul>
<ul style="list-style-type: none"> <li>• Linking the proposed governance arrangements to the country specific safeguards requirements</li> <li>• Outlining how proposed governance arrangements and any additional measures will be used to address/mitigate/minimize identified risks and maximize identified benefits</li> </ul>
<ul style="list-style-type: none"> <li>• Step 6: Designing the Safeguards Information System (SIS)</li> </ul>
<ul style="list-style-type: none"> <li>• Define the objective of the SIS</li> <li>• Determine safeguard information needs</li> <li>• Determining the sources of information</li> <li>• Establishing the necessary functions of the SIS</li> <li>• Exploring the institutional arrangements for the SIS</li> </ul>

The assessment found that the legal frameworks in Ghana protects and regulates many of the rights and objectives enshrined in the Cancun Safeguards. Overall, the assessment of the PLRs indicates that Ghana’s legal framework is largely supportive of REDD+ actions, however, the results of the legal analysis and of the SESA clearly identify legislative and policy gaps which will require reforms.

Three of the most significant weaknesses that were identified are:

- Tree tenure arrangements are still in the process of being finalized for natural and planted trees, on-and off-reserve where the farmers or landowners are could economically benefit from the trees. The PLR framework is in place but going through reform to enable communities and individuals to benefit from management of forests and in broader agroforestry systems. (see gap assessment above)
- The absence of a land-use plan for the country. the Land Use and Spatial Planning Act 2016 provides a general framework for the development of land use plans, the Act does not specifically address forested areas or agricultural lands as the focus is skewed towards urban and peri-urban planning.
- Policies on agriculture which promote conversion of land to allow for mechanised agriculture

Recommended reforms and actions include:

- Passage of the Wildlife Resources Management Bill which will support effective implementation of the new Forest and Wildlife Policy (2012).
- Policy reform on tree tenure and benefit sharing and clarification of use, ownership and access rights on trees and forest resources and concomitant reflection in the legal framework, by-laws etc
- Clear contractual arrangements for MTS communities
- Implementation of Land Use and Spatial planning act of 2016

The full set of findings of the legal analysis are summarized in Table 3

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**Table** below. The [full legal analysis](#) outlines how the legal framework addresses each safeguard component on paper and in practice, the gaps with respect to PLRs on paper and in practice, and recommendations on how to address the gaps on paper and through implementation. The summary and full analysis will be revisited and drawn upon in the ESIA for this project to ensure the project is aligned with applicable national and international law and the UNDP SES.

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**Table 3: Summary of the Analysis of Ghana’s Policies, Laws and Regulations**

Existing safeguards related Policies, Laws and Regulation	Gaps Identified	Gaps and Recommendations on how safeguard relevant and related legal framework should be addressed
<b>UNFCCC REDD+ safeguard (A):</b>		
<b>“That action complements or is consistent with the objectives of national forest programmes and relevant international conventions and agreements;”</b>		
In Ghana’s Legal Framework <sup>2</sup> , there is an implied duty for all stakeholders to ensure consistency of activities and interventions with the national forest programmes.	n/a	The drafting of a consolidated Forest and Wildlife Legislation, a provision be inserted that requires consistency as far as possible, of all forest plans, policies and programmes. The provision should also address procedures for addressing inconsistencies.
<b>UNFCCC REDD+ safeguard (B):</b>		
<b>“Transparent and effective national forest governance structures, taking into account national legislation and sovereignty;”</b>		
The Administration of Lands Act and Environmental Assessment Regulations, provide for the dissemination of information on forestry events, issues and trends, but is also silent as to the mode of dissemination.	Ghana’s Legal Framework contains limited provisions that define information.	It is also recommended that a public agency be mandated to ensure that public information is readily made available upon request.
Although there are no dedicated institutions for the dissemination of information, there are Constitutional bodies like the National Commission for Civic Education that is charged with educating the citizenry in all matters.	The Legal Framework in Ghana currently does not create a dedicated institution for the dissemination of information.	A requirement in law mandating an agency of state to disseminate and make public information particularly relating to the environment and natural resources.
Institutions or agencies for promoting public transparency are adequately provided for within the Legal framework of Ghana.	There is no clear legal definition of what amounts to corruption in Ghana.	Public agencies that are charged with the responsibility of ensuring accountability should be placed on an additional duty to make their findings from corruption investigations public, in order to deter others from abusing their offices.
The Legal framework in Ghana caters for a regime of a right to fair distribution of benefits arising from	The categories of beneficiaries spelt out in the relevant legislation are broad (see	Future legislations may contemplate a situation where monies due to communities whose lands have been compulsorily acquired, are paid

<sup>2</sup> The Legal Framework allows to meet this indicator through a combination of the Constitution and the Ghana Forest and Wildlife Policy.



<p>the use of forest resources. In some instances, the amount to be paid and who the beneficiaries of such payments are, have been clearly stipulated.</p>	<p>constitution) and therefore subject to elite capture.</p>	<p>directly to the heads of these communities instead of the present regimes where such monies are being paid to the Administrator of Stool Lands, who is in the employment of the government.</p>
<p><b>UNFCCC REDD+ safeguard (C):</b></p> <p><b>“Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples;”</b></p>		
<p>Constitutional provisions refer to traditional knowledge of local communities without providing a definition. The Constitution does recognize that there are local communities in Ghana who are subjects of a Chief that rules over them on the basis of a set of customary laws, which as a matter of fact, continue to evolve<sup>3</sup>.</p>	<p>Constitutional provisions refer to traditional knowledge of local communities, although no express definitions are provided.</p>	<p>There is most likely a need to look at provisions in the Constitution that accords legal recognition to traditional local communities in the sense contemplated by some of the international agreements to which Ghana is a signatory.</p>
<p>The Constitution provides for the collective ownership of timber rights by local communities. It states that all stool lands in Ghana shall vest in the appropriate stool on behalf of, and in trust for the subjects of the stool in accordance with customary law and usage.<sup>4</sup></p>	<p>Although the PLRs recognize the payment of revenues collected on behalf of the stools to be paid, these are paid to institutions and thus the communities and subjects of the stool do not necessarily receive direct benefits of the revenue collected.</p>	<p>Future legislations may contemplate a situation where monies due to communities whose lands have been compulsorily acquired are paid directly to the heads of these communities instead of the present regimes where such monies are being paid to the Administrator of Stool Lands, who is in the employment of the government. Obviously, such legislation would also provide for a means of ensuring that all such monies are properly accounted for.</p>
<p>Constitutional<sup>5</sup> and Statutory<sup>6</sup> provisions combine to define the mechanisms for the sharing of the benefits arising out of the utilization of forest resources in a fair manner.</p>	<p>n/a</p>	<p>A flexible and inclusive benefit-sharing model should be developed with a clear structure for potential dispute resolution. Financial support should be provided to ensure its viability, as well as a good governance structure to ensure proper accountability.</p>
<p><b>UNFCCC REDD+ safeguard (D):</b></p>		

<sup>3</sup> Constitution, Article 11 and Article 272

<sup>4</sup> Constitution, Article 267 (1)

<sup>5</sup> Constitution of the Republic of Ghana, Article 267

<sup>6</sup> Administration of Lands Act, 1963 (Act 123), Section 18 and 19

<b><i>“The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities;”</i></b>		
<p>The Constitution recognises and guarantees generally, the public’s right to participate in policy making.<sup>7</sup> This general right has been applied in the decision-making process in the forestry sector</p>	<p>The constitution does not define the procedure for this participation and international law procedures have not been domesticated on this issue</p> <p>The laws provide for public participation but do not clarify how these views are to be reflected in the final outcomes/decisions.</p>	<p>A review of the powers of the Minister under section 13 of the EPA Act, 1994 to ensure that he shall take into account, recommendations made by a committee consisting of persons with technical knowledge in environmental projects and their effects on the environments to ensure that the requirements of an EIA are strictly complied with at all times.</p>
<p>The Legal Framework makes provisions for the stakeholders’ participation in decision making as far as Timber Resources Management and Environmental Assessment regulations are concerned.</p>	<p>There are no provisions that require that an assessment of the relevant stakeholders shall be conducted prior to the decision-making process.</p>	<p>legislation clearly requiring an identification/mapping of relevant stakeholders prior to the decision-making process</p>
<p>PLRs provide dispute resolution mechanisms that are equitable, transparent, accountable, independent, confidential and affordable (or free) and that respect customary justice systems</p>	<p>The PLRs make provisions for public participation but are silent on the incorporation of culturally sensitive traditional and community structures for decision making processes that are relevant to the forest sector. However the Forestry Commission’s best practice manual to provide guidance on this. A current version is being reviewed.</p>	<p>N/a</p>
<p><b><i>UNFCCC REDD+ safeguard (E):</i></b></p> <p><b><i>“That actions are consistent with the conservation of natural forests and biological diversity, ensuring that the [REDD+] actions are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefit;”</i></b></p>		

<sup>7</sup>Constitution, Article 37. (2), Article 35 (6)(d), Article 240 (2), Article 125 (2)

<p>PLRs provide a clear definition for the term biological diversity in accordance with relevant international law. The Wetland Management (RAMSAR SITE) Regulations provides a definition for ecosystem<sup>8</sup>.</p>	<p>The Laws<sup>9</sup> provide no clear definition of the term natural forests that do not allow for monoculture plantations. Forests or natural forests are concepts that have not been defined within Ghanaian laws.</p>	<p>Future Parliamentary enactments should include a clear definition of natural forests that do not lend themselves to monoculture plantation. Stakeholders in the forestry sector should ensure that they develop policies that would form the basis of new enactments for this sector and that such policy briefs should contain a definition of these terms, and the rationale for so defining them</p>
<p><b>UNFCCC REDD+ safeguards (F) and (G):</b> <b>“Actions to address the risks of reversals; Actions to reduce displacement of emissions.”</b></p>		
<p>The Land Use and Spatial Planning Act 2016 contemplate a framework for the development of land use plan.</p>	<p>Although the Land Use and Spatial Planning Act 2016 provides a general framework for the development of land use plans, the Act is not Forest specific, it is skewed more towards planning outside the forest areas.</p>	<p>Ensure co-ordination between the various agencies of state whose roles cut across forest and forest resources,  There is a need for future enactments to contain provisions that places an obligation on all stakeholders to monitor changes in forest cover in Ghana</p>
<p>The Ghanaian legal framework provides for the sustainable utilization of forests and other relevant resources<sup>10</sup>.</p> <p>Liabilities and compensation for actions that affect the conservation and management of forests have been taken care of within the laws<sup>11</sup>.</p>	<p>The present state of the PLRs does not make any provisions aimed at addressing the drivers of deforestation and forest degradation. Ghanaian PLRs make absolutely no provisions for alternative livelihoods for persons who are affected by the exploitation of forest resources in the communities where they live</p>	<p>The intention of the drafters of the Ghana Forest and Wildlife Policy should be taken into account in future enactments on Forest laws by Parliament. Clear and unambiguous provisions must be made to adequately address this gap, and measures of punishing offenders should be included in such enactments.</p> <p>The Ghana Forest and Wildlife Policy promotes the development of viable forest and wildlife based industries and livelihoods, and this should be taken into account in future enactments.</p>

**Table 4: Institutional Mandates and Responsibilities pertinent to the GSLERP**

<sup>8</sup> Wetland Management (RAMSAR SITE) Regulations, Regulation 10

<sup>9</sup> Forests Act, Section 2, Section 10, Section 17; Forest Plantation Development Fund Act, Section 22; Traditional Medicine Practice Act, Section 42;

<sup>10</sup> Constitution, Article 35 (6) (d) and Article 41 (k).

<sup>11</sup> Timber Operations (Government Participation) Act, 1972 (NRCD 139): Section 8(2), (3) and (4) (2); Forests Protection Act, 1974 (NRCD 243), Section 2; Trees and Timber Act, 1974 (NRCD 273): Section

Institution	Mandates and Responsibilities
<p>Ministry of Lands and Natural Resources</p>	<p>The Ministry has the oversight responsibility for the land and natural resources sector and its functions include: Policy formulation, Co-ordination, Monitoring and Evaluation, Validation of Policies, Programmes and Projects, Supervision of Sector Departments and Agencies; and Negotiations with Development Partners.</p> <p>The Ministry's aims and objectives are, among others: (i) Develop and manage sustainable lands, forest, wildlife and mineral resources; (ii) To facilitate equitable access, benefit sharing from and security to land, forest and mineral resources; (iii) Promote public awareness and local communities participation in sustainable forest, wildlife and land use management and utilization; (iv) To review, update, harmonise and consolidate existing legislation and policies affecting land, forest and mineral resources; (v) To promote and facilitate effective private sector participation in land service delivery, forest, wildlife and mineral resource management and utilization; (vi) Develop and maintain effective institutional capacity and capability at the national, regional, district and community levels for land, forest, wildlife and mineral service delivery; and (vii) Develop and research into problems of forest, wildlife, mineral resources and land use.</p> <p>MLNR is the sector Ministry to which the Forestry Commission reports. It is also responsible for Ghana's Forest Investment Program (FIP).</p>
<p>Ministry of Finance</p>	<p>The Ministry is responsible for: (i) Mobilization of external and internal resource (ii) Allocation of resources to all sectors of the economy (iii) Ensuring sustainability of public debt (iv) Preparation and implementation of the annual budget and economic and financial statement of Government; (v) Management of public expenditure (vi) Development and implementation of financial sector policies. It is the Chair of the Technical Coordination Committee- Plus (TCC+), which oversees the Natural Resource Environmental Governance (NREG) program that has links to the REDD+.</p>
<p>Forestry Commission</p>	<p>The Forestry Commission of Ghana is responsible for the regulation of utilization of forest and wildlife resources, the conservation and management of those resources and the coordination of policies related to them. The Commission embodies the various public bodies and agencies that were individually implementing the functions of protection, management, the regulation of forest and wildlife resources. The divisions of the Commission include: (i) Forest Services Division (FSD); (ii) Wildlife Division (iii) Timber Industry Development Division (TIDD); (iv) Wood Industries Training Centre (Forestry Commission Training School); and (v) Resource Management Support Centre (RMSC)</p> <p>The Climate Change Directorate*, established in 2007 as a Directorate of the Commission has a mandate to manage forestry-sector initiatives related to climate change mitigation, including REDD+. It hosts the National REDD+ Secretariat and serves as the National REDD+ focal point.</p>

Institution	Mandates and Responsibilities
	<p>*The Climate Change Unit was upgraded to a Directorate in April 2018.</p> <p><u>CREMAs</u></p> <p>The CREMA mechanism is an innovative natural resource management and landscape-level planning tool for community initiatives. It was developed by the Wildlife Division, an arm of the Forestry Commission, together with its partners, to support community resource management in off-reserve (un-gazetted) lands. CREMAs fill a critical gap by giving communities the right to manage and benefit economically from their natural resources. While Ghana's Constitution vests ownership of the land in the Stool or Skin (the traditional or customary leadership structures that preside over a particular ethnic group, clan or tribe and the associated land and resources) it gives the Government the right to manage the naturally occurring resources for economic gain. This has resulted in a series of perverse incentives that, over the decades, have tended to drive 'illegal' resource use and degradation or deforestation of the forest resources. The CREMA represents a policy shift by permitting communities, land owners and land users an opportunity to govern and manage forest and wildlife resources within the boundaries of the CREMA, and to benefit financially or in kind.</p> <p>Some of the compelling factors, which led to the emergence of collaborative approach include:</p> <ul style="list-style-type: none"> <li>• Insufficient Forestry Commission personnel to adequately police the forests against illegal loggers;</li> <li>• Poor management and population growth</li> <li>• Concern about the erosion of the rights of local communities, and growing evidence of success in community based natural resource management in other countries;</li> <li>• Low management effectiveness of Forest Reserves and Protected Areas (PAs). Related to this is the issue of significant conservation threat to natural ecosystems posed by bushfire.</li> </ul> <p>The Forestry Commission ultimately endorsed the principle of using the CREMA mechanism for managing carbon landscape projects, as evidenced by Ghana's REDD readiness preparation proposal (R-PP), which explicitly cites the CREMA mechanism as a means for implementing REDD+ demonstration projects and pilots</p> <p>There is however, presently no legislation that provides specifically for the establishment of CREMAs in Ghana. Currently, the new Forest &amp; Wildlife Bill which is yet to be passed by Parliament will include language on CREMA. The Government of Ghana is now working to pass legislation that will create a legal framework for CREMAs. The Forest Protection (Amendment) Act 2002, Act 624 has been in existence for the past twelve or so years and needs to be reviewed.</p> <p>CREMA development takes time and a sustained commitment from all stakeholders as community consensus-building and decision-making takes hold. it is founded upon traditional or local beliefs and value systems, while being couched within a democratic decision-making and governance process. For example, many CREMA boundaries are drawn</p>

Institution	Mandates and Responsibilities
	<p>according to traditional area boundaries, and CREMA by-laws often incorporate or derive from local norms or traditional systems of forest and wildlife management.</p> <p>All functional CREMAs come under a two-tiered governance structure, an approved constitution and rules and regulations, backing in the form of local government by-laws, the power to engage their own staff and the authority to generate revenue from natural resource management. Defined boundaries are agreed upon by all stakeholder communities and the traditional leadership, upon which a long-term vision, goals, management plans, activities and regulations are agreed. As such, CREMAs, if conceived and implemented well, represent a strong community structure that facilitates landscape planning, democratic decision-making, community-based governance and local design of benefit-sharing agreements for all stakeholders. A CREMA is officially inaugurated when the Ministry is sufficiently satisfied to issue an official Certificate of Devolution of rights over natural resource management to the local CREMA institution.</p>
Lands Commission	<p>The Lands Commission manages public lands and any other lands vested in the President by the Constitution or by any other enactment or the lands vested in the Commission. The Commission advises the Government, local authorities and traditional authorities on the policy framework for the development of particular areas to ensure that the development of individual pieces of land is co-ordinated with the relevant development plan for the area concerned.</p> <p>The Commission formulates and submits to Government recommendations on national policy with respect to land use and capability; advice on, and assist in the execution of, a comprehensive programme for the registration of title to land throughout the Republic. Currently, the Commission has the following divisions: (i) Survey and Mapping; (ii) Land Registration; (iii) Land Valuation; and (iv) Public and Vested Lands Management.</p>
Minerals Commission	<p>In broad terms, the responsibility vested with the Mineral Commission is to oversee regulation and management of the utilization of the mineral resources of Ghana, and to co-ordinate the policies in relation to them.</p> <p>A foremost responsibility of the MC is the administration of minerals rights. For this purpose, the MC maintains a cadastral system and a register of mineral rights. The various mining and mineral permits include reconnaissance license, prospecting license, and mining lease. Actual decisions in matters of mineral rights are taken by the Minister of Mining, but only after recommendation of the MC.</p> <p>For the promotion and administration of Small Scale Mining, the MC maintains District Offices. The control of illegal small scale mining activities popularly known as ‘galamsey’ is a threat. The effective control of galamsey activities will require the involvement and collaboration of all stakeholders especially the traditional authorities and district assemblies.</p>

Institution	Mandates and Responsibilities
Environmental Protection Agency	<p>As the law stipulates, the EPA is statutorily mandated to ensure that the implementation of all undertakings do not harm the environment. The Agency has eleven (11) regional offices, which are accessible and staffed and equipped to perform its functions. It is expected that sub-projects that will require the preparation of EIA will abide by statutory requirements and the implementing institutions will liaise sufficiently with the Agency to ensure compliance. The EPA is the National Focal Point for Climate Change and is responsible for all national communications to the UNFCCC.</p>
FORIG	<p>Forestry Research Institute of Ghana (FORIG) is one of the 13 institutes of the Council for Scientific and Industrial Research (CSIR). By Act of Parliament (Act 405) the Institute was transferred from the CSIR to the Forestry Commission in 1980. In 1993, by another Act of Parliament (Act 453) the Institute was reverted to the CSIR. The goals of the Institute include to: (i) Conduct high quality user-focused forestry research that generates scientific knowledge and appropriate technologies; (ii) Disseminate forestry related information for the improvement of the social, economic and environmental well-being of the Ghanaian people; (iii) To enhance the sustainable development, conservation and efficient utilisation of Ghana's forest resources; and (iv) To foster stronger linkages through collaborative research across disciplines among its scientists, stakeholders and external Institutions.</p> <p>The Institute has research centres in 5 research stations strategically located in one or more ecological zones of the country – Benso in the wet/moist evergreen zone in the Western Region, Kubease, Amantia and Abofour respectively in the moist semi-deciduous-N/E, moist semi-deciduous-S/E and dry semi-deciduous in the Ashanti Region; and Bolgatanga in the northern savanna.</p>
Ministry of Food and Agriculture	<p>The Ministry of Food and Agriculture is the ministry responsible for the development and growth of agriculture in the country. The primary roles of this ministry are the formulation of appropriate agricultural policies, planning and coordination, monitoring and evaluation within the overall economic development. The Ghana Irrigation Authority (GIDA) falls under this ministry. MoFA mandate relating to forestry include provision of extension services on agro-forestry and tree crops.</p>
Water Resources Commission	<p>The Water Resources Commission (WRC) was established by an Act of Parliament (Act 522 of 1996) with the mandate to regulate and manage Ghana's Water Resources and co-ordinate government policies in relation to these. The Act stipulates that ownership and control of all water resources are vested in the President on behalf of the people. The functions of the WRC as established under Act 522 among other things are to: (i) Formulate and enforce policies in water resources conservation, development and management in the country; (ii) Coordinate the activities of the various agencies (public and private) in the development and conservation of water resources; (iii) Enforce, in collaboration with relevant</p>

Institution	Mandates and Responsibilities
	agencies, measures to control water pollution; and (iv) Be responsible for appraising water resources development project proposals, both public and private, before implementation.
Ministry of Energy	The Ministry of Energy is responsible for formulating, monitoring and evaluating policies, programmes and projects in the energy sector. It is involved with the promotion of the development of small and medium scale hydro power projects on the Pra River in particular. It is also involved with the implementation of the National Electrification Scheme (NES) which seeks to extend the reach of electricity to all communities in the long term.
Ghana National Fire Service	<p>The objective of the Service is to prevent and manage undesired fire. For the purpose of achieving its objective, the Service shall organise public fire education programmes to create and sustain awareness of the hazards of fire, and heighten the role of the individual in the prevention of fire; provide technical advice for building plans in respect of machinery and structural layouts to facilitate escape from fire, rescue operations and fire management.</p> <p>The GNFS has the rural fire department which is expected to take care of bush/wild fires. However, the department has not performed effectively especially in the three northern regions where bush/wild fires are widespread due to lack of logistics and or funds.</p>
Ministry of Justice and Attorney General	<p>The objectives of the Ministry are (i) To formulate Policies, Monitor and Evaluate for the fair and efficient operation of the legal systems; (ii) To revise, reform and replace laws for the realisation of the policy objectives of Government with regards to National and Social growth; (iii) Broaden the scope of legal aid services; (iv) To develop and provide the requisite legal and paralegal manpower; (v) To accelerate the disposal of criminal prosecution (vi) To improve crime prevention and public accountability in the utilisation and management of the nation's financial and resources; and (vii) To heighten public awareness of the nation's law and statues and publish the official law reports.</p> <p>The Ministry will be involved in drafting of bills and revision of laws for the realization of REDD+ policy objectives and also play a key role in dispute resolution and passing judgement on forest offences.</p>
Local Government Authorities	<p>The Regional Coordinating Council (RCC) and the District Assembly (DA) are responsible for the overall development of the region and district respectively and their functions include: to prepare and submit development plans and budgets to superior institutions for approval and implementation. These institutions were set up by an Act of Parliament, to serve as the planning authority for the region and district respectively.</p> <p>The current local government structure or the district assembly system is established by two main Acts, namely Act 462 and Act 480. Both Act 462 and Act 480 designate the District/Municipal/Metropolitan Assembly as the planning authority,</p>



Institution	Mandates and Responsibilities
	<p>charged with the overall development of the district. Both Acts provide that local people (communities) must participate in the formulation of the District Development Plan.</p> <p>A key feature of this Assembly System is the involvement of communities or zones or whole villages who elect their representatives (Assemblymen) to the Assembly. The structure of the Assembly comprises Unit Committees which are usually formed at the community levels, and the Urban/Town/Area Councils.</p> <p>With regard to environmental management at the district level, the District Environmental Management Committees (DEMC) has been set up by law (Act 462) to among other things:</p> <ul style="list-style-type: none"> <li>• promote and provide guidelines for the establishment of community level environmental committees to put into effect the environmental programmes of the Assembly in the community;</li> <li>• Plan and recommend to the DA, strategies and activities for the improvement and protection of the environment with emphasis on fragile and sensitive areas, river courses etc.</li> </ul>
<p>Savannah Accelerated Development Authority (SADA) now called the <b>Northern Development Authority</b></p>	<p>SADA is a governmental agency responsible for coordinating a comprehensive development agenda for the savanna ecological zones comprising the three northernmost regions and stretches of Brong Ahafo and Volta Regions that are contiguous to the Northern region of Ghana. Its mandate is to assist in the development of agriculture and industry in the region to help lessen the disparity between its development and that found elsewhere in the country. Savannah Accelerated Development Authority was established by an Act of Parliament; SADA Act 805 on 17 September 2010</p> <p>The Authority has developed a long-term development plan complemented by specific sectoral and urban master plans for the rapid transformation of the SADA zone and therefore positioned itself to attract investors and investment, create opportunities and generate employment and economic growth. The zone occupies 54.4 per cent of the land area of the country, comprising 64 administrative districts in the Northern, Upper West, Upper East regions and the northern parts of the Volta and Brong Ahafo regions.</p>
<p>Traditional Authorities</p>	<p>Traditional authorities encompass chiefs or traditional rulers, and traditional councils. In Ghana, the traditional authority system comprises: Chiefs; Queen Mothers; Linguists; Family/lineage/clan heads; Head of 'asafo' companies; and Priests and priestesses.</p> <p>In pre-colonial times, traditional authorities constituted the axis for the exercise of executive, legislative and judicial powers. Traditional authorities are now largely the custodians of the traditions and customs of their subjects. Chiefs (or other traditional rulers) have important role as custodians of communal land and exercise traditional authority over people living within their areas.</p>

Institution	Mandates and Responsibilities
	<p>Forestry has had diverse impacts on traditional authority systems, especially as they relate to authority over land. The regulation, allocation and management of land have been a responsibility and right of traditional authority and structures. Chiefs are recipients of part of royalties from the forestry sector and land rent payable in private tree plantation operations. Traditional councils, who assist the chiefs, also receive a share of royalties. Traditional authorities are key players in decision-making. Traditional authorities sit on important boards such as the Forestry Commission board and the National REDD Working Group.</p> <p>The 1992 constitution under Article 270(1) and the Chieftaincy Act 2008 guarantees the institution of chieftaincy together with its traditional councils as established by customary law and usage. The Constitution also makes provision for an elaborate system of House of Chiefs. This includes several traditional and divisional councils, each of which elects members to one of ten Regional Houses of Chiefs (RHCs), and then five members from each RHCs to the National House of Chiefs.</p>
Private Sector	<p><b>Timber Industry</b></p> <p>International and national private investors and entrepreneurs form an essential pillar of the development of the Ghanaian economy. Two major groups in the forestry sector include the Ghana Timber Association (GTA), which is made up of loggers and the Ghana Timber Millers Organisation (GTMO), which comprises of the milling and export companies. These bodies are managed on daily basis by an elected executive committee headed by an elected President. Other players in the industry include the Furniture and Wood Workers Association of Ghana (FAWAG) comprising of a wide range of members from small wood workers to large furniture companies. There are also the retailers of lumber in the domestic market forming the Domestic Lumber Traders Association (DOLTA).</p> <p>Generally, investors and entrepreneurs focus on the breaking even of their investments and the generation of profits in relation to financial risks, rather than on sustainability. Mechanisms to promote responsible entrepreneurship such as timber processing and standard setting for the timber industry, which urge companies to minimise wastage and also comply with environmental norms need to be developed for the timber industry.</p> <p><u>The Ghana Cocoa Coffee and Shea-nut Farmers Association</u></p> <p>The Ghana Cocoa, coffee and Shea-nut farmers association is the parent body for cocoa, coffee and shea-nut farmers in the country. It was officially founded in 1980 to campaign for better price of the crops.</p>

Institution	Mandates and Responsibilities
<p>NGOs and Civil Societies</p>	<p>There are quite a number of NGOs/Civil society groups both national and international in Ghana, and can be found operating in all the ten regions of the country in one way or the other. Their activities cut across exploitation of natural resources (forestry, mining), agriculture especially the cocoa subsector, protection of water bodies to climate change issues. These NGOs or civil society groups have advocated for good governance in the natural resource sector, transparency, respect for human rights, fairness, accountability etc.</p> <ul style="list-style-type: none"> <li>• Within the NGO group alone, there are over seventy (70) registered NGOs (TBI, 2008). Some relevant international NGOs operating within the forestry sector and or on climate change related issues include IUCN, TBI, SNV, Solidaridad, Conservation Alliance, Oxfam, and Nature Conservation Research Center (NCRC). At the community level, one can identify such civil society groups as local forest users, traditional authorities (chiefs/landowners), women’s groups, hunters and minor forest products’ collectors such as herbalists whose livelihoods depend on forests.</li> </ul> <p>Several civil society coalitions and platforms are also emerging. A key example is the Forest Watch Ghana, which claims a representation of civil society interests in ensuring good governance in the forestry sector. For example, under the FLEGT VPA process, the Forest Watch Ghana represents the civil society stakeholders in the VPA Steering committee and is consulted regularly on developments with respect to implementation of the VPA (Marfo, E., E. Danso and S.K. Nketiah. 2013).</p> <p>Other groups that can be classified under CSOs include research and academic institutions such as KNUST, FORIG, UENR; professional bodies such Ghana Institute of Foresters; Religious associations, trade unions among others.</p>

## 4.2 Environment and Social Standards

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

The GSLERP 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 Annex 6a to the Funding Proposal). It also includes the following project level standards guidance for the activities which need to be implemented.

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

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

### 4.3 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 Annex 6a.

## 5 POTENTIAL SOCIAL AND ENVIRONMENTAL IMPACTS AND PROCEDURES FOR ADDRESSING THEM

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### 5.1 Social and Environmental Impacts

In line with UNDP's SES and as a Moderate Risk Project with the potential high-risk elements in the absence of implemented mitigation measures, 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 a comprehensive **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 components and 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 in Annexure 1 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 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 (completed) and a Resettlement/Livelihood Policy Framework**. Together with stakeholders, the elaboration of these plans will be a task of the ESIA consultants. The Gender Assessment and Action Plan has already been completed (Annex 8), it too will be reviewed, and modifications suggested as by the ESIA consultants. Indicative outlines and checklist for several of the other management plans are attached in Annexures 6-10 to this ESMF. Where there are potential impacts on these groups, UNDP will in conformity with the GCF IP policy prepare an Indigenous People's Plan.

The Resettlement Policy Framework (RPF) if required, will be prepared to address potential land acquisition (physical or economic displacement or related issues) and those of the national laws and regulations of the country. The RPF includes include screening criteria, eligibility criteria, implementation procedures, institutional arrangements, valuation methods, generic entitlement matrix, grievance and monitoring mechanisms, expected budget and capacity development plan (where necessary). The RPF should also include procedures to develop a Resettlement Action Plan and voluntary donation protocols. See Annexure 7. The ESIA consultant will review the national Feedback and Grievance Redress Mechanism (FGRM) hosted by the Climate Change Directorate.

As this is a Category B project, the ESIA and the Environmental and Social Management Plan will be disclosed at least 30 days in advance of the approval decision. The safeguard reports will be available in both English. The reports will be submitted to GCF and made available to GCF via electronic links in both the AE and the GCF's website as well as in locations convenient to affected peoples in consonance with requirements of GCF Information Disclosure Policy and Section 7.1 of (Information Disclosure) of GCF

Environmental and Social Policy.

### 5.2 Risk Matrix: Key potential risks and management measures

Selected Risk Factor 1			
Description	Risk category	Level of impact	Probability of risk occurring
<p>Inadvertent discrimination of marginalized and vulnerable people.</p> <p>There are vulnerable and marginalized populations in the project area and they can be excluded from project activities. These are related to later migrants who are the first to lose access and rights once resource constraints become apparent.</p>	Social and environmental	Medium (5.1-20% of project value)	Low
Mitigation Measure(s)			
<p>Participation in CREMA, MTS and where planting for shea and other high value trees is designated will be voluntary. Initial consultations with communities in the areas have specified 10 CREMA, 12 Forest Reserves and potential areas for shea restoration. New CREMA sites will be validated, and boundaries demarcated through a participatory process. CREMAs belong to communities so ownership is not in question. Smallholder farmers also own land where shea restoration will take place. Issues such as grazing rights for migratory communities, presence of share croppers or tenant farmers will need to be assessed during the initial consultations and when the community forest management plans are set up, and when roles and responsibilities that underlie the contracts for MTS participants are developed.</p> <p>Output 2 will have a special focus on women and through the process of trainings and nursery management. Gender issues will be taken into consideration through the initial gender training of staff supporting project, and with the private sector companies who are organising the trainings. This will be managed by GSA who will also be trained to integrate gender responsive trainings and nursery management. A gender and safeguards officer will be part of the project management team to assure potential for marginalisation of members of communities and pastoral tribes is not realised. Structures at the local level will follow a two-tiered or process so that individuals and groups are fully engaged in planning, managing and implementing project activities on the ground as per the stakeholder engagement guidance. Women and vulnerable groups such as migrant and tenant farmers will be targeted with respect to building skills and capacity, land use planning, and fire management. Contractual and management plans at the local level (Certificate of Devolution) will reflect clear benefit sharing arrangements. The planned environmental and social assessment during project initiation, will identify specific impacts and mitigation measures relating to the issues concerning potential adverse impacts on women, pastoralists, migrant or tenant farmers and community groups and regarding customary rights on traditional land and on-reserve lands. It will serve to inform the environmental and social management plan (See Annex VIb). Implementing and monitoring the mitigation measures in the ESMP is budgeted for. Stakeholder engagement is a primary tool for identifying human rights impacts and ensuring that a relationship of trust and dialogue is built through principles of accountability and rule of law, inclusion and non-discrimination. Special attention will be paid to the role of the Fulani herders and separate meeting will be held with them and their roles assessed if they will be part of the delivery of outputs 1 and 2. Participatory methods will be used and discussions will take place in local languages when best suited. Local</p>			

communities will have access to information and knowledge that is required to negotiate roles and responsibilities stipulated in contracts. The tree tenure and benefit sharing reform changes at the national level, will be applied when relevant and lesson learnt from successful implementation in the Southern high forest zone. The various knowledge management activities will facilitate sharing of lessons and its integration into project implementation as part of adaptive management.

Mitigation and management measures will lower the probability of this risk occurring to 'low'.

**Selected Risk Factor 2**

Description	Risk category	Level of impact	Probability of risk occurring
<p>The Project could potentially restrict availability, quality of and access to resources, in particular to marginalized groups; and affected stakeholders, from fully participating in decisions that may affect them.</p> <p>The project could exacerbate conflicts among project affected communities and individuals.</p> <p>Farmers may distrust the FC and other actors based on past experiences. The main risk is that community members will not benefit if contractual agreements do not space out income and benefits over time. Short terms needs are a priority.</p> <p>Rights to timber are vested within the state and communities have limited incentives or mandate to protect timber resources in their areas with stands of Rosewood within CREMA and in Reserve cut without benefits shared.</p> <p>Within the MTS system, the issues will be to ensure that communities still have access to resources and a livelihood once degraded lands have transitioned to forests and farmers return to their lands.</p> <p>Middle men in the shea value chain may lose their income, as women become involved in direct marketing</p>	<p>Social and environmental</p>	<p>Medium (5.1-20% of project value)</p>	<p>Low</p>

**Mitigation Measure(s)**

In addition to the mitigation measure described for Risk 1, the ESMP and the safeguards officer's role, FC staff will be involved in a series of trainings as to the objectives of the project as the implementing agency. A Grievance Redress Mechanism has been established by the Project and is part of the REDD+ safeguards approach at the national level. All project staff, and beneficiaries as well as others in the NSZ will have recourse through the GRM. More details with respect to procedures and process are described in the ESMP. Communities who have access to farmlands that they can return to are to be involved in the MTS plantations, otherwise sharecroppers' role if relevant will be discussed by traditional authorities and district staff in reference to access to land.

Activity 1.1 seeks on a voluntary basis to define the areas for community management and involves land use planning for all outputs. As per activity 1.2 – 1.4, management plans will be devised with the community and these arrangements supported by the legal framework agreed by all stakeholders, including the community, in agreement with traditional authorities, the FC, district assembly staff and beneficiaries. The village-level management structures will be at the core of the management of these community lands, with the appropriate skills, support and tools to ensure that stakeholders will not be left out of planning and implementation and benefit sharing. For instance, MTS lands will be identified within 3-5 km of households so that it will be feasible to participate in the project and return to farmlands after the canopy closes as defined in the contract. The timings of thinnings will be adjusted so that benefits will be substantial throughout the period and benefit sharing formula's revised as needed based on learning from other MTS operations. Hired labour for the plantations established by the FC that will not use the MTS model will be subject to labour laws and fair practices. A local level community management unit in the CREMA will be between 4-5,000 hectares. Wood fuel extractors from members of the Sissala tribe, who may not have traditionally been members of the CREMA would agree through the by-laws to access wood fuel for a fee.

Ghana is in the process of developing national legal guidelines and policy for the CREMAs, which will be broadened to include forestry. This builds on the current Wildlife Policy, which espouses the CREMA approach. The contractual arrangements at the community level will involve all stakeholders and build also from lessons from existing CREMA (for instance through the USAID AgNRM and Canada Tree Crops projects). The project will follow through the tree tenure reform implementation and be able to facilitate a process that does not encourage a parallel permit system at national level through by-laws established for CREMA. It will support demarcation and registration of farmer fields and community forests so that timber can be cut and sold, and proceeds go to the owner. The ownership and disposal of naturally occurring trees will still need to be clarified and ensure that they come under the bundle of rights that are associated with rights to community management of forest lands.

Mitigation and management measures brings the probability of this risk occurring to 'low'.

**Selected Risk Factor 3**

Description	Risk category	Level of impact	Probability of risk occurring
Duty- bearers do not have the capacity to meet their obligations in the Project. Rights- holders may not have the capacity to claim their rights.	Social and environmental	Medium (5.1-20% of project value)	Medium

**Mitigation Measure(s)**

The capacity and resources to be able to plan, implement, adapt and monitor all four outputs are key and provisions have been made for this throughout the project activities for duty-bearers including the FC regional and district staff, extension workers, NGO trainers, and community managers through the community executive management committees and the CREMA executive committee for all the community areas. These include extension services for the shea value chain, FC's ability to plan with communities, monitor, train, assess and adhere to contractual arrangements. Appropriate opportunities for governance, gender, natural resource management related training and requisite equipment and



resources, as well as for dialogue have been made in the budget for core management groups. Monitoring methods and mechanisms are described in Section 4.3 and Section H.

Legal and policy provisions are mostly in place, however the enforcement and implementation of these will need to be supported through the project activities, contracts and agreements and the integrated monitoring framework. Expectations will be managed through dialogue and contractual processes reflecting viable and appropriate arrangements made through consensus. A coordinated system of forest management that both allows for collective action on fire management and incentivises communities and individuals to undertake these actions are part of the project activities.

The FC has initiated efforts towards the development of a more sustainable charcoal and fuel production system<sup>12</sup>. and the project activities will implement this through collection, processing and sale of charcoal.

Mitigation and management measures will lower the probability of this risk occurring to 'low'.

### Selected Risk Factor 4

Description	Risk category	Level of impact	Probability of risk occurring
<p>Adverse impacts on gender equality and/or the situation of women and girls.</p> <p>Discrimination against women based on gender, especially regarding participation in the design and implementation or access to opportunities and benefits.</p> <p>Now that shea is becoming a lucrative activity, men want to be more engaged.</p>	Social and environmental	Medium (5.1-20% of project value)	Low

### Mitigation Measure(s)

Output 2 has a strong focus on women. Women's role in the shea value chain as producers and processors is already well acknowledged and will be further addressed as project activities pertaining to marketing, warehousing and aggregation expand. Training to produce quality shea kernels and to manage warehouses will be almost uniquely targeted to women who have traditionally played this role. The social benefits of picking and processing shea will not be affected. Training to set up community nurseries will target both women and men.

The land use planning, benefit sharing and dispute solving structures, implementation, M&E structures and MRV system will be developed with a gender officer or trained PMU staff to ensure gender based activities and decisions. Furthermore, gender orientation and training will be given to FC staff at the regional levels and district staff. A training is slated for the first year for 40 of such duty bearers. Such a gender orientation will devolve to traditional authorities at the community level. See Gender Assessment and Action Plan in Annex 8 for more details.

<sup>12</sup> The 2016 Forest Development Master Plan (FDMP) identifies a key programme as the Sustainable Production and Management of Commercial Wood fuel in the Savannah Woodland (Programme 1.8.)

<p>Management structures at the local level, FC, research agencies, project staff will be aware of the need to incorporate measures that will not result in adverse gender equality impacts. Women will be primary stakeholders in the project management structures. Where there are cases where men are preventing women from collecting shea (or steal it from farmer lands) provisions will have to be put in place to ensure that there are community governance structures in place to detect and manage this. Mitigation and management measures brings the probability of this risk occurring to 'low'.</p>			
<b>Selected Risk Factor 5</b>			
Description	Risk category	Level of impact	Probability of risk occurring
<p>Limitation of 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.</p> <p>Women are left out of the project activities and are not effectively engaged even though they are at the centre of especially outputs.</p>	Social and environmental	Medium (5.1-20% of project value)	Low
<b>Mitigation Measure(s)</b>			
<p>Please see mitigation measures for Risk Factor 4 above.</p> <p>The project offers real opportunities or women's empowerment not only through the shea value chain but also through management roles in the CREMA and MTS. For example, in an existing CREMA in Monori Murugu, the treasurer at the local level is a woman, which gives the community the assurance that their funds are safe. The contractual processes will be worked out with those who voluntarily will participate and this will involve benefit sharing rules.</p> <p>Mitigation and management measures brings the probability of this risk occurring to 'low'.</p>			
<b>Selected Risk Factor 6</b>			
Description	Risk category	Level of impact	Probability of risk occurring
<p>Project proposed activities are adjacent to critical habitats such as Mole National Park, including legally protected areas as recognized by the FC.</p> <p>Change in the use of land and resources that may have some adverse impacts on habitats and/or livelihoods.</p> <p>Land use planning capacities and data may be inadequate and may not prioritize protection of ecologically sensitive areas, or designate the optimal areas for agroforestry practices, CREMA and MTS lands.</p>	Social and environmental	Medium (5.1-20% of project value)	Low

### Mitigation Measure(s)

Output 1 will be subject to local land use plans which identify the most suitable lands for the CREMA and for the areas that will come under forest management- appropriate maps and land cover data will be available (see output 4.2). Areas where tree nurseries will be set up (when existing nurseries are not in place) will take place in the CREMA and subject to land use planning. As many of the boundaries have already been demarcated for reserves and in agricultural lands, it will only be necessary to ensure that ecosystem services to be optimized and environmentally sensitive areas avoided for the new CREMA. The choice of CREMAs and MTS areas will be finalized once stakeholder consultations are held within the Regions and will be learned from experiences in existing CREMAs. In the case of new lands, leasehold arrangements need to be first made with the Chief of the area as the traditional owners of the land, and regularized by the District Assembly. Land Use planning criteria are set by the National Development Planning Commission and the District Assemblies are in charge of zoning. FC must work with the development planning officers at the District Level to set up the boundaries.

Environmental impact assessment will take place upon project initiation. It will also look at areas where fire breaks are to be set up and how these are set up, and where community orchards for tree seedlings for future plantations are to be situated. The ESIA will include assessment on nurseries<sup>13</sup>. The project's fire management plan will help to protect and conserve savannah woodlands areas and reduce the destructive impacts of late season fires.

Partly through district by-laws, waterways and streams will be protected and buffer zones considered to serve as natural filters for surface runoff from plantation areas. The increased planting of shea and other trees in order to improve and restore degraded landscapes will have ecosystem benefits. Therefore, the activities on off-reserve land and community lands will seek to improve tree cover which constitute the shea agroforestry parklands. Output 2 will only occur in lands that are under permanent agriculture or bush fallow. This gives an opportunity to increase the diversity of species and tree cover in these areas.

Shea processing uses wood fuel for processing. These can now be sourced through CREMA and MTS as communities will be trained in silviculture methods and obtain thinnings for woodfuels. Efficient use of woodfuels will be part of Activity 1.3, 2.2 2.3, and 3.2. Warehouses that will be built for processing shea kernels in Output 2 will conform to GSA's 'Managing Warehouses' Manual which stipulates standards for setting up these structures including their physical locations. These have to be approved by the Chief of the area.

MTS in Output 3, involves selective logging once plantations are established and this puts an end to the practice of clear felling. This is also important for protection against fires. The mix of species will be chosen by the local governance structure and will undergo rigorous and the necessary safeguards and best practices will be put in place to ensure that appropriate species are chosen, bearing in mind impact on hydrology, social acceptance and appropriateness, potential for invasion as well as an understanding of the production factors and agroecological conditions. Outputs 1, 2 and 3 all provide for capacity and resources to ensure reduction of any adverse impacts and will in fact result in increased positive impacts on habitats; mitigation and management measures will lower the probability of this risk occurring to 'low'.

<sup>13</sup> This will include evaluation of existing (commercial) tree nurseries and opportunities to strengthen these, as well as take into account nurseries where these are not immediately adjacent to project sites. It will include evaluation of costs and benefits of developing new nurseries. Assessment of the likely impact of subsidized tree nurseries on existing commercial nurseries to avoid crowding out the private sector will also be carried out. It will also include consideration of options to decrease subsidies so that nurseries can be commercially viable at the end of the project.

<b>Selected Risk Factor 7</b>			
Description	Risk category	Level of impact	Probability of risk occurring
Rosewood and other timber species are harvested illegally.	Social and environmental	Medium (5.1-20% of project value) Medium (5.1-20% of project value)	Medium Medium
<b>Mitigation Measure(s)</b>			
<p>Rosewood will be one of the species targeted for planting in the agroforestry parklands, MTS and CREMA as per the consultative process during the inception phase. The project will therefore support protection of endangered species with support of the FC, the shea unit and the FLEGT-VPA processes in place in Ghana. Rosewood is a slow growing tree, in the NSZ and not well suited for plantations. The main impact on rosewood restoration will be through the community management of savannah forests where existing saplings can be protected. The degraded forests brought under management should be full of young rosewood. They will not be cut for wood fuels and will be retained for future sustainable harvests of saw timber and bring future revenues. This will be monitored under Output 4.2. In Output 3, MTS revenues to do early burning/fire management of degraded savannah forests will also restore Rosewood.</p> <p>Mitigation and management measures reduces the probability of this risk occurring to 'low'.</p>			
<b>Selected Risk Factor 8</b>			
Description	Risk category	Level of impact	Probability of risk occurring
<p>Plantation development and reforestation.</p> <p>The establishment of plantations may have negative impacts to the associated environment and ecosystem.</p> <p>The plantation system may result in single species dominating the landscape and water shortages.</p>	Social and environmental	Medium (5.1-20% of project value)	Low
<b>Mitigation Measure(s)</b>			
<p>Plantations will be set upon deforested and severely degraded lands only in Forest Reserves. These will be mainly through the MTS system. Clearcutting will not be permitted. Plantations set up through non-MTS systems will be established through co-financing from the FC, according</p>			

to best practice guidelines and biodiversity assessments, following land use planning processes and the objectives of the National Plantations Strategy (2018-2030).

The shea parklands have become less species diverse as they are suffering from lack of pollinators. Diversifying the parklands through the planting of other trees in addition to shea will be an important project outcome. Ample evidence and research indicate that agroforestry systems are consistent with environmental and social objectives and these will be operationalized in the project<sup>14</sup>. Community management means that high value trees species and lesser used species, as per the GSGDA and ‘President’s Coordinated Programme of Economic and Social Policies, 2014-2020 – An Agenda for Transformation’ will be planted. Fire management will have a big positive impact on the ecosystem.

The project does not envisage or plan planting shea trees in a monoculture plantation but seeks rather to re-establish shea as a prominent tree in the agroforestry/shea parklands in its natural habitat. Shea occurs in the wild with other species and does not dominate as does a monocrop. The definition of Shea parklands is a mixture of trees on the landscape in fallow fields, farmlands and within community forest areas.

A number of other trees are also targeted for planting in the landscape (See para 81 in the Funding Proposal and copied below for ease of reference). The targeted restored landscape is a mosaic landscape with 4 components: annual crops, fallows, forests, and trees. Shea trees usually represent up to one third of parkland trees—adding up to 30-50 shea trees per hectare—and are scattered along with 8-10 other woody species. The following video provides a snapshot of the shea parkland.

Threats and their risk mitigation measures are presented below;

### Threats

- Water requirements for set-up of new nurseries. Seedlings will need to be watered daily, at a rate of 10-15 liters for every 200 seedlings during the dry season. The project aims to leverage the “one village one dam” programme of the Government of Ghana for watering needs. Studies in response to comment 2b below indicate sufficient supplies of ground water. Once planted in the savannah, young trees will not need to be manually watered as they will have established themselves and will be strong enough to survive after two years in nurseries.
- Decreased biodiversity in the parklands: A focus on shea trees could lead to an over representation of shea trees in the parkland, thus decreasing tree species biodiversity. This threat is mitigated as the nurseries and planting will be geographically dispersed. 70 smaller nurseries will be created (ensuring that no more than 50 shea trees will be planted in one hectare). The inclusion of other native trees in the nurseries such as *Acacia faidherbia*, *Albiza*, etc. (see complete list below) will ensure diversity in the landscape. The approach through the public private partnership is also to encourage regeneration of multiple species of trees in the deforested parklands. Finally, as cutting and loss of shea trees has been prevalent, the project aims to restore previous parkland tree composition.

### Benefits

<sup>14</sup> See for instance several journal articles in *Agroforestry Systems* - <https://link.springer.com/journal/volumesAndIssues/10457> and see also <https://link.springer.com/article/10.1007/s10457-016-9946-7>.

- Increased diversity of birds and migration pathways kept intact. Maps in Naughton et al. 2015, indicate that where shea parkland habitat exists, migratory bird diversity is at its highest. As such, these are important landscapes bird diversity.
- Increased pollinators on the landscape. Shea is primarily pollinated by with some degree of self-pollination. The main pollinators are honeybees and several species of wild stingless bees. Insect pollination results is linked to fruit yields. A positive correlation between fertilisation percentage and number of honeybee colonies within radii of 900 and 1000 m is observed . Local beekeeping with both honeybees and stingless bees is included in the activities and will have a positive influence on fruit production of shea trees. Bird and insect diversity should be enhanced as other trees such as Faidherbia and Ziziphus and Balanites are restored. The shea parklands manual that has been developed by Global Shea Alliance notes a 2.5 increase in yield with more pollinators in the habitat brought about by plants, birds and insects in the landscape once these trees are restored.
- Carbon sequestration. According to a study recently published by the FAO and GSA , every year, shea parklands in West Africa capture more than 1.5 million tons of CO<sub>2</sub>. The study calculates the carbon fixing potential of increasing the tree population by 7 million trees per year over 14 years, which raises the CO<sub>2</sub> fixed to about 9 million tons per year, leading to an aggregated carbon fixing impact of 180 million tons of CO<sub>2</sub>e over 20 years. Emission reductions attributed to the GSLERP project are stated in Funding Proposal in para 165.
- Reduction of soil erosion through the wide root systems of shea and protection of fallows. Shea's rooting system is extensive and shallow. This enables it to be well adapted to tolerate a prolonged dry season – up to 8 months – and intermittent drought that are the typical condition in the savannah . In addition, the presence of shea on fallows will encourage the growth of other shrubs, grass, and small plants, which all contribute to providing soil structure, thus reducing erosion.
- Because trees reduce temperatures and improve soil conditions for intercrops, shea agroforestry parklands provide a positive climate change adaptation measure in agriculture .
- Increased incomes through shea incomes and increased agricultural productivity.

### Para 81

The project will plant 480,000 trees from other species (with 83% of these trees reaching maturity) to enhance the shea parklands. These could comprise of *Vitellaria paradoxa*; *Adansonia digitate*; *Moringa oleifera*; *Parkia biglobosa*; *Tamarindus indicus*; *Faidherbia albiza*; *Anogeissus leiocarpus*; *Terminalia* spp, *Balanites aegyptiaca*, *Pterocarpus erinaceus*, *Diospyros Mespliformis*, *Piliostigma thonningii*, *Nauclea Latifolia*, *Annona senegalensis* and *Combretum mole* . These species will be considered and ranked based on preferences by the women and men in the community and characteristics to promote soil productivity, apiculture, nutritious food, dyes for materials, traditional drinks such as pito, leaves for forage, fruits, medicinals and provision of pollination services for the shea trees. (This list also extends to trees suitable to plant in farmers' fields and fallow areas, or near homesteads in the open parklands, within the CREMA areas).

See also para 82 which states that the community, with the guidance and support of the NGOs and that have expertise in agroforestry will decide on the trees to be planted to ensure they meet their specific needs, whether in terms of alternative income generation, woodfuel and food production, or agricultural benefits and incorporate these ideas where relevant in the land use and investment planning in Output 1.

Mitigation and management measures brings the probability of this risk occurring to 'low'.

### Selected Risk Factor 9

Description	Risk category	Level of impact	Probability of risk occurring
<p>The project involves utilization of genetic resources.</p> <p>Genetic resources are part of the project through the use of tree seeds for plantations and in tree nurseries and orchards. Seedlings and seeds of various and improved <i>Vitellaria paradoxa</i> and other tree species genetic material will be used in Output 2.</p>	Technical and operational	Medium (5.1-20% of project value)	Low
<b>Mitigation Measure(s)</b>			
Genetic resources including seedlings of <i>Vitellaria paradoxa</i> (shea) emanating from research for low gestation periods and other positive characteristics, and other trees are regulated by FORIG, CRIG, and these norms and standards will be employed in the Project. Tests have been done on various propagation and tree management techniques in farmer's field, grafting on wildlings, seeding under existing shrubs, direct seeding and planting of nursery grafted materials as well as farmer managed or assisted natural regeneration. These processes do not use genetically modified materials.			
<b>Selected Risk Factor 10</b>			
Description	Risk category	Level of impact	Probability of risk occurring
<p>Cultural Heritage- The proposed Project may 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).</p> <p>Culturally sensitive sites may be located near degraded areas in off-reserve land and be encroached upon.</p>	Social and environmental	Low (<5% of project value)	Low
<b>Mitigation Measure(s)</b>			
The implementation of the activities will take into account culturally sensitive areas as prescribed in the Environmental Assessment Regulation 1999, LI 1652. Key culturally sensitive sites include cemeteries, shrines and sacred groves are numerous and managed by communities but have no legal status. These areas will not be part of project activities. Land use planning with traditional authorities and district assemblies will identify these groves in case they are close to project activities to monitor and prevent encroachment. The probability of this risk occurring is very low.			
<b>Selected Risk Factor 11</b>			
Description	Risk category	Level of impact	Probability of risk occurring

<p><b>Standard 5: Displacement and Resettlement.</b></p> <p>The project could involve temporary physical displacement or economic displacement might occur due to land acquisition or access restrictions.</p> <p>Land tenure arrangements and community-based property rights to land and resources would be affected.</p> <p>The project will have impacts on policies, laws and regulations related to access to land/resources, land use, zoning and titling for local communities.</p>	<p>Social and environmental</p>	<p>Medium (5.1-20% of project value)</p>	<p>Low</p>
<p>Mitigation Measure(s)</p>			
<p>Please also refer to the mitigation measures in Risks 1, 2 4, 5, and 6. Displacement likely to occur if the project will be affecting/changing land use policies/practices that may restrict access to resources. However, all changes will be decided with local stakeholders and changes in land use and management will be agreed to voluntarily. Mitigation and management measures will lower the probability of this risk occurring to 'low'.</p>			
<p><b>Selected Risk Factor 12</b></p>			
<p>Description</p>	<p>Risk category</p>	<p>Level of impact</p>	<p>Probability of risk occurring</p>
<p>Pollution Prevention and Resource Efficiency: The Project potentially can 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.</p> <p>The Project may involve the application of pesticides that may have a negative effect on the environment or human health.</p> <p>Pollutants can include fertilisers or herbicides used to manage forest plantations. Plastic bags for seedlings may also cause pollution.</p>	<p>Technical and operational</p>	<p>Low (&lt;5% of project value)</p>	<p>LowLow</p>
<p>Mitigation Measure(s)</p>			
<p>The main control methods will involve the use of resistant hybrids, weeding will be done manually, protecting young plants with collar wire and destroying nestling/breeding areas of pests will be considered as part of plantation management. Degradable bags will be used for seedlings and where these are not available, the collection, re-use and proper disposal will be included in the management agreement with the FC. A constant phytosanitary observation will be maintained to help prevent the outbreak and spread of any potential disease/pest into plantations.</p> <p>Spraying of fungicides and herbicides will be avoided. Fertilizer recommendations for nursery seedling production, hardening and field establishment will be assessed by CRIG and KNUST experts. There will be a minimal generation of waste. Charcoal making will be conducted so as not to affect communities (through smoke pollution) and will be done in a manner that reduces smoke pollution. For instance, this will be done through improved kilns which have higher efficiency rating than traditional earth-mound kilns. The efficiency of traditional charcoal</p>			



production methods is about 10%–22% (calculated on using oven-dry wood with 0% water content) while the efficiency of the improved kilns is approximately 30%–42%. As compared with traditional carbonisation processes and can reduce emissions to the atmosphere by up to 75%.  
Storage of shea kernels in warehouses will not result in pollution. The use of pesticides will be minimal.

**Selected Risk Factor 13**

Description	Risk category	Level of impact	Probability of risk occurring
<p>Displacement of Emissions.</p> <p>Emission can be displaced to areas outside of the NSZ due to the activities undertaken in NSZ. However due to deforestation in the NSZ, there is little natural forest to access in the project area.</p> <p>The biggest threat maybe from grazing which is displaced to areas outside of the NSZ. The mitigation measure(s) would need to be in place at the level of the land monitoring system and the safeguards.</p> <p>Agriculture productivity may decline and this could result in areas converted to agriculture outside of project intervention areas.</p>	Social and environmental	Medium (5.1-20% of project value)	Medium

**Mitigation Measure(s)**

Activities in each CREMA, MTS plantation and interventions in the parklands will assess the potential for displacement through the delineation of areas targeted for community management of natural forests, restoration of parklands and setting up of plantations. A robust monitoring system that is able to capture field level data across the entire NSZ effectively and efficiency and monitoring of indicators that can feed back adjustments through adaptive management processes are planned.

Plantations will only be set up on degraded lands. If these lands were used to provide wood fuels, then the management system of thinnings should even increase the production of these. Parklands restored in small holder systems will take into account the potential for displacement considering the wider geographical area as will community management of forests which may potentially displace others in the community.

**Selected Risk Factor 14**

Description	Risk category	Level of impact	Probability of risk occurring
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<p>Reversal of carbon stocks</p> <p>Risk of reversals is assumed in all REDD+ projects including conservation, sustainable management of forests, and enhancement of C stocks</p>	<p>Social and environmental</p>	<p>Medium (5.1-20% of project value)</p>	<p>Low</p>
<p><b>Mitigation Measure(s)</b></p>			
<p>Fire management is crucial to ensure restoration. Fire management strategies are described in Output 1 and 3 and in activity 4.2 though the operationalization of land forest monitoring.</p> <p>Increased awareness of the potential impacts of open farming as well as the ecological and economic value of trees on farm is required to help address the transition along with further support to the value chains of agroforestry-based products such as shea to ensure that farmers are able to take informed decisions on changes in practices as well as to optimize the approaches used. This will help to establish community-based forest management. Strong local level use planning can help to minimize the impact of the transitions that are needed and ensure that protecting key catchment areas or specific agroforestry systems and capacity will need to be built at the district and local levels.</p>			
<p><b>Other Potential Risks in the Horizon</b></p>			
<p><i>Please describe other potential issues which will be monitored as “emerging risks” during the life of the projects (i.e., issues that have not yet raised to the level of “risk factor” but which will need monitoring). This could include issues related to external stakeholders such as project beneficiaries or the pool of potential contractors.</i></p> <p>Women’s cooperatives will be in some cases set up warehouses to store shea kernels. The GSA Warehouse Management Manual has guidelines on location, structure and how to organise the communities around the warehouses that will be built from private sector co-financing for the processing of shea. These co-financiers are members of the GSA and subscribe to the 11 principles laid out by GSA. (Booklet available on request). GSA stipulate that both the land and the warehouse need to be donated to the woman’s group and registered in their names, so as to secure their title over the land. Registration documents will be required. Usually the community leader donates the land and facilitates registration. Buildings are designed locally and where possible green materials and existing structure are used. Building guidelines such as proper ventilation is required to maintain the quality of the kernel need to be adhered to and there are provisions for this quality assurance through the GSA network. All activities will be considered in the ESIA and UNDP’s social and environmental standards apply to all these activities. Any risks identified will be specified in the ESMP and mitigation measures identified.</p>			

## 6 IMPLEMENTATION AND OPERATION: MANAGEMENT STRUCTURE AND PROJECT DELIVERY

As noted above, the Ghana Shea Emissions Reduction 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, and Project Board discussions. For instance:

- A process to determine CREMA boundaries and set up by-laws, a constitution and procurement of the devolution certificate
- Implementation of the forest management and investment plan
- Agreement on the benefit sharing systems in the CREMA and Taungya groups and the share of revenues that will go to the community revolving funds
- Discussion of where shea is planted and how women's groups and farmers can ensure access and use rights over the long term
- Set-up of Taungya groups and community fire brigades

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. 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)

To avoid unnecessary additional screenings and assessments, it is recommended that the ESIA ToR require that the selected 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.

**Table 5: UNDP Principles and Standards Applicable to the Project**

<b>UNDP Principle / Standard</b>	<b>Risk Rating</b>
<b><i>Principle 1: Human Rights</i></b>	Moderate risk
<b><i>Principle 2: Gender Equality and Women's Empowerment</i></b>	Moderate risk
<b><i>1. Biodiversity Conservation and Natural Resource Management</i></b>	Moderate risk
<b><i>3. Community Health, Safety and Working Conditions</i></b>	Moderate risk
<b><i>4. Cultural Heritage</i></b>	Low risk
<b><i>5. Displacement and Resettlement</i></b>	Moderate risk
<b><i>6. Indigenous Peoples</i></b>	Moderate risk
<b><i>7. Pollution Prevention and Resource Efficiency</i></b>	Low risk

Based on this initial assessment, the following management plans will be elaborated after project details and sites are confirmed and prior to the implementation of activities in those areas as an output of the ESIA where needed— these plans will outline the details of safeguard application from an operational and budgetary perspective as well as will assign responsibilities for oversight.

These measures may be incorporated into the updated ESMP or elaborated as a site-specific plan. If articulated as a site-specific plan, the ESMP will be updated to note the need for such plans and which activities cannot proceed until such plans are in place:

- **Stakeholder Engagement Process:** Information on stakeholder and process will be included in this document taking into account [UNDP SES requirements on Stakeholder Engagement](#) and the [UNDP Guidance Note on Stakeholder Engagement](#).
- **Gender Assessment and Action Plan:** The ESIA may require some adjustments to the GAAP which has been developed. (See Annex 8).
- **Benefit Sharing Plan.** The Benefit Sharing plan will be revised as needed after the ESIA has been conducted.
- **Livelihood Action Plan:** Displacement risks will be further assessed through the ESIA and in the case that small scale voluntary economic may occur a [Livelihood Action Plan](#) and/or [Resettlement Action Plan](#) will be developed and implemented, using UNDP’s template and in line with [UNDP SES requirements on displacement and resettlement](#) and [UNDP Guidance Note on SES 5: Displacement and Resettlement](#)
- **Biodiversity Management Plan:** Each CREMA will have core conservation areas. The biodiversity management plan will be adapted to each site to allow a treatment adapted to the local and regional context of the potential impact on the different levels of biodiversity at the site and effects on biodiversity in the forest reserves and in the parklands. The Plan will be developed in line with [UNDP SES requirements on Biodiversity](#) and the [UNDP Guidance Note on SES 1: Biodiversity Conservation and Natural Resource Management](#). The Plan will use the [Biodiversity Action Plan - Template](#) as its basis.

**While risks pertaining to these plans are deemed as low risk, the ESIA will determine if they need to be carried out**

- **Labor Management Procedures:** Responsible parties will develop and implement written labor management procedures applicable to the project. These procedures will set out the way in which project workers will be managed, in accordance with the requirements of national law, [UNDP SES 3: Community Health, Safety and Working Conditions](#) and relevant International Labor Organization (ILO) standards. The procedures will address the way in which this UNDP SES 3 and relevant ILO standards will apply to different categories of project workers including direct workers, and the way in which the responsible parties will require third parties to manage their workers.
- **Indigenous Peoples Plan:** The ESIA will identify the presence of indigenous peoples for each of the specific sites and an indigenous peoples plan will be developed where there is a potential impact. If needed, this will include a plan for culturally appropriate consultation and procedures for obtaining Free Prior and Informed Consent (FPIC), as needed. The plan will be developed in line with [UNDP SES requirements on indigenous peoples](#) and the [UNDP Guidance Note on SES 6: Indigenous Peoples](#). The [UNDP Indigenous Peoples Plan Template](#) will provide the basis.
- **Cultural Heritage Management Plan:** While this is considered a Low level risk in the project, the ESIA will assess the risk at the specific sites and if there is a potential for adverse impacts to cultural heritage a site-specific management plan will be put in place, in line with [UNDP SES requirements on cultural heritage](#).

- **Pollution Prevention Plan:** While pollution will be avoided and minimized by the project, in cases where pollution may occur, as determined by the ESIA, a pollution prevention plan, in line with UNDP SES requirements on pollution prevention and resource efficiency will be put in place ensuring prevention and control practices are in place.

### 6.1 Institutional Arrangements and Capacity Building

The roles and responsibilities of project staff and associated agencies in implementation of project activities and application of social and environmental procedures are Table 4 above.

The ESIA report and updated ESMP may propose changes and further clarifications to the roles and responsibilities of project staff and associated entities in the implementation, evaluation and monitoring of project activities and application of social and environmental standards and procedures. Such changes will be assessed and integrated, as appropriate, as part of the participatory decision making and implementation proceedings of the project. The Project Board (in consultation with the Technical Committee) will have final responsibility for the integration of ESIA report and ESMP recommendations in the execution of the project. The integration of such recommendations will need to consider particular institutional needs within the implementation framework for application of the ESMP, including a review of the required budget allocations for each recommended activity, as well as the authority and capability of institutions at different administrative levels (e.g. local, regional, and national), and their capacity to manage and monitor ESMP implementation. Where necessary, capacity building and technical assistance activities will be included to enable proper implementation of the ESMP, including through site-specific management plans and related capacity building.

### 6.2 National Grievance Redress Mechanism

The GSLEPR can employ the model already set up for REDD+ in Ghana. While more permanent PLR revisions are being pursued to establish a national Forest Grievance Redress Mechanism (FGRM) for REDD+, as an interim measure, a framework is in place that builds from the modified structure proposed under the 2014 consultancy<sup>15</sup> and a follow up on in 2016, which recommended the quicker option of developing regulations under the Forestry Commission Act, 1999 (Act 571) to establish an FGRM. the project will begin to pilot the FGRM structure and process under the authority and traditional jurisdiction of designated Traditional Authorities (chiefs and queen mothers), and with the support of other highly respected individuals of high ethical and moral standing, including religious leaders, District Assembly members, upstanding opinion leaders and other stakeholder representatives so the disputing parties have their grievances addressed.

A significant strength for the FGRM and for the proposed interim structure, is that traditional Chiefs, Elders and “Queen Mothers” already operate as recognized institutions for dispute resolution within their traditional jurisdictions, and have always been the “first port of call” in settling local level disputes and acting as agents of change at local, regional and national levels since time immemorial. Furthermore, the role of Chiefs and Traditional Authorities is already recognized under Ghana’s Constitution, which supports the implementation of customary law. As such, their role in conflict resolution through mediation and arbitration is both key and appropriate on both cultural and legal grounds. Religious leaders also serve as important mediators of social and economic disputes amongst their congregations and followers, and respected opinion leaders also frequently facilitate resolutions or participate in mediations with the TA or religious leaders.

Furthermore, as stipulated in the FCPF R-PP, “the principle of subsidiarity” will be used in establishing conflict resolution structures, with conflicts being addressed at the lowest or most localized level as

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<sup>15</sup> [Development of Dispute Resolution Mechanism for REDD+ in Ghana](#)

appropriate. Should a large number of conflicts specific to the programme and REDD+ occur or it prove difficult for issues to be resolved at lower or localized levels, conflicts can be escalated to higher levels”. The proposed structure for grievance redress and conflict resolution is described below, in the following sub-section. For more details see Annexure 7 on the FGRM Structure and Operational Guidelines.

### 6.3 Project Level Stakeholder Response Mechanism

UNDP’s [Stakeholder Response Mechanism](#) (SRM) is also available to help project-affected stakeholders, government and others partners jointly resolve concerns and disputes. It is available when Implementing Partners and UNDP project-level stakeholder engagement processes have not successfully resolved issues of concern.

Project affect stakeholders will be informed throughout the project cycle of their options for grievance redress and how to access the various channels.

### 6.4 Stakeholder Engagement and Information Disclosure

The project builds on extensive stakeholder engagement and consultation<sup>16</sup> which will continue throughout project implementation.

Ghana is committed to ensuring meaningful, effective and informed participation of stakeholders in the formulation and implementation of the projects. Stakeholder analysis and engagement will be conducted in a gender-responsive, culturally sensitive, non-discriminatory and inclusive manner, ensuring that potentially affected vulnerable and marginalized groups are identified and provided opportunities to participate. Measures will be undertaken to ensure that effective stakeholder engagement occurs where conditions for inclusive participation are unfavourable.

Meaningful, effective and informed stakeholder engagement and participation will be undertaken that will seek to build and maintain over time a constructive relationship with stakeholders, with the purpose of avoiding or mitigating any potential risks in a timely manner. The scale and frequency of the engagement will reflect the nature of the activity, the magnitude of potential risks and adverse impacts, and concerns raised by affected communities.

Topics the stakeholders will be able to express their views on will include, but are not limited to: the ESIA - social and environmental risks and impacts and proposed mitigation measures; the Benefit Sharing Plans - sharing of development benefits and opportunities; CREMA and MTS enhancement and creation; tree tenure reform; restoration in the shea parklands, capacity building and training opportunities and other implementation issues. Meaningful, effective and informed consultation processes will possess the following characteristics:

- Free of external manipulation, interference, coercion, and intimidation.
- Gender and age-inclusive and responsive.
- Culturally appropriate and tailored to the language preferences and decision-making processes of each identified stakeholder group, including disadvantaged or marginalized groups.
- Based on prior and timely disclosure of accessible, understandable, relevant and adequate information, including draft documents and plans.
- Initiated early in the project design process, continued iteratively throughout the Programme and Project life cycle, and adjusted as risks and impacts arise.

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<sup>16</sup> The project builds on and draws from a series of multi-stakeholder engagement processes, assessments and background studies of relevance, undertaken during the readiness phase with support from FCPF, CLP, IUCN and others, which included consultations and the participatory development of the following products (non-inclusive list): the NRS; a SESA/ESMF; Gender and REDD+ Roadmap; Dispute Resolution Mechanism Assessment; a Review of Benefit Sharing Mechanisms in Ghana; a draft PLR review; and a Communications Strategy. See FCPF site for more details: <https://www.forestcarbonpartnership.org/ghana>.

- Addresses social and environmental risks and adverse impacts, and the proposed measures and actions to address these.
- Seeks to empower stakeholders, particularly marginalized groups, and enable the incorporation of all relevant views of affected people and other stakeholders into decision-making processes, such as Project goals and design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.
- Documented and reported in accessible form to participants, in particular the measures taken to avoid or minimize risks to and adverse impacts on the Project stakeholders.
- Consistent with the States' duties and obligations under international law.

Stakeholders 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. Therefore, as part of the stakeholder engagement process, information will be disclosed to ensure that project stakeholders have access to relevant information. Specifically, the following information be made available:

- Stakeholder engagement plans and summary reports of stakeholder consultations,
- Social and environmental screening reports with project documentation (30 days prior to approval),
- Draft social and environmental assessments, including any draft management plans (30 days prior to finalization),
- 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.

As this is a Category B project, the ESIA and the Environmental and Social Management Plan will be disclosed at least 30 days in advance of the approval decision. The safeguard reports will be available in both English. The reports will be submitted to GCF and made available to GCF via electronic links in both the AE and the GCF's website as well as in locations convenient to affected peoples in consonance with requirements of GCF Information Disclosure Policy and Section 7.1 of (Information Disclosure) of GCF Environmental and Social Policy

### 6.5 Monitoring and Evaluation Arrangements

Monitoring and evaluation of the project will be implemented in line with UNDP requirements and standards. The Ghana Country Office of UNDP will work with the project stakeholders to ensure the M & E requirements are implemented in a timely manner and to the satisfaction of the stakeholders. Thus, UNDP will have to report to GCF on disbursement of project finance and co-finance, as well as M & E and safeguards for the project, including co-finance, in the project's annual performance report which includes environmental and social performance by the UNDP to GCF. Activities undertaken by co-financiers will also provide information for the annual performance report which will include:

- Amount of funds disbursed over the past year and cumulatively,
- A narrative of the activities that the funds were used for during the past year,
- The contribution of these funds to the project outcomes and outputs using the indicators and means of verification agreed in the project logical framework,
- A summary of progress in implementing the project's Environmental and Social Management Framework (ESMF) including the evidence where available.

The project will be audited as per UNDP norms and standards. Supplementary audits may be requested by the GCF and stakeholders.

The following key milestones are anticipated for M & E:

- A project inception phase and project launch workshop will be held.
- A project implementation phase launch workshop will be held at the end of the inception phase, detailing the exact stakeholders and partners as well as final project locations. The ESIA results will be presented as well as the ESMP and management plans.
- Annual reports are planned, to be submitted by end of December of each year, or each anniversary of the Launch date of the project.
- A midterm review is expected at the onset of the third year of implementation. A midterm review workshop will be held to present and discuss feedback from the evaluation and amend the project if required.
- A final project evaluation will be launched 3 months before project closure to provide the final overview of implementation results.

Table 6 provides a summary of specific measures related to M&E of environmental and social safeguards during project implementation.



**Table 6: Summary of Social and Environmental M&E Arrangements**

Monitoring Activity	Purpose	Frequency	Expected Action	Roles and Responsibilities
<b>Development of Environmental and Social Impact Assessment (ESIA)</b>	Carried out and drafted in a participatory and gender responsive manner, in-depth analysis about potential social and environmental impacts, as well as identification / validation of mitigation measure.	Quarters one and two of project implementation	Risks and potential impacts are assessed with support of external consultants and participation of project team and stakeholders, and management actions identified and incorporated into project implementation strategies.	Forestry Commission with the support of UNDP will launch the ESIA process. A consultant will lead the process and garner the expertise needed. Stakeholders will review the terms of reference, validate the findings. The Consultant and the team will ensure that relevant changes and updates are made to the ESMP and again validated by stakeholders
<b>Track progress of ESMP implementation</b>	Application of mitigation measures, as well as any required changes to ESMP, will be monitored through a participatory process, and with results reported to Project Board on bi-annual basis.	Quarterly, or in the frequency required for each measure.	Slower than expected progress will be addressed by project management.	Collection of data will be ascribed to various stakeholder groups and the PMU. The project management unit, and particularly the safeguards and gender officer, will integrate the mitigation measures into the overall monitoring and reporting framework of the project.
<b>Implementation of mitigation measures and monitoring of potential impacts identified in ESIA, and reporting through SIS and Summary of Information to the UNFCCC</b>	Permanent and participatory implementation and monitoring of impacts and mitigation measures, in accordance with Environmental and Social Management Plan - ESMP (to be updated once the ESIA is completed)	Continuous	Implementation of ESMP; participatory monitoring of ESIA findings (i.e. identifying indicators, monitoring potential impacts and risks); integration of ESMP into project implementation strategies	The PMU will once again be responsible for the implementation of the mitigation measures in conjunction with the stakeholder in various parts of the project, these include the CREMA executive committees, the Taungya communities, women's groups and Global Shea Alliance. Reporting to the UNFCCC will be done by Climate Change Directorate of the Forestry Commission once validation has taken place.
<b>Learning</b>	Knowledge, good practices and lessons learned regarding social and environmental risk management	At least annually	Relevant lessons are captured by the	Forestry Commission with the Project management unit with the

	will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.		project team and used to inform management decisions.	communications officer, and the learning units of the project, including the KNUST and other partners.
<b>Annual Project Quality Assurance</b>	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.	Annually	Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project performance.	Forestry Commission with the Project Board.
<b>Review and adapt activities and approach as necessary</b>	Internal review of data and evidence from all monitoring actions to inform decision making.	At least annually	Performance data, risks, lessons and quality will be discussed by the project board and used to make course corrections.	PMU, FC, and GSA.
<b>Project Report</b>	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.	Annually, and at the end of the project (final report)		PMU
<b>Project Review (Project Board)</b>	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.	At least annually	Any risks and/ or impacts that are not adequately addressed by national mechanisms or project team will be discussed in project board. Recommendations will be made.	Project Board
<b>System of Information on Safeguards SIS</b>	Systematize information on 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	Forestry Commission at the National Level with support from UNDP as required.

			respected during project implementation will be available online, once the SIS web-platform is up and running.	
<b>Summary of Information to the UNFCCC on how safeguards are addressed and respected</b>	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 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.	Forestry Commission at the National Level with support from UNDP as required.

### 6.6 Budget for ESMP / ESIA Implementation

**Table 7: Budget items to conduct the ESIA and finalise the ESMP.**

Activity	Cost (USD)
Training of PMU and FC staff on how to integrate gender considerations and gender responsive results into the full project cycle	14,000
Travel of Safeguards and gender specialist for specific missions to collect gender related data to address knowledge gaps and particular needs	16,800
Consultancy to conduct the ESIA and integrate findings into the ESMF	31,500
Consultancy to provide training and facilitate the first annual meeting on data collection and management linked to the EMSF, and provision of information on the SIS	11,500
Workshop to provide information for the development of the ESIA	17,250
Workshop to validate the risk mitigation measures and the ESMF	17,250
Annual meeting on data collection and management linked to the EMSF, and provision of information on the SIS	77,000
Travel of technical team to collect data related to safeguards during project implementation	33,600
100 mobile phones for participatory data collection and reporting	30,000
Transport allowance for participatory data collection and reporting	43,200
Community exchanges related to safeguards and land cover change data (one exchange x 20 clusters of communities per year)	300,000
<b>TOTAL</b>	<b>592,100</b>

Through Activity 4, the project team will include a safeguards and gender expert who will be responsible for training for, planning, implementing and monitoring of the EMSF and gender targets and the mechanism for receiving and handling complaints. This team will be trained and participate in formulation and follow-up of these frameworks.

### 7 STAKEHOLDER ENGAGEMENT FOR THE GSLRP

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#### 1. Introduction

This section describes how stakeholder engagement will take place in the GSLRP. It provides information on processes, rules and regulations. The project builds on extensive stakeholder engagement and consultation<sup>17</sup> which will continue throughout project implementation. In preparation for the full proposal development the UNDP, the Forestry Commission, Global Shea Alliance and consultants organized a series of meetings. These involved key groups in the target regions and aimed to ensure there is interest and buy-in for the project concept.

The Global Shea Alliance engaged all its private companies and civil society representatives (NGOs etc.). They were informed about the project through e-mail (mail chimp – about 4,000 people reached) at two occasions, and numerous one-on-one discussions with stakeholders were conducted to answer questions and get input about the project.

These discussions were conducted in-person, over the phone, and by email. Project descriptions summarized in a list of activities were presented and a review of each activity undertaken by the participants in working groups.

#### 2. Project Stakeholders

The current project will focus on the northern reaches of the savannah zone which includes both Sudan and Guinea Savannah and will be referred to as the Northern Savannah Zone (NSZ). The area is 9.7 million ha, covering three (3) administrative regions namely; Northern, Upper East and Upper West regions and encompassing 61% of the savannah zone with a population of over 5.5 million people.

Project stakeholders include direct and indirect beneficiaries, which include local people living in the NSZ including the ethnic groups living in the NSZ as per Table 8 which outlines the major ethnic groups that will be engaged with in the project area.

#### 3. Livelihoods and Agriculture

The landscape is dominated by savannah forest, grassland and agricultural activities with over 90% of rural households engaged in agriculture. Agriculture is predominantly rain fed relying on relatively low levels of rainfall that vary from annual averages of 800mm in the north to 1,200mm in the south of the region.

Agriculture is the largest employer of over 70% of the workforce in the NSZ engaged in it. Key crops within the region include sorghum and cowpea (for which the three regions are Ghana's highest producing regions), rice (northern and upper east), yam (Northern), with maize also being increasingly prominent (especially in the Northern region) linked to government efforts to promote the crop. The region is also the main source of shea nuts within Ghana with total production estimated to be close to 100,000 tonnes of which 25,000 tonnes are exported with the industry being identified as generating approximately \$30m in revenue annually. A lack of alternative income opportunities combined with low returns from agriculture however have also made the three regions of the north the poorest all in Ghana with poverty rates in excess of 80% in many districts. These challenges are compounded by low levels of literacy (as low as 30%) as well as the low population densities that make provision of services difficult.

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<sup>17</sup> The project builds on and draws from a series of consultations held between May 2017 and April 2018. Please see Annex VII for a description of these multi-stakeholder engagement processes. No minority related, ethnic or faith specific evaluation or engagement has been conducted but rather the focus has been on ensuring participation of women and youth to the sessions held. The general outcome of the process highlighted a highly favorable stance towards the project.

Differing growth rates and wage levels exemplify these variations across regions. Growth rates within the three northern regions that make up the NSZ (Northern Region, Upper East and Upper West) are significantly lower than the national average. Levels of average income per capita of GHC2,144 across the NSZ also compare poorly with GHC7,019 in urban areas, and GHC3,748 in the southern regions.

These vulnerabilities combined with a lack of alternative income opportunities, low levels of literacy (as low as 30%), and low population densities that make provision of services difficult have made the three regions of the north the poorest all in Ghana with poverty rates in excess of 80% in many districts and nearly 10% of households be identified as food insecure .

The NSZ has been subject to the impacts of agriculture for generations and the environment has evolved a complex mosaic of cultivated and regenerating lands. Cultivation has traditionally been done through bush fallow system based around the family/household unit. The exact nature of this cultivation process varies significantly by household, culture, region, economic situation and biophysical conditions.

Assessments across the region have identified the area cultivated by a household at any point in time as ranging from under a tenth of a hectare to 63.1 ha with an average of 2.8ha. This area is made up of a number of smaller plots that are at different stages of production based on soil fertility and a range of other factors.

The speed of rotation of across these plots, the opening up of new ones and their retiring is also varied with communities around Mole National park reporting time periods of between 1 year and 15 for the duration a newly opened area is under cultivation with the average time period being 5 years, while fallow periods were also varied with an average fallow of just under 4 years. No data was found on the length of fallow necessary to fully restore soil fertility, but four years of fallow was identified by a number of experts as most likely insufficient. Based on this assumption as well as anecdotal evidence it can thus also be assumed that declining soil fertility is another indirect driver of increased conversion of forest to cropland as communities seek out better lands for cropping.

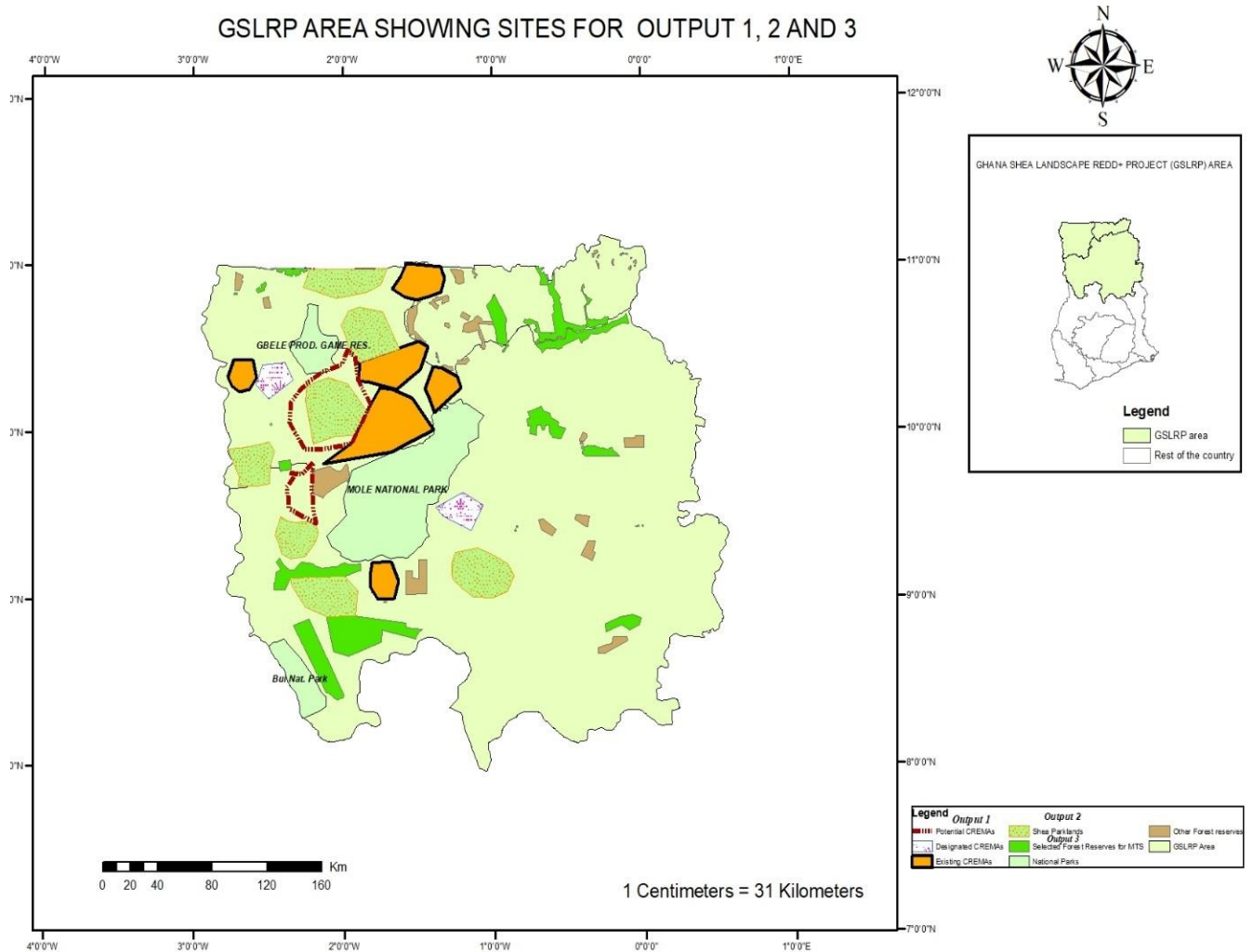
The impacts of family agriculture are predominantly focused close to settlements as communities, with limited resources, travel by foot to the fields and thus cultivation is normally situated within 1-3km of settlements. Anecdotal evidence however also suggests that these trends are beginning to change as income in communities increase with some farmers using motorbikes and moto-kings (a motorised tricycle with trailer) to travel to croplands that are further away.

The opening up of new farm land is traditionally done through a combination of cutting with hand tools followed by burning at the beginning of the rainy season with the land then tilled by hand. Within this process, a limited number of economically valuable tree species, such as Shea, and Dawa Dawa, are left within the newly cleared fields while other trees are cut back to near ground level root stock or pollarded to allow for cultivation. This system both provides fuel wood and some building materials for local consumption as well as allowing for rapid regeneration of trees from coppicing once the fields are fallowed again. The maintenance of key economic trees also helps to preserve and restore soil carbon and soil fertility during the fallow period.

The expansion of this form of agriculture can be seen to be closely linked to the growth in the rural population as it is heavily labour driven. These traditional systems of cultivation are, however, changing with increasing population density, increased mechanisation, increased access to agricultural inputs (fertiliser, insecticides and pesticides) and increasing levels of commercialisation all resulting in the expansion of permanent or semi permanent crop land with very limited tree cover and very short fallow cycles. These changes are most prevalent close to urban areas as well as areas with higher population densities. The Upper East, where population densities are the highest, has already shown a transition to very low levels of tree cover and almost permanent cultivation while areas surrounding Tamale have transitioned to an extensive agricultural system of large fields ploughed by tractors with very limited tree cover.

**4. GSLRP Area and Site Locations**

The project aims to work about 30,000 beneficiaries. The map below (Figure 1) highlights in yellow the proposed regions where project activities will be implemented. The administrative boundaries are provided in Figure 2.



**Figure 1: Project sites for the GSLRP**

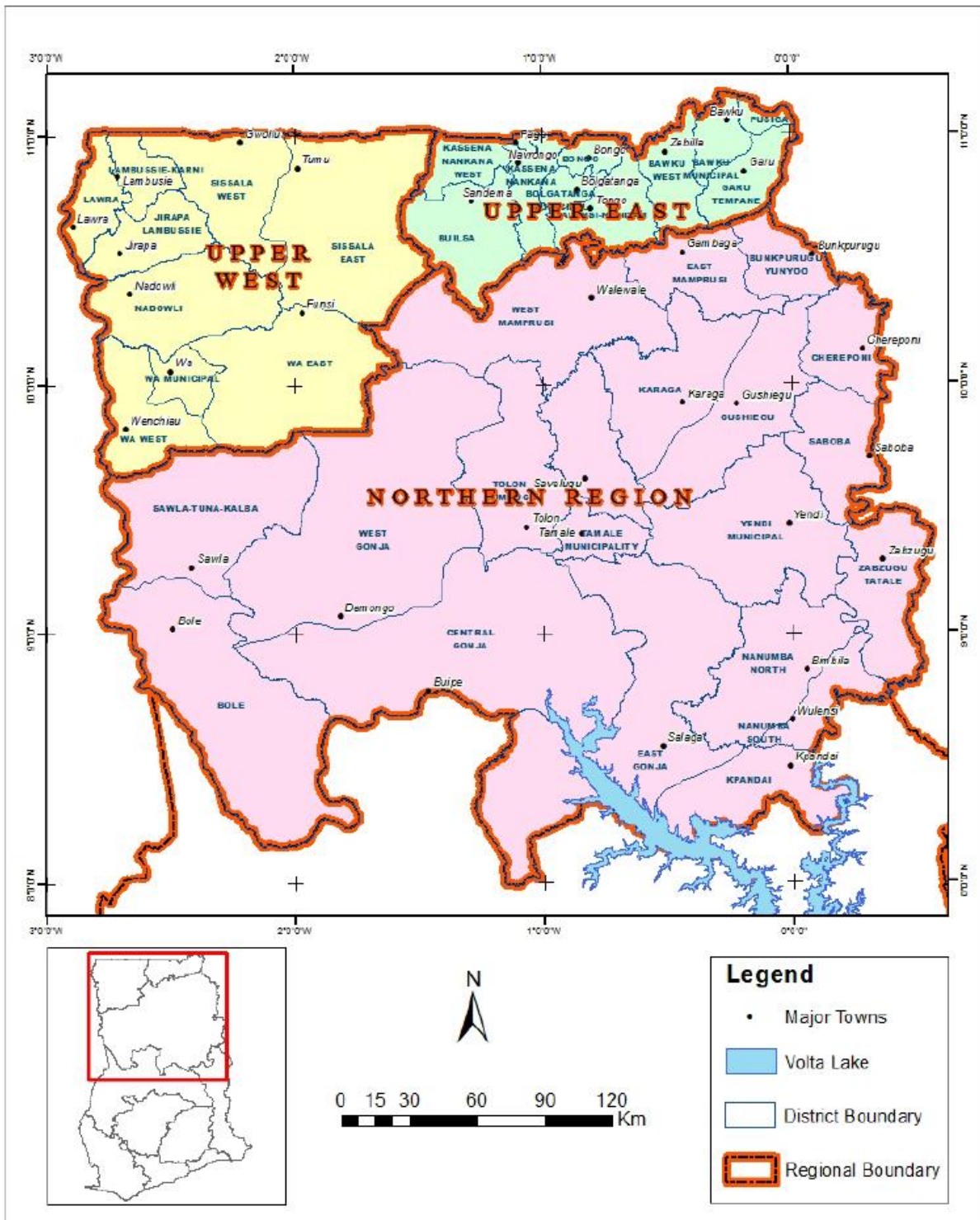


Figure 2 District and Regions in Northern Ghana

Source: Research Gate

Gate: [https://www.researchgate.net/figure/Map-Depicting-Northern-Ghana\\_fig1\\_269991172](https://www.researchgate.net/figure/Map-Depicting-Northern-Ghana_fig1_269991172)



### 5. Ethnology of the Northern Regions<sup>18</sup>

Northern Ghana has a number of different peoples speaking a variety of related languages and exhibiting considerable cultural similarities. See Table 8 below.

**Table 8: Traditional Areas and Major Ethnic Groups within the Corridor**

No.	District	Traditional Area	Major ethnic groups
1	Kasena Nankana West	Nakong, Katiu, Chiana and Kayoro	Kasena (Grusi)
2	Sissala East	Banu, Tumu, and Welembelle	Sissala and Kasena (Grusi)
3	Builsa North	Builsa	Builsa
4	Builsa South	Builsa	Builsa
5	Mamprugu Moagduri	Wungu	Mamprusi, Kantosi and Komma,
6	Wa East	Sing and Busa	Wala, Dagaaba, Sissala and Chakali
7	Daffiema-Bussie-Issa	Daffiema, Bussie, and Issa	Dagaaba and Sissala
8	Sissala West	Gwollu and Zini	Sissala and Dagaaba
9	Kasena Nankana East	Navrongo, Naaga, and Kologo	Kasena (Grusi) and Nankana

**Note:** Other ethnic groups in smaller populations include Akan, Ewe, Moshie and Fulani (GSS, 2010)

Some of these peoples claim to be autochthonous while others like the dominant or aristocratic lineages among the Dagomba, Mamprusi and Gonja claim descent from warrior immigrant groups that invaded the area and imposed their rule over the indigenous peoples. They intermarried with these peoples whose daughters they took as wives and whose languages and social norms they eventually adopted.

Their traditions of foreign origin and the associated exploits remain and are recited by professional court drummers and fiddlers. These have been recorded by modern historians. Thus, in the traditional states of Northern Ghana migrant groups and indigenes coexist. On ritual occasions the differentiation may be dramatized in rituals which highlight complementation and opposition. Migrant groups, usually the conquering minority have often adopted the local languages and absorbed the social features of the indigenes among whom they found themselves. The integration has in many cases been so effective that a visitor, unless told, could not possibly guess the differences.

<sup>18</sup> Awedoba, A.K The people of Northern Ghana. Accessed <http://lagim.blogs.brynmawr.edu/files/2015/03/The-Peoples-of-Northern-Ghana.pdf>

The social organization of the peoples of Northern Ghana is informed by patrilineal descent ideologies which differentiates these people from the Akans of Southern Ghana. There are however differences in the application of patrilineal norms. Corporate groups of kin or relatives exist whose members trace putative ties to common ancestors. Property rights and succession to traditional positions would be based largely on paternal ties. Sons succeed fathers or if there are no sons, siblings succeed and inherit property. Northern peoples - Dagomba and Gonja and a few others seem to accord more or less equal importance to relationships traced to maternal and paternal relatives. Among the Dagomba extended family groups have been identified which bring together individuals who are related by either maternal or paternal ties or a combination of both.

The Chief from the Northern Region, sits on a pile of skins unlike his southern counterpart. It is therefore customary in Ghana to refer to the skin politics of the North where chiefs are 'enskinned' or enrobed rather than 'enstooled', as is the case in southern Ghana. In a number of respects Northern chieftaincy differs from what occurs in the south of the country.

Succession is patrilineal rather than matrilineal. In a few communities (for example Gonja) offices equivalent to queen motherhoods were traditionally recognized but not in the majority of Northern communities. The office of magazia (a term of Hausa origin) is the local women's leader. She is elected and need not have kinship connections to the chiefs. There are however female chiefs among the Dagomba and Mamprusi groups. In many communities the office of Tendaana coexists with that of chief. It is suggested that Tendaana predated the institution on chieftaincy in most parts of the North. While chiefly families do not claim any autochthonous status Tendaana lineages often do. Tendaana are essentially priestly figures who supervise ritual activities concentered on the earth. In addition to their priestly duties or as a consequence, they usually serve land owners who apportion land for building and farming purposes. These rights have been taken over by chiefs in some communities

Source: Awedoba, A.K The people of Northern Ghana. Accessed <http://lagim.blogs.brynmawr.edu/files/2015/03/The-Peoples-of-Northern-Ghana.pdf>

### 6. Regulations and Requirements

Stakeholders 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. Therefore, as part of the stakeholder engagement process, information will be disclosed to ensure that project stakeholders have access to relevant information. Specifically, the following information be made available:

- Stakeholder engagement plans and summary reports of stakeholder consultations,
- Social and environmental screening reports with project documentation (30 days prior to approval),
- Draft social and environmental assessments, including any draft management plans (30 days prior to finalization),
- Final social and environmental assessments and associated management plans,
- Any required social and environmental monitoring reports.

In addition, the project will leverage the Stakeholder Consultation and Participation Plan (C&P) developed and widely used by the Forestry Commission. The C&P Plan took lessons learned from consultations carried out as part of the Voluntary Partnership Agreement (VPA), the Natural Resource and Environmental Governance (NREG) sector programmes and Ghana's REDD+ readiness and preparatory phases, building on the use of Civil society platforms such as Forest Forums at national, regional and local levels for consultation and engagement with communities and other stakeholders.

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.

UNDP's Social and Environmental Standards (SES) will apply to the project, which include requirements related to meaningful stakeholder engagement, public disclosure, and grievance mechanisms. The SES are considered to be in line with the requirements of GCF as lender.

### Box 1. Summary of UNDP SES Requirements of Stakeholder Engagement

- Ensure meaningful, effective and informed participation of stakeholders in the formulation and implementation of UNDP Programmes and Projects, providing stakeholders opportunities to express their views at all points in the Programme and/or Project decision-making process on matters that affect them (SES, para. 21; SES, Policy Delivery Process (PDP), paras. 12, 14)
- Ensure that stakeholder analysis and engagement are conducted in a gender-responsive, culturally sensitive, non-discriminatory and inclusive manner, identifying potentially affected vulnerable and marginalized groups and providing them opportunities to participate (SES, PDP, 12).
- Develop appropriately scaled stakeholder engagement plans. The scale and frequency of engagement will reflect the nature of the activity, magnitude of potential risks and adverse impacts, and concerns raised by affected communities (SES, PDP, paras. 13, 15).
- Meaningful, effective and informed consultation processes need to meet specified criteria (SES, PDP, para. 14)
- Ensure that stakeholders who may be adversely affected by the project can communicate their concerns and grievances (SES, PDP, paras. 17, 18)
- For projects that affect rights, lands, territories, resources, and traditional livelihoods of indigenous peoples, ensure free, prior informed consent (FPIC) (SES, PDP, para. 16, SES, Standard 6, para. 9)
- Provide ongoing reporting to affected communities and individuals for projects with significant adverse social and environmental impacts (SES, PDP, para. 25)
- Undertake measures to ensure effective stakeholder engagement occurs where conditions for inclusive participation are unfavourable (SES, PDP, para. 12)

The following definitions and concept will be applied for the Stakeholder Engagement process:

**Stakeholders:** Stakeholders are persons, groups, or institutions with an *interest* in the project or the ability to *influence* the project outcomes, either positively or negatively. Stakeholders may be directly or indirectly affected by the project. The range of potential stakeholders is diverse and may include target beneficiary groups, locally affected communities or individuals, national and local government authorities, civil society actors, including non-governmental organizations (NGOs) (both domestic and at times international), indigenous peoples, politicians, religious leaders, the academic community, private sector entities, workers organizations, UN agencies and donors, and other special interest groups. Importantly, stakeholders may include groups opposed to proposed interventions. The “stake” that each of these different groups has in the project will vary.

**Stakeholder analysis:** Stakeholder analysis is the process of identifying a project's key stakeholders and assessing their interests in the project and the ways in which these stakeholders may influence the project's outcomes. An understanding of power relations and potential alliances and conflicts among stakeholders is necessary. Stakeholder analysis provides the foundation for planning stakeholder engagement throughout the project cycle.

**Stakeholder engagement:** Stakeholder engagement is an overarching term that encompasses a range of activities and interactions with stakeholders throughout the project cycle. The SES defines stakeholder engagement as an ongoing process that may involve, to varying degrees, the following elements:<sup>19</sup>

- Stakeholder analysis and planning
- Disclosure and dissemination of information
- Consultation and meaningful participation
- Dispute resolution and grievance redress
- Stakeholder involvement in monitoring and evaluation
- Ongoing reporting to affected communities and other stakeholders.

The intensity and scale of stakeholder engagement will vary with the type of project, its complexity, and its potential risks and impacts. It starts early in project planning and spans the entire life of the project.

**Information Disclosure:** Information disclosure here refers to the provision of timely, accessible information regarding the project and its potential social and environmental impacts to stakeholders in order to facilitate their meaningful, effective and informed participation in project design and implementation. The SES contain requirements for the disclosure of screening reports; draft and final social and environmental assessments and management plans; and any required social and environmental monitoring reports.

**Free, prior and informed consent (FPIC):** At the earliest stage of project conceptualization and design, and iteratively throughout implementation and closure, mechanisms need to be identified and implemented to guarantee the meaningful, effective and informed participation of indigenous peoples on all matters.<sup>20</sup> Culturally appropriate consultation will be carried out with the objective of achieving agreement, and FPIC will be ensured on any matters that may affect the rights and interests, lands, resources, and territories.

## 7. Types and levels of stakeholder participation

The nature, scope and frequency of stakeholder engagement needs to be proportionate to the nature and scale of the project, its potential risks and impacts, and the level of stakeholder concern. The extent to which the project may impact various stakeholder rights and interests and the power and influence of certain stakeholders will affect needed engagement strategies and approaches. Stakeholder analysis, together with project screening and assessment of social and environmental risks, assists in developing appropriate engagement strategies for different stakeholder groups, which will then be further articulated during Project implementation.

**Table 9: Identification of Key Stakeholders and Modes of Engagement**

Stakeholder Group	Mode of Engagement
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<sup>19</sup> UNDP, Social and Environmental Standards (SES), Policy Delivery Process and Accountability, para. 12.

<sup>20</sup> This means affecting indigenous peoples regardless of (i) whether the Project is located within or outside of the lands and territories inhabited by the indigenous peoples in question, (ii) whether or not title is possessed by the affected indigenous peoples over the lands and territories in question, or (iii) whether the indigenous peoples are recognized as indigenous peoples by the country in question. (See Standard 6, Indigenous Peoples, para. 3.)

<p><b>Forestry Commission</b></p> <p>Forestry Commission (FC) is the government institution responsible for the sustainable management of Ghana’s forest and wildlife resources. The Climate Change Unit of the FC established in 2007, and recently elevated to a Directorate has the mandate to manage forestry-sector initiatives related to climate change adaptation and mitigation, including REDD+. It hosts the National REDD+ Secretariat, which is responsible for coordinating Ghana’s REDD+ process.</p>	<p>The Forestry Commission is the lead implementing institution or the executing entity.</p>
<p><b>Global Shea Alliance</b></p> <p>Responsible party for output 2.</p>	<p>Deliver output 2.1 and 2.2 with partners.</p> <p>GSA will also utilise their <a href="#">Community Engagement</a> best practices in the implementation of the activities.</p>
<p><b>UNDP</b></p> <p>Responsible Party</p>	<p>UNDP standards and guidelines</p>
<p><b>Ministry of Lands and Natural Resources (MLNR)</b></p> <p>As parent ministry of the Forestry Commission, the MLNR is responsible for policy formulation and coordination to ensure the sustainable management and utilization of the nation’s lands, forests and wildlife resources. The Ministry is headed by a sector Minister, with directors responsible for technical work including forestry and policy coordination.</p>	<p>The MLNR will be engaged more directly on issues of tenure reforms, including tree tenure to support the CREMAs, forest fiscal reforms to provide financial incentives for the sustenance of the CREMAs. Several strategic and focus group engagements with the Ministry and the relevant units will be fully fleshed out during the project implementation phase.</p>
<p><b>Individual (direct) beneficiaries</b> – they will be directly involved with the project activities implementation, as well as education / awareness raising programmes.</p> <p>This group will be constituted by women and men covering the full spectrum of interest and type of stakeholder</p>	<p>The full range of methods required will be used, but where necessary, targeted workshops and meetings may be most effective to communicate and discuss with certain groups. Additionally, engagement methods will integrate a gender and participatory approach, to ensure direct individual beneficiaries, including those from more marginalized groups (e.g. women, ethnic groups, youth, etc.), are actively and equitably engaged. Further communication through the development of information documents specifically aimed at the various levels of capacity encountered, will represent another key engagement tool.</p>
<p><b>Affected communities</b> – as for direct beneficiaries, these communities will be groups contributing towards the project activities either by implementing them or by being beneficiaries of education and awareness raising campaigns</p>	<p>As above</p>

<p><b>Local organizations, community based organisations and local NGOs</b> with respect to training considered as direct supporters of the awareness raising campaigns and if deemed of insufficient capacity, will receive additional capacity building.</p>	<p>As for communities (as described above), there will be a range of situations and engagement of local organizations representing women and youth, with various levels of capacity and access to own funding sources.</p>
<p><b>Women’s co-operatives</b> and their communities</p>	<p>The engagement by private sector companies and NGOs will be in line with the GSA “Best Practices in Community Engagement Manual” (includes guidelines on community assessment, community mobilization and empowerment, partnership building, expectation management)</p>
<p><b>National and regional NGOs</b> – a range of NGOs is considered as key direct partners to observe the implementation process as well as to assist on the ground with activities and supervision if required. Capacity building will be provided if required in some instances.</p> <p>(KASA, Forest Watch, Forest Forum, NCRC, IUCN, A Rocha, SNV, Tropenbos, Civic response, Solidaridad etc)</p>	<p>Community-based, national, and regional NGOs will be engaged to form partnerships with private companies to implement the project on the ground. Support will be given by the GSA to train and facilitate the different partnerships. Support will also be given to provide information and disseminate best practices through the GSA manual on parkland management best practices, newsletters, member snapshots, conferences, and workshops. The partnerships with especially national and regional NGOs will be strengthened and utilized to receive feedback on project implementation, its impacts especially to vulnerable and marginal groups in order to inform changes in project approach as appropriate and in line with the broad objectives of the project. The project will leverage multi-stakeholder and NGO platforms and process already in place such as the forest forums, NGO annual review meetings, Annual NREG Sector Reviews to disseminate information on project progress and impacts, and seek feedback to improve project implementation and reduce negative impacts.</p>
<p><b>Regional and Local government authorities</b> – Metropolitan Municipal and District Assemblies (MMDAs). Through the decentralized governance system, the MMDAs execute government business at the regional and local levels, through the various decentralized government institutions. The relevant</p>	<p>The MMDAs play an important role, in providing technical expertise, for example through the Business Advisory Centers for support business development of the CREMAs, the development of land use and spatial plans, by-laws for the CREMAs among others.</p>

<p>MMDAs in the NSZ will be engaged for this purpose in furtherance of the project objectives.</p>	
<p><b>Traditional Authorities</b> Custodians of land in Ghana and they will help enforce by-laws in the programme area.</p>	
<p>Traditional Authorities Custodians of land, Traditions and culture in Ghana and they will help enforce by-laws in the programme area. In Ghana Traditional Authorities are respected institutions that hold influence, and are important change agents.</p>	<p>The Traditional Authorities will be engaged throughout the project implementation, especially regarding the development of communication materials building on indigenous knowledge of shea propagation and protection, fire management, as well as support for the development and enforcement of by-laws for the CREMAs.</p>
<p><b>Private sector “value chain” associations and organizations</b> – these are the structures that connect local level producers to the buyers of goods represented by the private sector companies. These structures represent activity specific value chains and may at times act as a buffer between the producers and the buyers of goods. Technical support to improve their efficiency and capacity as well as improving their ability to motivate changes within their structures and members attitudes will represent a key feature of the project activities.</p>	<p>Same as above.</p>
<p><b>Academic and research institutions</b> that will conduct research related to the project – a range of key topics will be the basis of the various types of training that will take place. Capacity in the form of access to reference material, access to research equipment and research funds will be key. Ad hoc additional training may be required.</p>	<p>These will be key institutions that will provide support with the development of appropriate training materials and approaches for the various activities foreseen by the project</p>
<p><b>Religious groups</b> Religious groups play important roles for development and change in the society. Notable groups including Muslims Associations, Catholics Bishops Conference, branches of the Ghana Pentecostal Council, Christian Council of Ghana in the NSZ play important roles for education, sensitization and enforcement of by-laws on the environment.</p>	<p>Members of these groups may be requested to be part of the dispute resolution team set up for GSLRP.</p>
<p><b>Local media providers</b>, and especially rural radio–these structures will provide support to reach the project beneficiaries in general and ensure stakeholder groups are effectively informed of important subjects. Support in the form of technical</p>	<p>Rural radio and appropriate methods of communication will make up an integral part of the communication campaign on fire management.</p>

<p>improvements to their operations as well as education, awareness raising, capacity building may be required.</p>	
<p><b>Public sector agencies in charge of implementation</b></p> <p>Ministry of Environment Science Technology and Innovations, Ministry of Food and Agriculture, Ministry of Finance and Economic Planning, Environmental Protection Agency, Energy Commission, NADMO, COCOBOD)</p>	<p>The relevant sector agencies will be engaged at different stages of the project implementation in furtherance of the project objectives and actions. Ministry of Finance will be engaged during discussions on fiscal reforms that will sustain the CREMAs, including introduction of tax incentives among others. Ministry of Food and Agriculture will be engaged specifically to support the operationalization of the communication plan on shea through their extension agents. Other Ministries and agencies whose mandate and activities relates to the project activities will be engaged during the implementation phase, through a detailed analysis and mapping of activities in the NSZ, and possible areas of collaboration to avoid duplication and sustain project intervention.</p>

Two distinct phases will take place for the planned stakeholder engagement process related to the GCF project:

**Inception** - once the project is initiated and a project team has been recruited and is in place

- An inception workshop held with stakeholders to develop the annual plan and to work through the approved project design, understand roles and responsibilities in the project ranging from including stakeholder engagement during project implementation, monitoring, communications, reporting, and conflict resolution and grievance redress.
- Initial contact with stakeholders is made to identify the stakeholders that will be the actors and beneficiaries of the project in the first six months. This phase will include the environmental and social impact assessment process, as specialists will be travelling to the planned regions and presenting the final approved version of the project as well as the go through a process to assess the social and environmental risks associated with the planned measures and to finalise the environmental and social management plan.
- The rules of engagement regarding gender and minority groups will be disclosed and presented as per the gender assessment and action plan, as well as the processes that will require the development of contracts and various other obligations leading to a clear understanding and acceptance of roles and responsibilities.

**Implementation** - the project is activated and will require its own stakeholder engagement approach. The methods will vary depending on the stakeholders and a preliminary summary is presented in the Table 9 above. In addition, through the annual adaptive management reviews, the project will also engage different stakeholders to review the entire process relating to the implementation of different outputs (especially for the CREMAs and the fire management), identify shortfalls and address them in subsequent years of implementation.



## Annexures

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Annexure 1. Indicative Outline for ESIA Report

Annexure 2. Indicative Outline for ESMP

Annexure 3. Sample ToR for Project-level Grievance Redress Mechanism

Annexure 4. Guidance for Submitting a Request to UNDP SECU and/or SRM

Annexure 5. Indicative Outline for Biodiversity Action Plan

Annexure 6. Indicative Outline for Livelihood Action Plan

Annexure 7. Guidance and Indicative Outline on Stakeholder Engagement Plan

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## Annexure 1. Indicative Outline for ESIA Report

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

The key stages of an ESIA process are summarized in Table A and elaborated further below.

**Table A. Summary of the ESIA Process**

Stages	Steps/main tasks within each stage
<p><b><u>Stage 1: Scoping</u></b></p> <p><b>Key components:</b> Where initial studies and analysis have not been conducted, it is important to undertake a scoping exercise early in the assessment process (i) to identify and focus the social and environmental assessment on key issues, and (ii) to establish a logical roadmap for the assessment process.</p>	Determine the social and environmental issues to be addressed, spatial and temporal focus, data and information needed and level of analysis required to assess the impacts
	Determine data availability
	Consultations with stakeholders, partners, and project-affected communities and development of stakeholder engagement plan
	Prepare ToR for the ESIA
<p><b><u>Stage 2: Conducting the ESIA</u></b></p> <p><b>Key components:</b> Based on a clearer definition of the project to be implemented, collect necessary data/information and assess full range of impacts and examine project alternatives. Report the results of the assessment and make a draft available publically for consultation.</p>	Further detail and define the proposed project
	Develop baseline environmental and social information
	Review policy, legal/regulatory and institutional framework
	Examine project alternatives and revise project design
	Analyze and evaluate impacts
	Prepare ESIA Report
<p><b><u>Stage 3: Preparing an environmental and social management plan</u></b></p> <p><b>Key components:</b> Based on relevant findings of the assessment and the results of consultations with the project stakeholders, define measures that will be needed to, <i>inter alia</i>: avoid, and if avoidance is not possible, minimize, mitigate and manage expected adverse impacts of the project (per the mitigation hierarchy); monitor impacts and mitigation options/measures; build capacities, and communicate results of the environmental and social management plan (ESMP).</p>	Define social and environmental impact mitigation actions/measures per the mitigation hierarchy
	Detail social and environmental monitoring to be conducted during project implementation
	Develop a plan to assess and build capacity to implement the environmental and social management plan and other project environmental and social components
	Disclose draft ESIA and ESMP and develop a plan to communicate progress with implementation and effectiveness of the

Stages	Steps/main tasks within each stage
	environmental and social management plan
<p><b>Stage 4: Appraising an ESIA/ESMP and Integrating Management Measures in Project and Budget</b></p> <p><b>Key components:</b> Appraisal should ensure that the ESIA/ESMP provides information required for decision-making and that proposed actions are designed to meet national/local regulations and requirements of UNDP SES. Recommendations of ESIA/ESMP need to be adequately incorporated into project design, work plans and budget.</p>	<p>ESIA meets its terms of reference, both procedurally and substantively</p> <p>Provides an accurate and complete evaluation of the proposed project</p> <p>Describes specific mitigation, monitoring and capacity development measures that comply with applicable law, regulations, and UNDP SES</p> <p>Assesses capacity of institutions responsible for implementing social/environmental management</p> <p>Developed through a consultative process with strong stakeholder engagement</p> <p>Assesses the adequacy of costs and financing arrangements for social and environmental management implementation</p>

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.<sup>21</sup>

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

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

**(7) Mitigation Measures:** 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.

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<sup>21</sup> 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](http://www.ifc.org/ehsguidelines).

## Annexure 2: Indicative Outline for ESMP

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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.<sup>22</sup> 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.

**(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

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<sup>22</sup> 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.

Taking into account the relevant findings of the ESIA and the results of consultation with the project stakeholders, an Environmental and Social Management Plan (ESMP) needs to be prepared. The ESMP will be integrated into the overall project design, including the Project Monitoring Framework and Monitoring Schedule Plan.

The ESMP consists of a set of mitigation, monitoring and institutional measures, including policies, procedures and practices – as well as the actions needed to implement these measures – to achieve the desired social and environmental sustainability outcomes.

An ESMP may apply broadly across UNDP and Implementing Partner organizations for project implementation, or it may apply to specific sites, facilities, or activities relating to the proposed project. The ESMP may range from a brief description of routine mitigation and monitoring measures (e.g. for Moderate Risk projects with limited, readily identifiable potential impacts) to a series of specific plans as required by UNDP's Social and Environmental Standards (refer to specific requirements of applicable standards), including, for example, Resettlement Action Plans/Livelihood Action Plans, Biodiversity Action Plans. The level of detail and complexity of an ESMP and priority of the identified measures and actions will be commensurate with the proposed project's risks and impacts. All plans will contain specific monitoring measures.

The ESMP will define desired social and environmental management outcomes and specify social and environmental indicators, targets, or acceptance (threshold) criteria to track ESMP implementation and effectiveness. It will also provide estimates of the human and financial resources required for implementation and identify organizational structure and processes for implementation.

Recognizing the dynamic nature of the project development and implementation process, the implementation of an ESMP will be responsive to changes in project circumstances, unforeseen events, and the results of monitoring.

An ESMP will consist of separate sections on:

1. Social and environmental impact mitigation;
2. Social and environmental sustainability monitoring;
3. Capacity development;
4. Stakeholder engagement;
5. Implementation action plan.

## Annexure 3. Sample ToR for Project-level Grievance Redress Mechanism

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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.

### 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);
- (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:

- (a) the name of the individual or individuals making the Complaint (the "Claimant");
- (b) a means for contacting the Claimant (email, phone, address, other);
- (c) 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;
- (d) the description of the potential or actual harm;
- (e) 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);
- (f) what has been done by Claimant thus far to resolve the matter;
- (g) whether the Claimant wishes that their identity is kept confidential; and
- (h) 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.<sup>23</sup>

Each Grievance file will contain, at a minimum:

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<sup>23</sup> Oral acknowledgments can be used for expediency (and also recorded), but must be followed by a written acknowledgment.

- 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.

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:

- (iii) measures that can be taken by the Government to avoid future harms and Grievances; and
- (iv) 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 Fulani and other communities' culture and practices and those of other vulnerable groups and minorities;
- [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.

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## Annexure 4. Guidance for Submitting a Request to UNDP SECU and/or SRM

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*Empowered lives.  
Resilient nations.*

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

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#### 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](mailto:project.concerns@undp.org)



## Annexure 5. Indicative Outline for Biodiversity Action Plan

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### 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.

**(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

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## Annexure 6. Indicative Outline for IP plan

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

The project may affect migrant or transient populations that are termed as minorities such as Fulani Herders migrating or share-croppers in the NSZ. If the proposed Project may affect the rights, lands, resources or territories of these communities, An IP plan will need to be articulated. The UNDP SES guidelines for Indigenous People's are consistent with the GCF's IP Policy as follows;

The proposed measures and actions will be developed in collaboration with the potentially affected groups and contained in a time-bound plan that is culturally appropriate.

Where there are potential impacts on these groups, UNDP will in conformity with the GCF IP policy prepare an Indigenous People's Plan.

The scope and scale of the IPP will be proportionate to the potential risks and impacts of the project and will focus on the resource tenure, access and rights.

The IPP will complement the social assessments of the project and programmes proposed for GCF financing and provide guidance on specific issues related to addressing the needs of the affected indigenous peoples.

The format and title of the IPP will be adjusted as appropriate to the project or state context and will reflect any the alternative terminology – minorities. An IPP will include the following elements: (a) Baseline information (from independent and participatory environmental and social risks and impacts assessment processes); (b) Key findings and analyses of impacts, risks and opportunities; (c) Measures to avoid, minimize and mitigate negative impacts, and enhance positive impacts and opportunities; (d) Community-based natural resource management; (e) Results of consultations (during environmental and social risks and impacts assessment processes), including a list of people and organizations that participated, a timetable, who was responsible for each activity, the free, prior and informed consent, and future engagement plans;

The project is already developing or has developed a (f) Gender assessment and action plans; (g) Benefit sharing plan; (i) Grievance redress mechanisms; (j) Costs, budgets, timetables, organizational responsibilities; and (k) Monitoring, evaluation and reporting which incorporate risk management measures and issues affecting minority groups

### Participation, Consultation, and FPIC Processes

- i. A summary of results of the culturally appropriate consultation and, where required, FPIC processes undertaken with the affected communities which led to the minority group communities' 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).

## Annexure 7. Indicative Outline for Livelihood Action Plan

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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.
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 Fulani and other migrant 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

## Annexure 8. 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 will help ensure that the plan addresses key issues and components.

Key questions for developing a stakeholder engagement plan <sup>24</sup>	
<i>Who</i>	<ul style="list-style-type: none"><li>✓ Which stakeholder groups and individuals are to be engaged based on the stakeholder analysis?</li><li>✓ Have potentially marginalized groups and individuals been identified among stakeholders?</li></ul>
<i>Why</i>	<ul style="list-style-type: none"><li>✓ Why is each stakeholder group participating (e.g. key stakeholder objectives and interests)?</li></ul>
<i>What</i>	<ul style="list-style-type: none"><li>✓ What is the breadth and depth of stakeholder engagement at each stage of the project cycle?</li><li>✓ What decisions need to be made through stakeholder engagement?</li></ul>

<sup>24</sup> As modified, see Asian Development Bank (ADB), Strengthening Participation, p. 43.



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

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.<sup>25</sup> 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.<sup>26</sup>

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).

The table 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.

<sup>25</sup> Practical Approaches to Ensuring the Full and Effective Participation of Indigenous Peoples in ReDD+ (September 2013), BMZ, FPCP, UN-ReDD, p.12.

<sup>26</sup> IFC Stakeholder Engagement, p. 101.

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 Plan<sup>27</sup>

### 1. Introduction <sup>[1]</sup><sub>[SEP]</sub>

- Briefly describe the project including design elements and potential social and environmental issues. Where relevant, include maps of the project site and surrounding area. <sup>[1]</sup><sub>[SEP]</sub>

### 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

<sup>27</sup> 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 <sup>[1]</sup><sub>ISEP</sub> stakeholders are beneficiaries and project-affected communities, local organizations, NGOs, and government authorities, migrant communities; 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: <sup>[1]</sup><sub>ISEP</sub>
  - 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 migrant or sharecropper communities
- 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 programmes

## 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 9: Feedback and Grievance Redress Mechanism Structure and Operational Guidelines

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Draft operational guidelines for addressing forest and REDD+ related grievances have been developed in consultation with key stakeholders, and a final version has been completed, which will receive broader national stakeholder validation in the coming months.

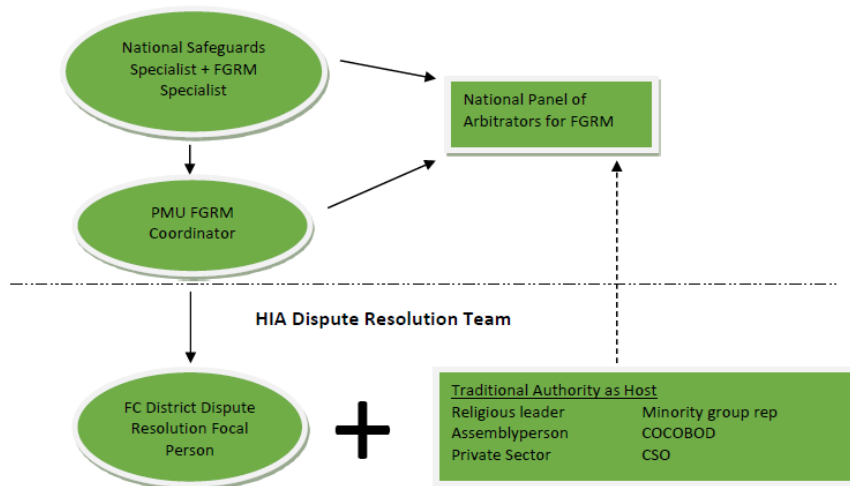
### **FGRM Structure**

To date, the existing practice is for forest users to report infringements of the principles and standards of the Forestry Commission Charter to the Customer Service Officers (CSO) at the FC's district offices and have them dealt with at this level. These complaints are limited to infringements of the provisions of the Charter and not forest grievances as a whole. In addition, recurring conflicts between FC officials and forest users make it imperative that the FGRM that is being created has autonomy and includes a wider array of mediation stakeholders. The project should set up a Dispute Resolution Team (DRT) made up of between 7 and 9 members. As much as possible the DRT will be gender sensitive and have a good representation of both men and women. It may be hosted by a respected representative of the Traditional Authority with jurisdiction in the area and co-convened with a trained FC Dispute Resolution Focal Person (DR Focal Person) at the FC district level. Other members can include (as appropriate) a respected religious leader, CSO and private sector representative, and the local Assembly Person to the District Assembly, and opinion leader representatives of marginalized or minority groups.

The DRT will sit on a regular basis to help resolve grievances. Should the body be unable to resolve any dispute, the grievance will be channeled to a 5-member panel of arbitrators at the national level. The rationale is not for the DRT and Focal Person to take over the role of chiefs in dispute resolution, but for it to complement their work while also ensuring that people's rights are respected and met. A PMU FGRM Coordinator and the National Safeguards Specialist will manage a roster of mediators and arbitrators who would be empanelled as and when disputes need to be addressed at the national level.

An FGRM desk with an FGRM Specialist has been set up at the NRS with oversight from the National Safeguards Specialist. Together, they will oversee all aspects of FGRM trainings and implementation in the GSLRP, and in other programmes or localities in the future. They will also follow and support the amendment process, and ensure reporting on FGRM process and outcomes. At the level of the PMU, there will be a PMU FGRM Coordinator who oversee the process at the programme level and will be responsible for receiving complaints from the district DR Focal Person. FGRM forms have been developed by the consultant and there are efforts underway to synergize the FLEGT/VPA and FIP complaint forms as these programs are interlinked.

FGRM structure and operational bodies



## (HIA – Hotspot Intervention Area)

### FGRM Operational Guidelines

In order to effectively operationalizing the FGRM, training, continued capacity building, and a general broadening of understanding is required. The NRS will oversee trainings for the PMU FGRM Specialist, the identified national arbitrators, and the selected members of the DRTs on the FGRM, mediation and conflict resolution principles, forestry laws, and REDD+ and the GSLRP. The NRS and the PMU will also oversee negotiations with the Traditional Authorities and other key stakeholders and opinion leaders in each GSLRP to negotiate the adoption of this structure and process. As adoption of the FGRM moves forward as an amendment to the FC Act, the NRS Safeguard Specialist and the PMU FGRM Specialist will also ensure that learning from the piloting process is incorporated into the recommended amendment, and that the DRT s kept abreast of the legislative process and any prospective changes to the structure.

More broadly, from previous studies and surveys on capacity building needs in relation to REDD+, it is clear that despite extensive consultations at national, regional, district and local levels, there remains a gap in knowledge about REDD+ and climate change issues among stakeholders, like farmers and communities, and within sub-national institutions that include the district assemblies and the traditional authorities. Growing the understanding of communities and institutions within the target areas of the GSLRP on REDD+ and the ERP is important for enabling the implementation of the FGRM process. In order to fill the above gap, there is a plan to hold trainings at appropriate levels and locations aimed at expanding people's understanding and building the capacity of key institutions, organizations, bodies, and individuals. These include, relevant ministries and agencies, NGOs, private sector and other interest groups, local communities, district FGRM officers, DRT members, FC Range Supervisors, Metropolitan Municipal District Assembly members (MMDAs) within the ER Program area (once the consultancy is completed).

Broadly, the FGRM will be operationalized in six steps.

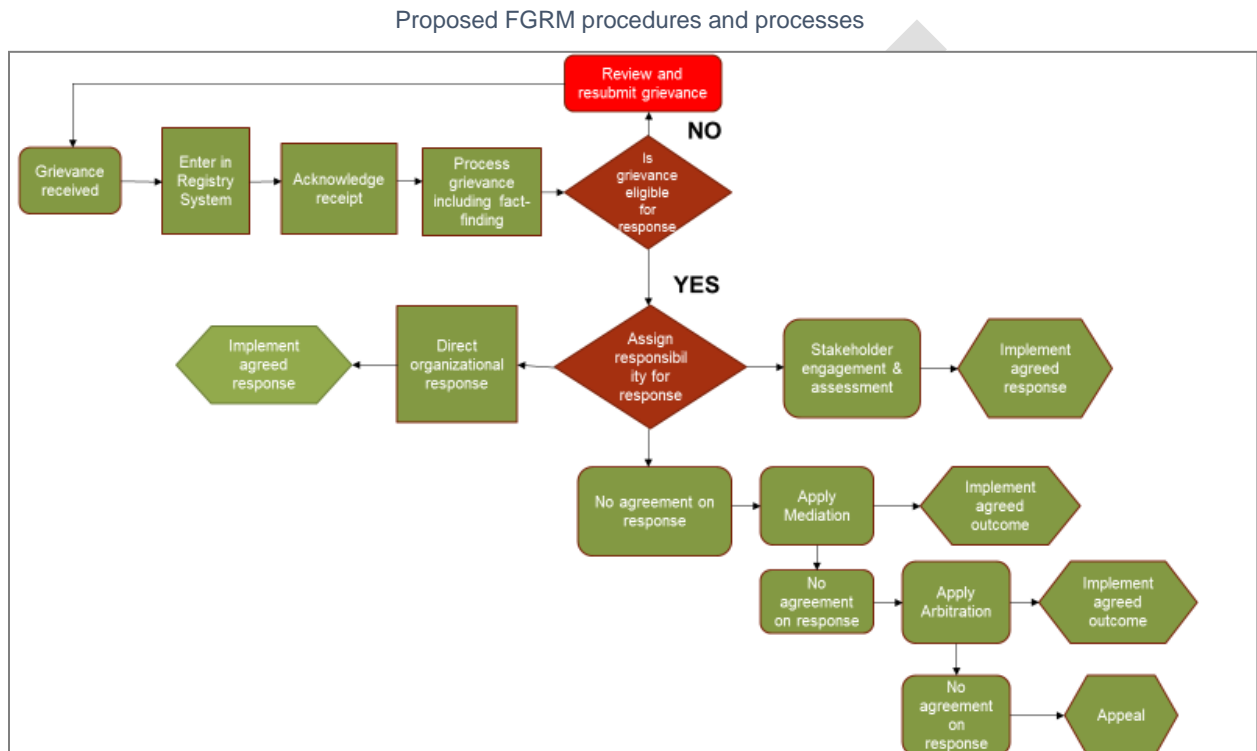
1. Parties seeking to have any REDD+ dispute resolved would file their complaint with the district or community FGRM officer within the ER project area where it will be received and processed.
2. If the parties are unable or unwilling to resolve their dispute through negotiation, fact finding or inquiry a mediator chosen with the consent of both parties would be assigned to assist the Parties to reach a settlement.
3. Where the mediation is successful, the terms of the settlement shall be recorded in writing, signed by the mediator and the parties to the dispute and lodged at the FGRM registry. The terms of the settlement will be binding on all parties.
4. If mediation is unsuccessful, the dispute resolution team will convene to mediate and resolve the grievance.

5. If the mediation is unsuccessful, the Parties will be required to submit their dispute for compulsory arbitration, by a panel of 5 arbitrators, selected from a national roster of experts. The panel of 5 arbitrators will be composed of a qualified arbitrator, a lawyer, a forestry/natural resource expert, a traditional authority and a governance expert with at least 1 of them being a woman.
6. The awards of the arbitration panel will be binding on the Parties and can only be appealed to the Court of Appeal. All questions of law would be referred to the High Court.

For the purposes of the FGRM, REDD+ related grievances and relevant issues include: disputes relating to activities being promoted under the programme; disagreements about land rights or tree tenure; disputes relating to benefit sharing arrangements; disputes relating to participation in decision-making processes; disputes relating to access to and user rights of land, trees, and forests; disputes related to gender inequality or migrant-local issues; and disputes related to access to resources. Examples of the nature of conflicts that might arise from the implementation of REDD+ is presented below.

- Land clearing for agriculture –It is possible that given the current trends, conflicts or disputes could still occur, possible between FSD, farmers, landowners, and/or local fringe-communities and migrants and share-croppers
- Tenure conflicts and/or boundary issues – The integration of GSLRP activities into existing tenure arrangements could result in new relationships or agreements between key actors like the state, traditional authorities and community stakeholders. If not carefully negotiated, it could create the potential for conflict. In addition, issues related to boundaries, land use, and user rights to tree and land could become more contentious and any latent conflicts or boundary disputes could be revived among traditional authorities, tenant farmers and landholders. If carbon rights are bundled with tree rights, then the existing confusion about tree ownership rights are likely to renew conflicts between the farmers, and landowners.
- Conflicts over tree rights Lessons from existing benefit-sharing schemes in the natural resource sectors and as a result of the implementation of early REDD+ pilot projects (for example, IUCN-Ghana’s work in Western Region) underscore the importance of well-defined tree tenure regimes with effective and equitable distribution of benefits. Especially in the initial months and year of implementation, as new tree tenure arrangements are implemented, there is the distinct possibility that conflict or disputes could arise.
- Benefit-sharing –As implementation begins perceptions of what benefits should accrue, to whom, and how could lead to conflicts. But even when the BSP is clear and agreement is reached at the local level, conflicts can still emerge over time. The FGRM will be important in helping to clarify issues and resolve conflicts.
- Gender Equality - Consistent with the National REDD+ Strategy, mainstreaming gender and equity concerns at all levels and in all decision making, is key. However, it is possible that groups who tend to carry less “power” within society (e.g. marginalized groups) such as women, children and migrants could feel that their interests are not adequately reflected in the decision-making process, in the implementation of activities or in the sharing of benefits. The FGRM would provide an avenue to address and resolve these concerns and grievances. The NRS recognizes that the FGRM consultation process has to be gender sensitive to guide the engagement process of these groups. The proposed FGRM process should also be transparent, impartial, safe, timely, accessible, and provide special attention to women, the poor and marginalized and/or vulnerable groups.
- Forest Access- Access to the forest and user rights have also been the cause of disputes that sometimes attract the intervention of the police, military and law courts for settlement and enforcement. Grievances about forest-user rights are also expressed on issues such as the illegal extraction of forest products, influence of elites, inequitable resource distribution and exclusion of resources to marginalized groups, including women.
- Access to resources- Access to resource, including farming packages, extension and training are important elements of the BSP. It is possible, that as implementation begins, farmers or communities could context their access to the resources laid out in the GSLRP and how effectively they have been shared.

The proposed FGRM procedures and modalities for implementation within the ER programme is shown in the figure below. There are different modes for receiving complaints from aggrieved persons at the local level. Complainants can either choose to register their grievance with a designated Traditional Authority, or with the FC district DR Focal Person. Once a complaint is registered and assessed, receipt of the complaint is acknowledged back to the complainant, and an action along the appropriate channel for resolution is proposed. If the complainant does not agree on the recommended action, then it goes for review. Records of each step should be kept and remain within defined time frames.



### Major Step 1: Receive and Register Complaints

- i. Anyone affected by the implementation of the GSLRP programme is competent to make a complaint.
- ii. All aggrieved persons with complaints related to GCRFP implementation should have the opportunity to register it with the TA or with the FC DR FP or FGRM desk at the national level.
- iii. The district level DR Focal Person shall receive and collate the grievances or concerns of a complainant.
- iv. Complaints can be received orally but must be recorded in writing by a representative of the TA or the district DR Focal Person.
- v. All complaints shall be recorded on a standard complaint form (FGRM Form A1) which must be submitted to the PMU FGRM Coordinator irrespective of whether the complainant is seeking redress or not.
- vi. Where the complainant is illiterate, the district DR Focal Person or another literate individual nominated by the complainant shall complete the FGRM Form A1, read to the complainant what has been written and have them sign or thumbprint to indicate their approval of the written account, after which the FGRM Officer will also sign.



- vii. A signed or thumb printed FGRM Form A1 is considered 'submitted' by the complainant. Where the complainant is a group/community/company, the person signing the complaint must be competent as a legal representative; however its own rules define it.
- viii. The FGRM officer who receives complaints orally or in writing must complete the FGRM Form A1, sign and register it in the official complaints record book, noting date of receipt, complainant, handling officer and assign a case ID within a day before submitting those details to the head office within 3 days
- ix. For purposes of uniformity, a case ID will follow the following format: District Code/year/00+number following in a chronological manner
- x. A completed form that has been assigned a case ID is considered 'received' and must be processed
- xi. Where there is a networked electronic registry accessible to the FGRM district DR Focal Person, the case shall be logged into the registry within 2 days
- xii. Thus the processes of receiving and registering complaints at the District FGRM office MUST not exceed 3 working days.

### **Major Step 2: Acknowledge, Assess and Assign**

- i. All complaints received must be assessed for eligibility using an eligibility criteria that ought to be developed, before they are processed through the FGRM and assigned official responsibility within 3 working days
- ii. The complaint, the reply and the decision on eligibility should be acknowledged, either through email, written letter, in person, telephone or, SMS
- iii. The decisions on eligibility and actions assigned must also be recorded in the official District complains record book.
- iv. In all cases, it is mandatory for the FGRM Form 2B to be completed
- v. The FGRM officer is responsible for the assessment of the complaint and the reply. They may co-opt other people for the purposes of the assessment to propose a response and the response shall be recorded on FGRM Form 2B
- vi. The party whom the complaint is made against (“responding party”) must be notified of the complaint against them and invited to reply within 7 working days of receipt of complaint.

### **Major Step 3: Propose Response**

- i. Based on the assessment report recorded in FGRM Form 2B, the grievance redress strategy (including a clear statement of what must be done, by who and within what time) proposed will be communicated to the Parties, either directly or through the submitting FGRM district DR Focal Person within 14 days of receipt of complaint.
- ii. The proposed action may involve negotiations between the Parties, direct actions by the FC or with other stakeholders to deal with the subject matter, or referral to an ADR process
- iii. The agreed action shall be communicated to the relevant officer/persons/institutions for implementation by completing the FGRM Form 3C directing the action to be taken, stating what should be done, who should do it, when it should be done and when a report is to be submitted.
- iv. In the event that mediation is proposed, the Parties will jointly select or agree on the method for selecting the mediator from the roster of mediators. In the absence of an agreement, the mediator will be chosen by the DR Focal Person.
- v. A memo shall be written by the District DR Focal Person within 3 days after receipt of consent of complainant to the proposed action.
- vi. Where the grievance has not been successfully resolved through mediation, the dispute will be referred for compulsory arbitration by the DR Focal Person.

- vii. In the compulsory arbitration, a 5-member ad-hoc panel<sup>28</sup> consisting of a qualified arbitrator, a lawyer, a forestry/natural resource expert, a traditional authority and a governance expert with at least 1 of them being a woman will be constituted.
- viii. Subject to the provisions of the Alternative Dispute Resolution Act, 2010 (Act 798), the panel shall be constituted by the parties or in absence of agreement, by the national coordinator of the FGRM from a roster of arbitrators maintained by the national coordinator.
- ix. Awards by the ad-hoc arbitration panel shall be in writing and binding on both parties

**Major Step 4: Closed Out**

- i. A dispute will be considered 'closed out' if the settlement terms have been implemented or a party files an appeal at the High Court, in which case the resolution of the case leaves the ambit of the prescribed FGRM
- ii. Where the dispute has been fully settled and the terms implemented, the dispute would be considered to have been effectively resolved and recorded as such in the district and national FGRM records/database.
- iii. Where one Party disagrees with the award, the Party may file an appeal at the Court of Appeal upon limited grounds such as on questions of law.

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<sup>28</sup> The membership here is revised from the panel contained in the 2014 DRM Report