

Background Information on United Nations Development Programme Environmental and Social Safeguards Policies and Procedures – 3 June 2011

Notes to reader:

- The gap filling commitments are based on the assumption that UNDP’s full costs of meeting the terms of the transfer agreement are covered by the FCPF administrative fee. In accordance with UNDP/OPB “Policy on Cost Recovery from Regular and Other Resources” dated 2 February 2009, UNDP is obligated to fully recover all of its costs, including those of its base structure, in providing services to initiatives such as the FCPF.
- The application of the Common Approach is valid only for the activities funded by FCPF resources. UNDP is not responsible for the social or environmental standard of any actions undertaken subsequent to, or as a result of, the FCPF R-PP grant.

<i>OPERATIONAL PRINCIPLES:<sup>1</sup> Environmental Assessment</i>	<i>UNDP Policies &amp; Procedures and/or Gap Filling Commitments</i>	<i>World Bank Policies &amp; Procedures on Environmental Assessment</i>
<b>A.ENVIRONMENTAL ASSESSMENT</b>	<p>UNDP’s Programme and Operations Policies and Procedures (POPP), for Programme and Project Management includes a policy statement requiring that environmental sustainability must be mainstreamed in UNDP’s Programme and Project Management cycles. In this regard, the POPP will be updated to include a required environmental screening procedure for projects to determine if further environmental assessment is required. The following will be ground-truthed prior to integration into the POPP:</p> <ul style="list-style-type: none"><li>• Guidance Note – Implementing Environmental Assessment for UNDP Projects, DRAFT (18 March 2011) (GN EA).</li><li>• Guidance Note – Implementation of Environmental Screening for UNDP Projects, DRAFT (18 March 2011) (GN ES).</li></ul> <p>United Nations Development Group (UNDG). Mainstreaming Environmental Sustainability into Country Analysis and the UNDAF: A Guidance Note for UN Country Teams and Implementing Partners Teams (2009).</p> <p>UNDP. Checklist for Quality Programming, (December 2007).</p> <p>UNDP. Framework for Mainstreaming Environment and Sustainable</p>	<p>OP 4.01 Environmental Assessment, BP 4.01 Environmental Assessment, OP 4.01 Annexes A, B, C</p>

<sup>1</sup> These “Operational Principles” are excerpted directly from Table A1 in OP 4.00, “Piloting the Use of Borrower Systems to Address Environmental and Social Safeguard Issues in Bank-Supported Projects” (Source: <http://go.worldbank.org/XFBVTIUDK0>). These Operational Principles are being used in this context to provide an overview of and a framework for analyzing the World Bank’s safeguards relevant for REDD+.

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<i><b>OPERATIONAL PRINCIPLES:<sup>1</sup></b></i> <i><b>Environmental Assessment</b></i>	<i><b>UNDP</b></i> <i><b>Policies &amp; Procedures and/or Gap Filling Commitments</b></i>	<i><b>World Bank Policies &amp; Procedures on Environmental Assessment</b></i>
	Development. Draft for Consultation (August 2010).	
<b>Overarching Objective:</b> To help ensure the environmental and social soundness and sustainability of investment projects and to support integration of environmental and social aspects of projects into the decision making process.		
<p><b>SCREENING</b></p> <p>1. Use a screening process for each proposed project, as early as possible, to:</p> <p>(a) determine the appropriate extent and type of environmental assessment (EA) so that appropriate studies are undertaken proportional to potential risks;</p>	<p>UNDP has endorsed a proposal to update the POPP with a mandatory environmental screening process for each proposed project, to be conducted prior to project appraisal. “Environment” is defined to include social issues. The environmental screening and assessment procedure will apply to all UNDP projects, including FCPF projects, when the POPP is amended.</p> <p>The environmental screening process is applied to determine whether or not a project has either (1) minimal/no environmental impact, or (2) potentially significant adverse environmental impacts. EA required for (2). (GN ES).</p> <p>In some cases, sufficient information may not initially be available about a proposed project to conduct an adequate project environmental screening in which case further environmental sustainability review will be performed as part of the screening process to make a final determination. (GN ES (2.4)).</p>	<p>OP, 8: “The Bank undertakes environmental screening of each proposed project to determine the appropriate extent and type of EA. The Bank classifies the proposed project into one of four categories, depending on the type, location, sensitivity, and scale of the project and the nature and magnitude of its potential environmental impacts.” (OP, 8) Categories: A, B, C, or FI (see definitions below).</p> <p>OP, 7: “Depending on the project, a range of instruments can be used to satisfy the Bank’s EA requirement: environmental impact assessment (EIA), regional or sectoral EA, environmental audit, hazard or risk assessment, and environmental management plan (EMP). EA applies one or more of these instruments, or elements of them, as appropriate.”</p>
<p><b>DIRECT/INDIRECT IMPACTS</b></p> <p>(b) assess direct, and, as relevant, indirect, cumulative, and associated impacts.</p>	<p>A Screening Template is employed to determine whether or not there are likely direct and indirect environmental and social impacts of a project, such as those related to large-scale infrastructure development (such as corridors, pipelines, dams, waste management systems), natural resource extraction and transport, agricultural development, energy, waste management and toxic substances facilities, etc. Includes evaluation of a projects impact on ecosystem functions, sensitive or important areas, livelihoods. Spatial and temporal scope includes primary and associated sites, cumulative, transboundary and global impacts, short and long term impacts. (GN ES)</p>	<p>OP, 2: “EA evaluates a project’s potential environmental risks and impacts in its area of influence....”</p> <p>OP Annex A.5: “Project area of influence: The area likely to be affected by the project, including all its ancillary aspects, such as power transmission corridors, pipelines, canals, tunnels, relocation and access roads, borrow and disposal areas, and construction camps, as well as unplanned developments induced by the project (e.g., spontaneous settlement, logging, or shifting agriculture along access roads). The area of influence may include, for example, (a) the watershed within which the project is located; (b) any affected estuary and coastal zone; (c) off-site areas required for resettlement or compensatory tracts; (d) the airshed (e.g., where airborne pollution such as smoke or dust may enter or leave the area of influence; (e) migratory routes of</p>

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		<p>humans, wildlife, or fish, particularly where they relate to public health, economic activities, or environmental conservation; and (f) areas used for livelihood activities (hunting, fishing, grazing, gathering, agriculture, etc.) or religious or ceremonial purposes of a customary nature.</p> <p>OP ft. nt. 1: “This policy applies to all components of the project, regardless of the source of financing.”</p> <p>OP Annex A.6: “Regional EA pays particular attention to potential cumulative impacts of multiple activities.”</p> <p>OP Annex A.8: “Sectoral EA pays particular attention to potential cumulative impacts of multiple activities.”</p>
<p>SECTORAL/ REGIONAL</p> <p>1.c. Use sectoral or regional environmental assessment when appropriate.</p>	<p>The GN ES includes a “scoping” phase where relevant EA approaches are identified. Regional EA, sectoral EA, or more general SEA can be selected at this point (GN ES).</p>	<p>OP, 7: “When the project is likely to have sectoral or regional impacts, sectoral or regional EA is required.”</p> <p>OP, 9: Sectoral: “If the Bank is not satisfied that adequate capacity exists for carrying out EA, all Category A subprojects and, as appropriate, Category B subprojects—including any EA reports—are subject to prior review and approval by the Bank.”</p> <p>OP Annex A.6: “Regional EA pays particular attention to potential cumulative impacts of multiple activities.”</p> <p>OP Annex A.8: “Sectoral EA pays particular attention to potential cumulative impacts of multiple activities.”</p>
<p>IMPACTS</p> <p>2. Assess potential impacts of the proposed project on physical, biological, socio-economic and physical cultural resources, including transboundary and global concerns, and potential impacts on human health and</p>	<p>“[EA} is a planning process to evaluate the environmental and social impacts of a proposed policy, plan, programme or project to ensure these considerations are factored into decision-making, design and execution. An EA identifies ways for preventing, minimizing, mitigating, or compensating for adverse consequences and for enhancing positive ones.” (GN EA (Annex A))</p> <p>Projects with potentially adverse environmental impacts are directed to analyze and evaluate impacts on:</p> <ul style="list-style-type: none"> <li>• Biological environment</li> <li>• Physical environment</li> </ul>	<p>OP, 3: “EA takes into account the natural environment (air, water, and land); human health and safety; social aspects (involuntary resettlement, indigenous peoples, and physical cultural resources); and transboundary and global environmental aspects.” “EA considers natural and social aspects in an integrated way.”</p> <p>TIMING OP, 3: “EA is initiated as early as possible in project processing...”</p> <p>BP, 7: “EA is an integral part of project preparation.”</p>

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safety.	<ul style="list-style-type: none"> <li>• Socio-economic conditions</li> <li>• Physical-cultural resources</li> <li>• Worker health and safety</li> <li>• Community health and safety</li> </ul> <p>Spatial and temporal scope includes primary and associated sites, cumulative, transboundary and global impacts, short and long term impacts (GN EA (4))</p>	
<b>LEGAL FRAMEWORK</b> 3. Assess the adequacy of the applicable legal and institutional framework, including applicable international environmental agreements, and confirm that they provide that the cooperating government does not finance project activities that would contravene such international obligations.	<p>“The EA and associated environmental management measures will comply with applicable environmental laws and regulations of the jurisdictions in which the project operates, including obligations under international laws.” (GN EA (2.1))</p> <p>A brief institutional analysis is a standard element of the EA.            Use of country safeguard systems is discussed in Section 2.3 (“Use of Partner Environmental Screening Processes and Tools”) of the GN ES.</p>	<p>OP, 3: EA “also takes into account the variations in project and country conditions; the findings of country environmental studies; national environmental action plans; the country's overall policy framework, national legislation, and institutional capabilities related to the environment and social aspects; and obligations of the country, pertaining to project activities, under relevant international environmental treaties and agreements. The Bank does not finance project activities that would contravene such country obligations, as identified during the EA.”</p>
<b>ALTERNATIVES</b> 4. Provide for assessment of feasible investment, technical, and siting alternatives, including the "no action" alternative, potential impacts, feasibility of mitigating these impacts, their capital and recurrent costs, their suitability under local conditions, and their institutional, training and	<p>“Projects with potentially adverse environmental impacts are subject to an examination of technically and financially feasible alternatives to the source of adverse environmental impacts, and documentation of the rationale for selecting the particular course of action proposed.” (GN EA (2.1))</p>	<p>OP, 8.a: “EA for a Category A project examines the project's potential negative and positive environmental impacts, compares them with those of feasible alternatives (including the "without project" situation), and recommends any measures needed to prevent, minimize, mitigate, or compensate for adverse impacts and improve environmental performance.”</p> <p>OP Annex B.2.f: “Systematically compares feasible alternatives to the proposed project site, technology, design, and operation--including the "without project" situation--in terms of their potential environmental impacts; the feasibility of mitigating these impacts; their capital and recurrent costs; their suitability under local conditions; and their institutional, training, and monitoring requirements. For each of the alternatives, quantifies the environmental impacts to the extent possible, and attaches economic values</p>

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monitoring requirements associated with them.		where feasible. States the basis for selecting the particular project design proposed and justifies recommended emission levels and approaches to pollution prevention and abatement.”
PPAH 5. Where applicable to the type of project being supported, normally apply the Pollution Prevention and Abatement Handbook (PPAH). Justify deviations when alternatives to measures set forth in the PPAH are selected.	UNDP does not apply the World Bank’s PPAH. Where applicable, pollution issues are addressed through application of the GN ES and GN EA.	OP, 6: “The Pollution Prevention and Abatement Handbook describes pollution prevention and abatement measures and emission levels that are normally acceptable to the Bank. However, taking into account borrower country legislation and local conditions, the EA may recommend alternative emission levels and approaches to pollution prevention and abatement for the project. The EA report must provide full and detailed justification for the levels and approaches chosen for the particular project or site.”
PREVENTION/MITIGATION 6. Prevent and, where not possible to prevent, at least minimize, or compensate for adverse project impacts and enhance positive impacts through environmental management and planning that includes the proposed mitigation measures, monitoring, institutional capacity development and training measures, an implementation schedule, and cost estimates.	<p>EA reports must include an Environmental Management Plan. EMPs must consist of separate sections on: environmental impacts mitigation, environmental sustainability monitoring, capacity development, communication and implementation action plan (including timeline, responsible parties, budget and source of funds).</p> <p>The EMP outlines the environmental mitigation measures to be taken, and monitoring that will be undertaken during project implementation. The EMP is incorporated into the Project Document.</p> <p>“The monitoring and mitigation provisions incorporated in the Project Plans and the Project Document will be implemented. Periodic site visit audits will be conducted to review the project’s environmental risks and impacts. Project environmental performance will be reviewed as reported in environmental monitoring reports, and, where relevant, performance improvement requirements or opportunities will be planned and implemented. If changed project circumstances result in adverse environmental impacts, the Project Manager will</p>	<p>OP, 2: “The Bank favors preventive measures over mitigatory or compensatory measures, whenever feasible.”</p> <p>OP, 5: The Bank advises the borrower on the Bank’s EA requirements. The Bank reviews the findings and recommendations of the EA to determine whether they provide an adequate basis for processing the project for Bank financing.”</p> <p>OP, 13: “When the borrower has inadequate legal or technical capacity to carry out key EA-related functions (such as review of EA, environmental monitoring, inspections, or management of mitigatory measures) for a proposed project, the project includes components to strengthen that capacity.</p> <p>OP, 2: “EA ... includes the process of mitigating and managing adverse environmental impacts throughout project implementation.”</p> <p>OP, 19: ““During project implementation, the borrower reports on (a) compliance with measures agreed with the Bank on the basis of the findings and results of the EA, including implementation of any EMP, as set out in the</p>



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	work to address them. The Risk Log will be updated to reflect results of the environmental risk monitoring.” (GN EA (4))	project documents; (b) the status of mitigatory measures; and (c) the findings of monitoring programs. The Bank bases supervision of the project's environmental aspects on the findings and recommendations of the EA, including measures set out in the legal agreements, any EMP, and other project documents.”  OP Annex C: The “EMP identifies monitoring objectives and specifies types of monitoring, with linkages to the impacts assessed in the EA report and the mitigation measured described in the EMP.”
<b>PARTICIPATION</b> 7. Involve stakeholders, including project-affected groups and local nongovernmental organizations, as early as possible, in the preparation process and ensure that their views and concerns are made known to decision makers and taken into account. Continue consultations throughout project implementation as necessary to address EA-related issues that affect them.	<p>The EA process requires public disclosure as part of the stakeholder engagement process. Section 3 – Steps 7 &amp; 10 outline the Stakeholder Engagement Plan (GN EA (3)).</p> <p>“Project stakeholder engagement is an ongoing process involving the disclosure of information to and consultation with project stakeholders....a plan for stakeholder engagement will be developed that will build and maintain over time a constructive relationship with project stakeholders. The nature and frequency of the engagement will reflect the project’s risks to and adverse impacts on the affected communities” (GN EA (3.10)).</p> <ul style="list-style-type: none"> <li>• Consultations required for projects identified as requiring EA.</li> <li>• Must consult stakeholders who will be affected directly or indirectly by the project and consider and respond to their views.</li> </ul> <p>Stakeholders contribute to the establishment of a “stakeholder engagement plan” to build and maintain a constructive relationship with stakeholders. The nature and scope of the engagement is determined by the risks and impacts associated with the project. The plan includes provisions (at a minimum) for information disclosure, consultation (including implementation issues), and grievance mechanism.</p>	<p>OP, 14: “For all Category A and B projects ... during the EA process, the borrower consults project-affected groups and local non-governmental organizations (NGOs) about the project’s environmental aspects and take their views into account. The borrower initiates such consultations as early as possible. For Category A projects, the borrower consults these groups at least twice: (a) shortly after environmental screening and before the terms of reference for the EA are finalized; and (b) once a draft EA report is prepared. In addition, the borrower consults with such groups throughout project implementation as necessary to address EA-related issues that affect them.”</p>
<b>INDEP. EXPERTS</b> 8. Use independent expertise in the preparation of EA where appropriate. Use	<p>“A qualified and experienced Environmental Specialist will be responsible for oversight and quality assurance of the Environmental Assessment (EA) and Environmental Management Plan (EMP). The Environmental Focal Point in the UNDP Country Office or Regional Center may play this role or the Host Country</p>	<p>OP, 4: “For Category A projects, the borrower retains independent EA experts not affiliated with the project to carry out the EA. For Category A projects that are highly risky or contentious or that involve serious and multidimensional environmental concerns, the borrower should normally also engage an</p>

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independent advisory panels during preparation and implementation of projects that are highly risky or contentious or that involve serious and multi-dimensional environmental and/or social concerns.	Implementing Partner may provide the Environmental Specialist.... For projects requiring an EA, an Independent Advisory Panel to oversee the EA process will be considered.” (GN EA (3))	advisory panel of independent, internationally recognized environmental specialists to advise on all aspects of the project relevant to the EA.” OP, ft. nt. 7: “However, the borrower ensures that when individuals or entities are engaged to carry out EA activities, any conflict of interest is avoided. For example, when an independent EA is required, it is not carried out by the consultants hired to prepare the engineering design.”
INTEGRATION OF EA 9. Provide measures to link the environmental assessment process and findings with studies of economic, financial, institutional, social and technical analyses of a proposed project.	No mention in the GN ES or GN EA of measures to link the EA process with other technical analyses.  <b>Gap Filling:</b> The GN EA will be amended to include clauses that recommend linking the environmental assessment process with studies of economic, financial, institutional, social and technical analyses of proposed projects.	OP, 2: [EA] is integrated closely with the economic, financial, institutional, social, and technical analyses of a proposed project.” OP, ft. nt. 7: “EA is closely integrated with the project’s economic, financial, institutional, social, and technical analyses to ensure that (a) environmental considerations are given adequate weight in project selection, siting, and design decisions, and (b) EA does not delay project processing.”
SUBPROJECTS 10. Provide for application of the material elements in this Table to subprojects under investment and financial intermediary activities.	PP grants will not involve sub-projects.  Where a UN Agency or CSO is selected as an implementing partner (in accordance with UNDP’s policies and procedures), the Common Approach will be included in the terms of the agreement.	OP, 9: “For sector investment loans (SILs), during the preparation of each proposed subproject, the project coordinating entity or implementing institution carries out appropriate EA according to country requirements and the requirements of this policy.” OP, 10: “For a financial intermediary (FI) operation, the Bank requires that each FI screen proposed subprojects and ensure that sub-borrowers carry out appropriate EA for each subproject. Before approving a subproject, the FI verifies (through its own staff, outside experts, or existing environmental institutions) that the subproject meets the environmental requirements of appropriate national and local authorities and is consistent with this OP and other applicable environmental policies of the Bank.” OP, 11: “In appraising a proposed FI operation, the Bank reviews the adequacy of country environmental requirements relevant to the project and the proposed EA arrangements for subprojects, including the mechanisms and

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		<p>responsibilities for environmental screening and review of EA results. For FI operations expected to have Category A subprojects, prior to the Bank's appraisal each identified participating FI provides to the Bank a written assessment of the institutional mechanisms (including, as necessary, identification of measures to strengthen capacity) for its subproject EA work. If the Bank is not satisfied that adequate capacity exists for carrying out EA, all Category A subprojects and, as appropriate, Category B subprojects--including EA reports--are subject to prior review and approval by the Bank.”</p> <p>OP, ft. nt 17: “The requirements for FI operations are derived from the EA process and are consistent with the provisions of para. 6 of this OP. The EA process takes into account the type of finance being considered, the nature and scale of anticipated subprojects, and the environmental requirements of the jurisdiction in which subprojects will be located.”</p>
<p><b>DISCLOSURE</b></p> <p>11. Disclose draft EA in a timely manner, before appraisal formally begins, in an accessible place and in a form and language understandable to key stakeholders.</p>	<p>For all projects identified as likely to generate significant adverse environmental impacts:</p> <p>“Consistent with UNDP’s Information Disclosure Policy, relevant information on the proposed project will be disclosed to help affected communities and other stakeholders understand the risks, impacts and opportunities of the proposed project. The EA document, including the EMP, will be publicly disclosed. If project stakeholders may be affected by risks or adverse impacts from the project, they will be provided with access to information on the purpose, nature and scale of the project, the duration of proposed project activities, and any risks to and potential impacts on such stakeholders. Such disclosure will occur early in the EA process and on an ongoing basis” (GN EA (3.10))</p>	<p>OP, 15: “For meaningful consultations between the borrower and project-affected groups and local NGOs on all Category A and B projects proposed for IBRD or IDA financing, the borrower provides relevant material in a timely manner prior to consultation and in a form and language that are understandable and accessible to the groups being consulted.”</p> <p>OP, 16: “For a Category A project, the borrower provides for the initial consultation a summary of the proposed project's objectives, description, and potential impacts; for consultation after the draft EA report is prepared, the borrower provides a summary of the EA's conclusions. In addition, for a Category A project, the borrower makes the draft EA report available at a public place accessible to project-affected groups and local NGOs.”</p> <p>OP, 17: “Any separate Category B report for a project proposed for IDA financing is made available to project-affected groups and local NGOs.”</p> <p>OP, 17: “Public availability in the borrowing country and official receipt by the Bank of Category A reports for projects proposed for IBRD or IDA financing, and of any Category B EA report for projects proposed for IDA funding, are prerequisites to Bank appraisal of these projects.”</p>



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Definition of Key Terms	<p><b>Cumulative Impacts</b> are impacts resulting from an accumulation of effects from numerous activities or from a combination of effects from one activity. Cumulative impacts are defined by the United Nations University, EIA course module as impacts on the environment which result from the incremental impact of an action when added to other past, present or reasonably foreseeable actions regardless of what agency or person undertakes such actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.</p> <p><b>Environmental Assessment</b> is a planning process to evaluate the environmental and related social impacts of a proposed policy, plan, programme or project to ensure these considerations are factored into decision-making, design and execution. An EA identifies ways for preventing, minimizing, mitigating, or compensating for adverse consequences and for enhancing positive ones. EA varies in breadth, depth and type of analysis depending on the specificities of the proposal. Typically, EA takes the form of an EIA at the project-level and strategic environmental analyses (e.g. SEA, country environmental analysis, sectoral assessment) at the policy, plan and programme levels.</p> <p><b>Environmental Impacts</b> are any effect (negative or positive) to and/or from environmental conditions (physical, biological and social interactions) surrounding a specific activity, such as a project.</p> <p><b>Environmental Management.</b> Mechanisms to incorporate into the project recommendations to prevent, avoid, reduce, mitigate, eliminate, or compensate for any adverse impacts of the selected alternative. This includes schedule, assignment of responsibility and budgets for the environmental impact management measures. Environmental management elements are often elaborated in an Environmental Management Plan (EMP). (SOURCE: Adapted from MFI Common Framework for EA)</p> <p><b>Environmental Screening.</b> The process to determine whether or not a proposed</p>	<p>OP, 8a: “Category A: A proposed project is classified as Category A if it is likely to have significant adverse environmental impacts that are sensitive, diverse, or unprecedented. These impacts may affect an area broader than the sites or facilities subject to physical works.” “A potential impact is considered “sensitive” if it may be irreversible (e.g., lead to loss of a major natural habitat) or raise issues covered by OP 4.10, Indigenous Peoples; OP 4.04, Natural Habitats; OP 4.11, Physical Cultural Resources; or OP 4.12, Involuntary Resettlement.”</p> <p>OP 8b.: “Category B: A proposed project is classified as Category B if its potential adverse environmental impacts on human populations or environmentally important areas—including wetlands, forests, grasslands, and other natural habitats—are less adverse than those of Category A projects. These impacts are site-specific; few if any of them are irreversible; and in most cases mitigatory measures can be designed more readily than for Category A projects. The scope of EA for a Category B project may vary from project to project, but it is narrower than that of Category A EA. Like Category A EA, it examines the project’s potential negative and positive environmental impacts and recommends any measures needed to prevent, minimize, mitigate, or compensate for adverse impacts and improve environmental performance. The findings and results of Category B EA are described in the project documentation (Project Appraisal Document and Project Information Document).”</p> <p>OP 8.c: “Category C: A proposed project is classified as Category C if it is likely to have minimal or no adverse environmental impacts. Beyond screening, no further EA action is required for a Category C project.”</p> <p>OP Annex A, 3: “Environmental Management Plan. An instrument that details (a) measures to be taken during the implementation and operation of a project to eliminate or offset adverse environmental impacts, or to reduce them to acceptable levels; and (b) the actions needed to implement these measures. The EMP is an integral part of Category A EAs (irrespective of other instruments used).”</p> <p>[OP 4.01 Annex B outlines content of an Environmental Assessment Report</p>

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	<p>project requires an EA.</p> <p><b>Environmentally Sound Manner.</b> ESM means taking all practical steps to minimize the generation of hazardous wastes and strictly controlling its storage, transport, treatment, reuse, recycling, recovery and final disposal, the purpose of which is to protect human health and the environment. (SOURCE: Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal).</p> <p><b>Strategic Environmental Assessment (SEA)</b> is one form of EA which focuses on the strategic level. SEA refers to a range of analytical and participatory approaches that aim to integrate environmental considerations into policies, plans and programmes and evaluate the inter linkages with economic and social considerations. SEA can be described as a family of approaches which use a variety of tools, rather than a single, fixed and prescriptive approach. This can be thought as a continuum of increasing integration: at one end of the continuum, the principle aim is to integrate environment, alongside economic and social concerns, into strategic decision making; at the other end, the emphasis is on the full integration of the environmental, social and economic factors into a holistic sustainability assessment. (SOURCE: Adapted from OECD-DAC Guidance on SEA)</p> <p><b>Transboundary impacts:</b> Any impact (not exclusively of a global nature) within an area under the jurisdiction of a Party caused by a proposed activity, the physical origin of which is situated wholly or in part within the area under the jurisdiction of another Party. (SOURCE: UNECE Convention on environmental impact assessment in a transboundary context)</p> <p>(GN ES)</p>	<p>for Category A projects and Annex C outlines the required content of an Environmental Management Plan.]</p>

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<b>B. NATURAL HABITATS</b>	<p>Draft Guidance Note – Implementation of Environmental Assessment for UNDP Projects (12 March 2011) (GN EA).</p> <p>Draft Guidance Note – Implementation of Environmental Screening for UNDP Projects (12 March 2011) (GN ES).</p> <p>UN-REDD Draft Social &amp; Environmental Principles (11 February 2011) (UNREDD S&amp;E).</p> <p>UNDP. Checklist for Quality Programming, (December 2007).</p>	OP/BP 4.04 Natural Habitats, OP 4.04 Annex A Definitions
<b>Overall Objective:</b> To promote environmentally sustainable development by supporting the protection, conservation, maintenance, and rehabilitation of natural habitats and their functions.		
<p><b>PRECAUTIONARY APPROACH</b></p> <p>1. Use a precautionary approach to natural resources management to ensure opportunities for environmentally sustainable development. Determine if project benefits substantially outweigh potential environmental costs.</p>	<p>No mention of precautionary approach in GN EA.</p> <p>Question k of Section 6 of the Checklist for Quality Programming asks: “Are environmental cost and benefits considered?”</p> <p><b>Gap Filling:</b> A reference to precautionary approach will be added to the “Key Elements” section of the GN EA (section 2.1).</p>	<p>OP, 1: “The Bank supports, and expects borrowers to apply, a precautionary approach to natural resource management to ensure opportunities for environmentally sustainable development.”</p> <p>OP, 5: “The Bank does not support projects involving the significant conversion of natural habitats unless there are no feasible alternatives for the project and its siting, and comprehensive analysis demonstrates that overall benefits from the project substantially outweigh the environmental costs.”</p> <p>BP ,2: Bank classifies projects that have the “potential for significant conversion or degradation of critical or other natural habitats” as Category A.</p>
<p><b>AVOID SIGNIFICANT CONVERSION</b></p> <p>2. Avoid significant conversion or degradation of critical natural habitats in land use plans/ strategies, including those habitats that are (a) legally protected, (b) officially proposed</p>	<p>The GN ES includes the following screening questions in the “Biodiversity and Natural Resources” section (Table 3), which would trigger EA if answered in the affirmative:</p> <p>1.1 Would the proposed project result in the conversion or degradation of modified habitat, natural habitat or critical habitat?</p> <p>1.2 Are any development activities proposed within a legally protected area (e.g. natural reserve, national park) for the protection or conservation of biodiversity?</p>	<p>OP 4: “The Bank does not support projects that, in the Bank’s opinion, involve the significant conversion or degradation of critical natural habitats.”</p>

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<i>OPERATIONAL PRINCIPLES:<sup>1</sup> Natural Habitats</i>	<i>UNDP Policies &amp; Procedures and/or Gap Filling Commitments</i>	<i>World Bank Policies &amp; Procedures on Natural Habitats</i>
for protection, (c) identified by authoritative sources for their high conservation value, or (d) recognized as protected by traditional local communities.	<p>1.3 Are any development activities proposed in areas of critical habitat?</p> <p>Conversion or degradation is also discussed in Step 4 of “Scoping and Planning an EA” in the GN EA: (“Determine if the ecological balance of natural systems, protected or fragile areas, or sites of social importance could be impaired or improved, including under likely conditions of climate change).</p> <p>It is also discussed in Stage 1, Step 2 of “Conducting an EA” in the GN EA: (“The baseline data should reflect the objectives and indicators identified in the ‘scoping report’. For spatial plans, the baseline can usefully include the stock of natural assets including sensitive areas, critical habitats, and valued ecosystem components”).</p> <p><b>Recommendation for the FCPF Common Approach:</b></p> <p>It is recommended that a requirement to avoid significant conversion of critical habitats be included as part of the Common Approach.</p>	
<p>VIABLE ALTERNATIVES</p> <p>3. Where projects adversely affect non-critical natural habitats, proceed only if viable alternatives are not available, and if appropriate conservation and mitigation measures, including those required to maintain ecological services they provide, are in place. Include also mitigation measures that minimize habitat loss and establish and maintain an ecologically similar protected area.</p>	<p>Step 2 of “Scoping and Planning an EA” in the GN EA requires project developers to “identify potential alternatives”. Alternatives analysis is also required as part of “The EA Process Following Scoping”, in Stage 1 (“conducting an EA”).</p> <p>In addition, Stage 2 of the “EA Process Following Scoping” (“preparing an environmental management plan”), includes the following guidance on mitigation:</p> <ul style="list-style-type: none"> <li>* Where it is not technically or financially feasible to avoid, prevent or eliminate risks and impacts, identify measures and actions to mitigate, minimize or reduce impacts so that the project operates in compliance with applicable national and local environmental laws and regulations, complies with UNDP’s environmental policies and procedures, or achieves acceptable levels of impacts otherwise defined and agreed;</li> <li>* Where it is not technically or financially feasible to mitigate, minimize or reduce risks and impacts, identify measures to offset them by enhancing the proposed project’s positive environmental impacts or by providing other environmental benefits to the project;</li> <li>* Where avoidance, mitigation and offset measures are not technically or financially feasible, identify compensatory measures to balance the residual adverse impacts.</li> </ul>	<p>OP 5: “The Bank does not support projects involving the significant conversion of natural habitats unless there are no feasible alternatives for the project and its siting, and comprehensive analysis demonstrates that overall benefits from the project substantially outweigh the environmental costs.”</p> <p>OP 5: “If the environmental assessment indicates that a project would significantly convert or degrade natural habitats, the project includes mitigation measures acceptable to the Bank. Such mitigation measures include, as appropriate, minimizing habitat loss (e.g., strategic habitat retention and post-development restoration) and establishing and maintaining an ecologically similar protected area. The Bank accepts other forms of mitigation measures only when they are technically justified.”</p> <p>BP , 4: “The costs of conservation of any compensatory natural habitats are included in the project’s financing. Mechanisms to ensure adequate recurrent cost financing are incorporated into the project design.”</p>

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<i>OPERATIONAL PRINCIPLES:<sup>1</sup> Natural Habitats</i>	<i>UNDP Policies &amp; Procedures and/or Gap Filling Commitments</i>	<i>World Bank Policies &amp; Procedures on Natural Habitats</i>
<p>PREFERENCE</p> <p>4. Whenever feasible, give preference to siting projects on lands already converted.</p>	<p>No mention of this issue in either the GN ES or GN EA.</p> <p><b>Gap Filling:</b></p> <p>The GN EA will be amended to include a new component in the “alternatives” sections (“Scoping and Planning the EA: Step 2”, and “Conducting an EA: Step 4”) that encourages projects/strategies to take place on already converted lands.</p>	<p>OP, 5: “Wherever feasible, Bank-financed projects are sited on lands already converted (excluding any lands that in the Bank’s opinion were converted in anticipation of the project).”</p>
<p>STAKEHOLDER ENGAGEMENT</p> <p>5. Consult key stakeholders, including local nongovernmental organizations and local communities, and involve such people in design, implementation, monitoring, and evaluation of projects, including mitigation planning.</p>	<p>The GN EA presents guidance on stakeholder consultation at various points, especially at Step 7 (“Identify Stakeholders and Conduct Initial Consultation”) in “Scoping and Planning an EA”, and at various points in “Conducting an EA”.</p> <p>Section 2 of the GN EA (“Implementing environmental assessment”) states, in part, that:</p> <p style="padding-left: 40px;">“Regardless of the project type, there remain some key objectives that must be addressed in any EA. These include the need to engage stakeholders in the process of identifying, evaluating and addressing potential impacts”.</p>	<p>OP, 6 [INSERTED]: “In deciding whether to support a project with potential adverse impacts on a natural habitat, the Bank takes into account the borrower's ability to implement the appropriate conservation and mitigation measures. If there are potential institutional capacity problems, the project includes components that develop the capacity of national and local institutions for effective environmental planning and management. The mitigation measures specified for the project may be used to enhance the practical field capacity of national and local institutions.”</p> <p>OP, 9 [INSERTED]: “The Bank encourages borrowers to incorporate into their development and environmental strategies analyses of any major natural habitat issues, including identification of important natural habitat sites, the ecological functions they perform, the degree of threat to the sites, and priorities for conservation, and associated recurrent-funding and capacity-building needs.”</p> <p>OP, 10: “The Bank expects the borrowers to take into account the views, roles, and rights of groups, including local nongovernmental organizations and local communities, affected by Bank-financed projects involving natural habitats, and to involve such people in planning, designing, implementing, monitoring, and evaluating such projects.”</p>
<p>USE OF EXPERTS</p> <p>6. Provide for the use of appropriate expertise for the design and implementation of mitigation and monitoring plans.</p>	<p>Stage 2 of the “EA Process Following Scoping” (“preparing an environmental management plan”), in the GN EA makes the following statement about use of expertise:</p> <p style="padding-left: 40px;">“For projects with significant impacts that are diverse, irreversible, or unprecedented, the (monitoring) plan will require the retaining of qualified and experienced external experts to verify monitoring information”.</p>	<p>OP, 7: “In projects with natural habitat components, project preparation, appraisal, and supervision arrangements include appropriate environmental expertise to ensure adequate design and implementation of mitigation measures.”</p> <p>BP, 1: “Early in the preparation of a project proposal for Bank financing, the task team leader (TL) consults with the Regional environmental sector unit (RESU) and, as necessary, with the Environment Department (ENV) and the Legal Vice Presidency (LEG) to identify natural habitat issues likely to arise in the project.”</p>



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<p>DISCLOSURE</p> <p>7. Disclose draft mitigation plan in a timely manner, before appraisal formally begins, in an accessible place and in a form and language understandable to key stakeholders.</p>	<p>Stage 2 of the “EA Process Following Scoping” (“preparing an environmental management plan”), in the GN EA makes the following statement about disclosure of the environmental management plan (which includes information on mitigation): “The EMP will be disclosed to the project stakeholders. The EMP will include a section that outlines a plan to communicate progress with implementation and effectiveness of the EMP on issues that involve ongoing risk to or impacts on the project stakeholders, and on issues that the consultation process or grievance mechanism has identified as of concern to those stakeholders. If EMP report review and evaluation result in material changes in, or additions to, the mitigation, monitoring or capacity development measures or actions described in the EMP on issues of concern to the stakeholders, the updated measures or actions will also be disclosed. These reports will be in a format accessible to the stakeholders. The frequency of these reports will be proportional to the concerns of the stakeholders but not less than annually”.</p>	<p>OP 4.01 Environmental Assessment, 15: “For meaningful consultations between the borrower and project-affected groups and local NGOs on all Category A and B projects proposed for IBRD or IDA financing, the borrower provides relevant material in a timely manner prior to consultation and in a form and language that are understandable and accessible to the groups being consulted.”</p> <p>OP 4.01, 16: “For a Category A project, the borrower provides for the initial consultation a summary of the proposed project's objectives, description, and potential impacts; for consultation after the draft EA report is prepared, the borrower provides a summary of the EA's conclusions. In addition, for a Category A project, the borrower makes the draft EA report available at a public place accessible to project-affected groups and local NGOs.”</p> <p>OP 4.01, 17: “Any separate Category B report for a project proposed for IDA financing is made available to project-affected groups and local NGOs. Public availability in the borrowing country and official receipt by the Bank of Category A reports for projects proposed for IBRD or IDA financing, and of any Category B EA report for projects proposed for IDA funding, are prerequisites to Bank appraisal of these projects.”</p> <p>Plus see WB Access to Information policy (referenced in FCPF Guidance on Disclosure of Information.)</p>
<p>Definitions of Key Terms</p>	<p><b>Critical Habitat</b> is an area essential to the conservation of endangered, threatened or endemic species. (SOURCE: Adapted from the UNEP Draft grid for the objective evaluation of proposals for inclusion in the SPAW protected areas list, 2004)</p> <p><b>Habitat.</b> Habitats include both natural habitats (land and water areas where the biological communities are formed largely by native plant and animal species, and where human activity has not essentially modified the area’s primary ecological functions) and modified habitats (where there has been apparent alteration of the natural habitat, often with the introduction of alien species of plants and animals, such as agricultural areas). Both types of habitat can support important</p>	<p>OP Annex A, 1.a: “Natural habitats are land and water areas where (i) the ecosystems’ bio-logical communities are formed largely by native plant and animal species, and (ii) human activity has not essentially modified the area's primary ecological functions. All natural habitats have important biological, social, economic, and existence value. Important natural habitats may occur in tropical humid, dry, and cloud forests; temperate and boreal forests; Mediterranean-type shrub lands; natural arid and semi-arid lands; mangrove swamps, coastal marshes, and other wetlands; estuaries; sea grass beds; coral reefs; freshwater lakes and rivers; alpine and sub alpine environments, including herb fields, grasslands, and paramos; and tropical and temperate grasslands.”</p> <p>OP, Annex A 1.b: “Critical natural habitats are: (i) existing protected areas and</p>

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	biodiversity at all levels, including endemic or threatened species.	<p>areas officially proposed by governments as protected areas (e.g., reserves that meet the criteria of the World Conservation Union [IUCN] classifications), areas initially recognized as protected by traditional local communities (e.g., sacred groves), and sites that maintain conditions vital for the viability of these protected areas (as determined by the environmental assessment process); or (ii) sites identified on supplementary lists prepared by the Bank or an authoritative source determined by the Regional environment sector unit (RESU). Such sites may include areas recognized by traditional local communities (e.g., sacred groves); areas with known high suitability for bio-diversity conservation; and sites that are critical for rare, vulnerable, migratory, or endangered species. Listings are based on systematic evaluations of such factors as species richness; the degree of endemism, rarity, and vulnerability of component species; representativeness; and integrity of ecosystem processes.”</p> <p>OP Annex A, 1.c: “Significant conversion is the elimination or severe diminution of the integrity of a critical or other natural habitat caused by a major, long-term change in land or water use. Significant conversion may include, for example, land clearing; replacement of natural vegetation (e.g., by crops or tree plantations); permanent flooding (e.g., by a reservoir); drainage, dredging, filling, or channelization of wetlands; or surface mining. In both terrestrial and aquatic ecosystems, conversion of natural habitats can occur as the result of severe pollution. Conversion can result directly from the action of a project or through an indirect mechanism (e.g., through induced settlement along a road).”</p> <p>OP Annex A, 1.d: Degradation is modification of a critical or other natural habitat that substantially reduces the habitat’s ability to maintain viable populations of its native species.”</p>

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<i>OPERATIONAL PRINCIPLES:<sup>1</sup> Forests</i>	<i>UNDP Policies &amp; Procedures and/or Gap Filling Commitments</i>	<i>World Bank Policies &amp; Procedures on Forests</i>
<b>C. FORESTS</b>	<p>UNDP. Guidance Note – Implementation of Environmental Screening for UNDP Projects, Draft (12 March 2011) (GN ES).</p> <p>UN-REDD Social &amp; Environmental Principles and Criteria version 1 (February 11, 2011).</p> <p>FCPF &amp; UN-REDD Guidelines on Stakeholder Engagement in REDD+ Readiness with a Focus on the Participation of Indigenous Peoples and Other Forest Dependent Communities (November 2010) (SE REDD+).</p>	OP/BP 4.36 Forests, OP 4.36 Annex A Definitions
<p><b>Overarching Objective:</b> To realize the potential of forests to reduce poverty in a sustainable manner, integrate forests effectively into sustainable economic development, and protect the vital local and global environmental services and values of forests.</p>		
<p>SCREEN FOR IMPACTS</p> <p>1. Screen as early as possible for potential impacts on forest health and quality and on the rights and welfare of the people who depend on them. As appropriate, evaluate the prospects for new markets and marketing arrangements.</p>	<p>UNDP. Guidance Note – Implementation of Environmental Screening for UNDP Projects, Draft (12 March 2011) (GN ES).</p> <p>Introduction</p> <p>The purpose of the GN ES is to: “ensure that adverse environmental impacts are avoided or properly managed and that projects comply with international, national and local environmental policies and requirements”.</p> <p>Screening Question 1.6:</p> <p>“Does the project involve natural forest harvesting or plantation development without an independent forest certification system for sustainable forest management (e.g. PEFC, the Forest Stewardship Council certification systems, etc.)?”</p> <p>UN-REDD Social &amp; Environmental Principles and Criteria version 1 (February 11, 2011)</p> <p>Criterion 3: “Ensure broad stakeholder participation: All relevant stakeholder</p>	<p>OP, 13: “In accordance with OP/BP 4.01, Environmental Assessment, the environmental assessment (EA) for an investment project addresses the potential impact of the project on forests and/or the rights and welfare of local communities.”</p> <p>OP, 15: “As appropriate, the design of projects that use forest resources or provide environmental services includes an evaluation of the prospects for the development of new markets and marketing arrangements for non-timber forest products and related forest goods and services, taking into account the full range of goods and environmental services from well-managed forests.”</p>

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	<p>groups are identified and enabled to participate in a meaningful and effective manner; b) Special attention is given to most vulnerable groups and the free, prior and informed consent of indigenous peoples”</p> <p>Criterion 14: “Set goals and plan for maintenance and enhancement of ecosystem services and biodiversity in new and existing forest: The programme sets goals for delivery of ecosystem-based multiple benefits...The implementation of REDD+ is informed by analysis of the potential for multiple benefits and trade-offs between different benefits (e.g. through spatial analysis) Management plans and activities aim to ensure that forests deliver multiple benefits that are valued locally...”</p> <p>FCPF &amp; UN-REDD Guidelines on Stakeholder Engagement in REDD+ Readiness with a Focus on the Participation of Indigenous Peoples and Other Forest Dependent Communities (November 2010) (SE REDD+). The Guidelines require the participation of forest dependent stakeholders in the planning, implementation and monitoring of programme activities. Additionally, where the programme will impact the rights or livelihoods of indigenous peoples, the programme must seek their consent prior to implementing these activities.</p>	
<p><b>CRITICAL FOREST AREAS</b></p> <p>2. Do not finance projects that would involve significant conversion or degradation of critical forest areas or related critical natural habitats, or that would contravene applicable international environmental agreements.</p>	<p>See screening question 1.6 (as above)</p>	<p>OP, 5: “The Bank does not finance projects that, in its opinion, would involve significant conversion or degradation of critical forest areas or related critical natural habitats.”</p> <p>OP, 6: “The Bank does not finance projects that contravene applicable international environmental agreements.”</p>
<p><b>PLANTATIONS</b></p>	<p>UN-REDD Social &amp; Environmental Principles and Criteria version 1</p>	<p>OP, 7: “The Bank does not finance plantations that involve any conversion or</p>

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3. Do not finance natural forest harvesting or plantation development that would involve any conversion or degradation of critical forest areas or related critical natural habitats.	(February 11, 2011) <u>Principle 4, Criterion 12</u> (“Ensure that REDD+ activities do not cause the conversion of natural forest, and do address the other causes of conversion”) REDD+ activities do not convert natural forest to other land uses such as plantation forest. The programme prioritises REDD+ interventions that reduce conversion of natural forest. UNDP. Guidance Note – Implementation of Environmental Screening for UNDP Projects, Draft (12 March 2011) (ES). 1.1 “Screening Question 1.1 Would the proposed project result in the conversion or degradation of modified habitat, natural habitat or critical habitat”.	degradation of critical natural habitats, including adjacent or downstream critical natural habitats." OP, 8: “The Bank may finance commercial harvesting operations only when the Bank has determined, on the basis of the applicable environmental assessment or other relevant information, that the areas affected by the harvesting are not critical forests or related critical natural habitats.” OP, 7: “When the Bank finances plantations, it gives preference to siting such projects on unforested sites or lands already converted (excluding any lands that have been converted in anticipation of the project). In view of the potential for plantation projects to introduce invasive species and threaten biodiversity, such projects must be designed to prevent and mitigate these potential threats to natural habitats.”
AVOID ADVERSE IMPACTS ON NON-CRITICAL NATURAL FORESTS 4. Support projects that adversely impact non-critical natural forests or related natural habitats only if viable alternatives to the project are not available and only if appropriate conservation and mitigation measures are in place.	UN-REDD Social & Environmental Principles and Criteria version 1 (February 11, 2011) <u>Principle 4, Criterion 13</u> (“Minimise degradation of natural forest in order to maintain biodiversity and other key values”) REDD+ activities, including work with other sectors, are designed to maintain (protect from degradation) biodiversity and other key values in natural forest.	OP, 5: “If a project involves the significant conversion or degradation of natural forests or related natural habitats that the Bank determines are not critical, and the Bank determines that there are no feasible alternatives to the project and its siting, and comprehensive analysis demonstrates that overall benefits from the project substantially outweigh the environmental costs, the Bank may finance the project provided that it incorporates appropriate mitigation measures.”
FOREST CERTIFICATION 5. Support commercial, industrial-scale forest harvesting only when the operation is certified, under an independent forest certification	UNDP. Guidance Note – Implementation of Environmental Screening for UNDP Projects, Draft (12 March 2011) (ES). “Screening Question 1.6 Does the project involve natural forest harvesting or plantation development without an independent forest certification system for sustainable forest	OP, 8: “The Bank may finance commercial harvesting operations only when the Bank has determined, on the basis of the applicable environmental assessment or other relevant information, that the areas affected by the harvesting are not critical forests or related critical natural habitats.” OP, 9: “To be eligible for Bank financing, industrial-scale commercial harvesting



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system, as meeting, or having a time-bound action plan to meet, internationally recognized standards of responsible forest management and use.	management (e.g. PEFC, the Forest Stewardship Council certification systems, etc.)?”	must also (a) be certified under an independent forest certification system acceptable to the Bank as meeting standards of responsible forest management and use; or (b) where a pre-assessment under such an independent forest certification system determines that the operation does not yet meet the requirements of subparagraph 9(a), adhere to a time-bound phased action plan acceptable to the Bank for achieving certification to such standards.”
<p><b>RESTORATION</b></p> <p>6. Ensure that forest restoration projects maintain or enhance biodiversity and ecosystem functionality and that all plantation projects are environmentally appropriate, socially beneficial and economically viable.</p>	<p>The GN ES includes the following screening questions in the “Biodiversity and Natural Resources” section (Table 3):</p> <p>“1.1 Would the proposed project result in the conversion or degradation of modified habitat, natural habitat or critical habitat?</p> <p>1.2 Are any development activities proposed within a legally protected area (e.g. natural reserve, national park) for the protection or conservation of biodiversity?</p> <p>1.3 Are any development activities proposed in areas of critical habitat?”</p> <p>Conversion or degradation is also discussed in Step 4 of “Scoping and Planning an EA” in the GN EA: (“Determine if the ecological balance of natural systems, protected or fragile areas, or sites of social importance could be impaired or improved, including under likely conditions of climate change).</p> <p>It is also discussed in Stage 1, Step 2 of “Conducting an EA” in the GN EA: (“The baseline data should reflect the objectives and indicators identified in the ‘scoping report’. For spatial plans, the baseline can usefully include the stock of natural assets including sensitive areas, critical habitats, and valued ecosystem components”).</p>	<p>OP, 2: “Where forest restoration and plantation development are necessary to meet these objectives, the Bank assists borrowers with forest restoration activities that maintain or enhance biodiversity and ecosystem functionality. The Bank also assists borrowers with the establishment and sustainable management of environmentally appropriate, socially beneficial, and economically viable forest plantations to help meet growing demands for forest goods and services.”</p>
<p><b>PREFERENCE</b></p> <p>7. Give preference to small-scale community-level management approaches where they best reduce poverty in a sustainable manner.</p>	<p>UNDP procedures do not give preference to specific types of management approaches, however as a matter of course, UNDP gives preference to approaches that best reduces poverty and has significant experience with small-scale community-level management approaches (for example, the GEF</p>	<p>OP, 14: “Preference is given to small-scale, community-level management approaches where they best harness the potential of forests to reduce poverty in a sustainable manner.”</p> <p>BP, 4: “... the [Task Team] ensures that the borrower also assesses the feasibility of giving preference to small-scale, community level harvesting approaches to</p>

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	Small Grants Programme).	harness the potential of forests to reduce poverty in a sustainable manner.”
<p><b>LOCAL COMMUNITIES</b></p> <p>8. Support commercial harvesting by small-scale landholders, local communities or entities under joint forest management where monitoring with the meaningful participation of local communities demonstrates that these operations achieve a standard of forest management consistent with internationally recognized standards of responsible forest use or that they are adhering to an approved time-bound plan to meet these standards.</p>	<p>UNDP procedures do not give preference to specific types of management approaches.</p>	<p>OP, 12: “The Bank may finance harvesting operations conducted by small-scale landholders, by local communities under community forest management, or by such entities under joint forest management arrangements, if these operations: (a) have achieved a standard of forest management developed with the meaningful participation of locally affected communities, consistent with the principles and criteria of responsible forest management outlined in paragraph 10; or (b) adhere to a time-bound phased action plan to achieve such a standard. The action plan must be developed with the meaningful participation of locally-affected communities and be acceptable to the Bank. The borrower monitors all such operations with the meaningful participation of locally-affected communities.”</p> <p>Definition of small-scale landholder, OP, ft. nt. 13: "Small-scale" is determined by the national context of a given country and is generally relative to the average size of household forest landholdings. In some situations, small-scale landholders may control less than a hectare of forests; in others they may control 50 hectares or more.</p> <p>Action plan: BP, 5: “If the project involves harvesting operations to be financed by the Bank under OP 4.36, paras. 9(b) or 12(b), the TT ensures that the project incorporates the time-bound action plan, as well as the associated performance benchmarks and the timeframe required to achieve appropriate forest management standards pursuant to OP 4.36, paras. 9-12. The TT includes the time-bound action plan (and the associated performance benchmarks) in the Project Appraisal Document, which is made available to the public in accordance with the World Bank's disclosure policy.”</p>
<p><b>FOREST CERTIFICATION</b></p> <p>9. Use forest certification systems that require: (a) compliance with relevant laws; (b) recognition of, and respect for, legal or customary</p>	<p>UNDP. Guidance Note – Implementation of Environmental Screening for UNDP Projects, Draft (12 March 2011) (ES).</p> <p>“Screening Question 1.6</p> <p>Does the project involve natural forest harvesting or plantation development without an independent forest certification system for sustainable forest</p>	<p>OP, 10: “To be acceptable to the Bank, a forest certification system must require:</p> <ul style="list-style-type: none"> <li>a) compliance with relevant laws</li> <li>b) recognition of and respect for any legally documented or customary land tenure and use rights as well as rights of indigenous peoples and workers</li> <li>c) measures to maintain or enhance sound and effective community relations</li> </ul>

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<b><i>OPERATIONAL PRINCIPLES:<sup>1</sup></i></b> <b><i>Forests</i></b>	<b><i>UNDP</i></b> <b><i>Policies &amp; Procedures and/or Gap Filling Commitments</i></b>	<b><i>World Bank Policies &amp; Procedures on Forests</i></b>
<p>land tenure and use rights as well as the rights of Indigenous Peoples and workers; (c) measures to enhance sound community relations; (d) conservation of biological diversity and ecological functions; (e) measures to maintain or enhance environmentally sound multiple benefits from the forest; (f) prevention or minimization of environmental impacts; (g) effective forest management planning; (h) active monitoring and assessment of relevant forest management areas; and (i) independent, cost effective, third-party assessment of forest management performance against measurable performance standards defined at the national level and compatible with internationally accepted principles and criteria of sustainable forest management through decision making procedures that are fair, transparent, independent, designed to avoid conflict of interest and involve the meaningful participation of key stakeholders, including the private sector, Indigenous Peoples, and local communities.</p>	<p>management (e.g. PEFC, the Forest Stewardship Council certification systems, etc.)?”</p>	<p>d) conservation of biological diversity and ecological functions  e) measures to maintain or enhance environmentally sound multiple benefits accruing from the forest  f) prevention or minimization of the adverse environmental impacts from forest use  g) effective forest management planning  h) active monitoring and assessment of relevant forest management areas  i) the maintenance of critical forest areas and other critical natural habitats affected by the operation.</p> <p>OP, 11: “In addition ..., a forest certification system must be independent, cost-effective, and based on objective and measurable performance standards that are defined at the national level and are compatible with internationally accepted principles and criteria of sustainable forest management. The system must require independent, third-party assessment of forest management performance. In addition, the system's standards must be developed with the meaningful participation of local people and communities; indigenous peoples; non-governmental organizations representing consumer, producer, and conservation interests; and other members of civil society, including the private sector. The decision-making procedures of the certification system must be fair, transparent, independent, and designed to avoid conflicts of interest.”</p>
<p>DISCLOSURE  10. Disclose any time-bound action</p>	<p>UN-REDD Social &amp; Environmental Principles and Criteria version 1 (February 11, 2011)</p>	<p>Not in OP/BP 4.36 Forests. Covered by disclosure requirements of environmental assessment (OP 4.01)</p>

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<p>plans in a timely manner, before appraisal formally begins, in an accessible place and in a form and language that are understandable to key stakeholders.</p>	<p><u>Principle 1, Criterion 2</u> (“Implement activities in a transparent and accountable manner”)  Programme administration and REDD+ readiness activities are carried out in an accountable and transparent manner.</p> <p>Step 10 of the “EA Process Following Scoping” (“developing a stakeholder engagement plan”), in the GN EA makes the following statement about disclosure:  “Project stakeholder engagement is an ongoing process involving the disclosure of information to and consultation with project stakeholders. When project stakeholders may be affected by risks or adverse impacts from a proposed project, a plan for stakeholder engagement will be developed that will build and maintain over time a constructive relationship with project stakeholders. The nature and frequency of the engagement will reflect the project’s vulnerability and risks to and adverse impacts on the affected communities, et al. The Stakeholder Engagement Plan will include provisions for the following minimum requirements:  <i>Information Disclosure.</i> Consistent with UNDP’s Information Disclosure Policy, relevant information on the proposed project will be disclosed to help affected communities and other stakeholders understand the risks, impacts and opportunities of the proposed project. The EA document, including the EMP, will be publicly disclosed. If project stakeholders may be affected by risks or adverse impacts, they will be provided with access to information on the purpose, nature and scale of the project, the duration of proposed project activities, and any risks to and potential impacts on such stakeholders. Such disclosure will occur early in the EA process and on an ongoing basis”.</p>	
<p>Definition of Key Terms</p>		<p>OP 4.36 Forests-- Annex A: “Critical forest areas are the forest areas that qualify as critical natural habitats under OP 4.04. Critical forest areas are the subset of natural forest lands that cover: (i) existing protected areas and areas officially proposed by governments as protected areas (e.g., reserves that meet the criteria of The World Conservation Union (IUCN) classifications<sup>1</sup>), areas initially recognized as protected by traditional local communities (e.g., sacred groves), and sites that maintain</p>

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		conditions vital for the viability of these protected areas (as determined by the environmental assessment process); or (ii) sites identified on supplementary lists prepared by the Bank or an authoritative source determined by the Regional environment sector unit. Such sites may include areas recognized by traditional local communities (e.g., sacred groves); areas with known high suitability for biodiversity conservation; and sites that are critical for rare, vulnerable, migratory, or endangered species. Listings are based on systematic evaluations of such factors as species richness; the degree of endemism, rarity, and vulnerability of component species; representativeness; and integrity of ecosystem processes.”



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<i>OPERATIONAL PRINCIPLES:<sup>1</sup> Involuntary Resettlement</i>	<i>UNDP Policies &amp; Procedures and/or Gap Filling Commitments</i>	<i>World Bank Policies &amp; Procedures on Involuntary Settlement</i>
<b>D. INVOLUNTARY RESETTLEMENT</b>	<p>UN-REDD Social &amp; Environmental Principles and Criteria version 1 (February 11, 2011).</p> <p>UNDP. Guidance Note – Implementation of Environmental Screening for UNDP Projects, Draft (12 March 2011) (GN ES).</p> <p>UNDP. Guidance Note – Implementing Environmental Assessment for UNDP Projects, Draft (12 March 2011) (GN EA).</p>	OP/BP 4.12 Involuntary Resettlement, OP 4.12 Annex A Involuntary Resettlement Instruments
<p><b>Overarching Objective:</b> To avoid or minimize involuntary resettlement and, where this is not feasible, to assist displaced persons in improving or at least restoring their livelihoods and standards of living in real terms relative to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p>		
<p>ASSESS ALTERNATIVES</p> <p>1. Assess all viable alternative project designs to avoid, where feasible, or minimize involuntary resettlement.</p>	<p>UN-REDD Social &amp; Environmental Principles and Criteria version 1 (February 11, 2011)</p> <p><u>Principle 2, Criterion 5</u> (“Avoid involuntary resettlement”)</p> <p>“The programme is not involved and not complicit in involuntary resettlement”.</p> <p>UNDP. Guidance Note – Implementing Environmental Assessment for UNDP Projects, Draft (12 March 2011) (GN EA).</p> <p>Involuntary resettlement is included as a potentially adverse social impact that would require further assessment through the EA process.</p> <p>“Section 3: Scoping and Planning the EA: Step 2: Identify potential alternatives”.</p>	OP 2.a: “Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.”
<p>SOCIAL IMPACT ASSESSMENT</p> <p>2. Through census and socio-economic surveys of the affected population, identify, assess, and address the potential economic and social impacts of the project that are caused by involuntary taking of</p>	<p>UNDP. Guidance Note – Implementation of Environmental Screening for UNDP Projects, Draft (12 March 2011) (GN ES).</p> <p>Screening Question 4.9:</p> <p>“Would the proposed project result in involuntary resettlement of populations? For example, projects with environmental benefits (e.g. protected areas, climate change adaptation) that impact human settlements”.</p> <p>Socio-economic surveys will be undertaken when necessary as part of the</p>	OP 3: “This policy covers direct economic and social impacts that both result from Bank-assisted investment projects, and are caused by (a) the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) lost of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (b) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced

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<p>land (e.g., relocation or loss of shelter, loss of assets or access to assets, loss of income sources or means of livelihood, whether or not the affected person must move to another location) or involuntary restriction of access to legally designated parks and protected areas.</p>	<p>environmental assessment process.</p> <p>UNDP. Guidance Note – Implementing Environmental Assessment for UNDP Projects, Draft (12 March 2011) (GN EA).</p> <p>“Stage 1: Conducting an EA</p> <p>Step 1. Further Detail and Define the Proposed Project.</p> <p>The EA must be based on a well-defined project. For discrete projects, and based on the Draft Project Document, the project should be further detailed to include, where relevant:</p> <p>The geographic, ecological, social and temporal context of the proposed project, including any offsite investments that may be required (e.g., dedicated pipelines, access roads, power plants, water supply, housing, and raw material and product storage facilities);</p> <p>Project location, site, and design (e.g. technology/process, facilities design, construction, operation and maintenance, and decommissioning or closure); and</p> <p>Indication of worker and community health and safety and social issues, and whether relevant additional assessments or plans are needed, e.g. resettlement plans or indigenous peoples development plans; Map showing the project site, project’s area of influence (as determined earlier under “Scoping and Planning an EA”–Section 3.1, step 8), and sensitive environmental and social features.</p>	<p>persons.”</p> <p>OP 14: “Upon identification of the need for involuntary resettlement in a project, the borrower carries out a census to identify the persons who will be affected by the project (see the Annex A, para. 6(a)), to determine who will be eligible for assistance, and to discourage inflow of people ineligible for assistance. The borrower also develops a procedure, satisfactory to the Bank, for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance.”</p>
<p><b>ADDRESS IMPACTS</b></p> <p>3. Identify and address impacts also if they result from other activities that are (a) directly and significantly related to the proposed project, (b) necessary to achieve its objectives, and (c) carried out or planned to be carried out contemporaneously with the</p>	<p>UNDP. Guidance Note – Implementation of Environmental Screening for UNDP Projects, Draft (12 March 2011) (GN ES).</p> <p>Screening Question 4.8:</p> <p>“Would the proposed project pose indirect, secondary or consequential development which could lead to environmental effects or to the potential for cumulative impacts with other existing or planned activities in the area?”</p> <p>UNDP. Guidance Note – Implementing Environmental Assessment for UNDP Projects, Draft (12 March 2011) (GN EA).</p>	<p>OP 4: “This policy applies to all components of the project that result in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement, that in the judgment of the Bank, are (a) directly and significantly related to the Bank-assisted project, (b) necessary to achieve its objectives as set forth in the project documents; and (c) carried out, or planned to be carried out, contemporaneously with the project.”</p>

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project.	<p>(“Implementing Environmental Assessment, Key Elements of EA”):</p> <p>Ensure environmental and related social impacts (direct and indirect) are identified, evaluated and addressed.</p>	
<p><b>STAKEHOLDER CONSULTATION</b></p> <p>4. Consult project-affected persons, host communities and local nongovernmental organizations, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan), and for establishing appropriate and accessible grievance mechanisms. Pay particular attention to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, Indigenous Peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation</p>	<p>The EA process requires public disclosure as part of the stakeholder engagement process. Section 3 – Steps 7 &amp; 10 outline the Stakeholder Engagement Plan (GN EA (3)).</p> <p>“Project stakeholder engagement is an ongoing process involving the disclosure of information to and consultation with project stakeholders....a plan for stakeholder engagement will be developed that will build and maintain over time a constructive relationship with project stakeholders. The nature and frequency of the engagement will reflect the project’s risks to and adverse impacts on the affected communities” (GN EA (3.10)).</p> <ul style="list-style-type: none"> <li>• Consultations required for projects identified as requiring EA.</li> <li>• Must consult stakeholders who will be affected directly or indirectly by the project and consider and respond to their views.</li> <li>• Stakeholders contribute to the establishment of a “stakeholder engagement plan” to build and maintain a constructive relationship with stakeholders. The nature and scope of the engagement is determined by the risks and impacts associated with the project. The plan includes provisions (at a minimum) for information disclosure, consultation (including implementation issues), and grievance mechanism.</li> </ul>	<p>OP 2.b: “Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.”</p> <p>OP, 13.a: “Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.”</p> <p>OP 14: “The borrower also develops a procedure, satisfactory to the Bank, for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. The procedure includes provisions for meaningful consultations with affected persons and communities, local authorities, and, as appropriate, nongovernmental organizations (NGOs), and it specifies grievance mechanisms.”</p> <p>OP 8: “To achieve the objectives of this policy, particular attention is paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.”</p> <p>OP 9: “Bank experience has shown that resettlement of indigenous peoples with traditional land-based modes of production is particularly complex and may have significant adverse impacts on their identity and cultural survival. For this reason, the Bank satisfies itself that the borrower has explored all viable alternative project designs to avoid physical displacement of these groups. When it is not feasible to avoid such displacement, preference is given to land-based resettlement strategies for these groups (see para. 11) that are compatible with their cultural preferences and are prepared in consultation</p>

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<p>legislation.</p>		<p>with them (see Annex A, para. 11).”</p> <p>OP 18. “The borrower is responsible for preparing, implementing, and monitoring a resettlement plan, a resettlement policy framework, or a process framework (the “resettlement instruments”), as appropriate, that conform to this policy. The resettlement instrument presents a strategy for achieving the objectives of the policy and covers all aspects of the proposed resettlement. Borrower commitment to, and capacity for, undertaking successful resettlement is a key determinant of Bank involvement in a project.”</p> <p>OP Annex A, 17 [INSERTED]: Resettlement Plan to include “[a]ffordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.”</p>
<p><b>INFORM DISPLACED PERSONS OF THEIR RIGHTS</b></p> <p>5. Inform displaced persons of their rights, consult them on options, and provide them with technically and economically feasible resettlement alternatives and needed assistance, including (a) prompt compensation at full replacement cost for loss of assets attributable to the project; (b) if there is relocation, assistance during relocation, and residential housing, or housing sites, or agricultural sites of equivalent productive potential, as required; (c) transitional support and development assistance, such as land preparation, credit facilities,</p>	<p>The EA process requires public disclosure as part of the stakeholder engagement process. Section 3 – Steps 7 &amp; 10 outline the Stakeholder Engagement Plan (GN EA (3)).</p> <p>“Project stakeholder engagement is an ongoing process involving the disclosure of information to and consultation with project stakeholders...a plan for stakeholder engagement will be developed that will build and maintain over time a constructive relationship with project stakeholders. The nature and frequency of the engagement will reflect the project’s risks to and adverse impacts on the affected communities” (GN EA (3.10)).</p> <ul style="list-style-type: none"> <li>• Consultations required for projects identified as requiring EA.</li> <li>• Must consult stakeholders who will be affected directly or indirectly by the project and consider and respond to their views.</li> </ul> <p>Stakeholders contribute to the establishment of a “stakeholder engagement plan” to build and maintain a constructive relationship with stakeholders. The nature and scope of the engagement is determined by the risks and impacts associated with the project. The plan includes provisions (at a minimum) for</p>	<p>OP 6. “To address the impacts covered under para. 3 (a) of this policy, the borrower prepares a resettlement plan or a resettlement policy framework (see paras. 25-30) that covers the following: (a) The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are (i) informed about their options and rights pertaining to resettlement; (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and (iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project. (b) If the impacts include physical relocation, the resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are (i) provided assistance (such as moving allowances) during relocation; and (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site. (c) Where necessary to achieve the objectives of the policy, the resettlement plan or resettlement policy framework also include measures to ensure that displaced persons are (i) offered support after displacement, for a transition period, based on a</p>

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training or job opportunities as required, in addition to compensation measures; (d) cash compensation for land when the impact of land acquisition on livelihoods is minor; and (e) provision of civic infrastructure and community services as required.	information disclosure, consultation (including implementation issues), and grievance mechanism.	<p>reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and (ii) provided with development assistance in addition to compensation measures described in paragraph 6(a) (iii), such as land preparation, credit facilities, training, or job opportunities.”</p> <p>OP 12: “Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction [ft. nt. 17: generally less than 20% of total productive area] of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.”</p> <p>OP 13.b: “In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, or fodder).”</p>
<p>PREFERENCE</p> <p>6. Give preference to land-based resettlement strategies for displaced persons whose livelihoods are land-based.</p>	<p>UN-REDD Social &amp; Environmental Principles and Criteria version 1 (February 11, 2011)</p> <p><u>Principle 2, Criterion 5</u> (“Avoid involuntary resettlement”)</p> <p>“The programme is not involved and not complicit in involuntary resettlement”.</p>	<p>OP 11: ““Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. ... Whenever replacement land is offered, resettlers are provided with land for which a combination of productive potential, locational advantages, and other factors is at least as equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, the provision of land would adversely affect the sustainability of a park or protected area, or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented to the satisfaction of the Bank.”</p>
RESETTLEMENT ASSISTANCE	This issue would be dealt with as part of the resettlement action plans that are	OP 15: “Criteria for Eligibility. Displaced persons may be classified in one of



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<p>7. For those without formal legal rights to lands or claims to such land that could be recognized under the laws of the country, provide resettlement assistance in lieu of compensation for land to help improve or at least restore their livelihoods.</p>	<p>produced within Environmental Management Plans.</p>	<p>the following three groups: (a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); (b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan (see Annex A, para. 7(f)); and (c) those who have no recognizable legal right or claim to the land they are occupying.”</p> <p>OP 16: “Persons covered under para. 15(a) and (b) are provided compensation for the land they lose, and other assistance in accordance with para. 6. Persons covered under para. 15(c) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank.”</p>
<p><b>DISCLOSURE</b></p> <p>8. Disclose draft resettlement plans, including documentation of the consultation process, in a timely manner, before appraisal formally begins, in an accessible place and in a form and language that are understandable to key stakeholders.</p>	<p>Stage 2 of the “EA Process Following Scoping” in the GN EA states that: “An EMP 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 EMP may range from a brief description of routine mitigation and monitoring measures to a series of specific plans including, for example, Resettlement Action Plans”.</p> <p>In addition, the EA process requires public disclosure as part of the stakeholder engagement process. Section 3 – Steps 7 &amp; 10 outline the Stakeholder Engagement Plan (GN EA (3)).</p> <p>“Project stakeholder engagement is an ongoing process involving the disclosure of information to and consultation with project stakeholders....a plan for stakeholder engagement will be developed that will build and maintain over time a constructive relationship with project stakeholders. The nature and frequency of the engagement will reflect the project’s risks to and adverse impacts on the affected communities” (GN EA (3.10)).</p> <ul style="list-style-type: none"> <li>• Consultations required for projects identified as requiring EA.</li> <li>• Must consult stakeholders who will be affected directly or indirectly by</li> </ul>	<p>OP 22: “As a condition of appraisal of projects involving resettlement, the borrower provides the Bank with the relevant draft resettlement instrument which conforms to this policy, and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them. Once the Bank accepts this instrument as providing an adequate basis for project appraisal, the Bank makes it available to the public through its InfoShop. After the Bank has approved the final resettlement instrument, the Bank and the borrower disclose it again in the same manner.”</p> <p>OP 4.12 Annex A describes elements of resettlement instruments.</p>

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	<p>the project and consider and respond to their views. Stakeholders contribute to the establishment of a “stakeholder engagement plan” to build and maintain a constructive relationship with stakeholders. The nature and scope of the engagement is determined by the risks and impacts associated with the project. The plan includes provisions (at a minimum) for information disclosure, consultation (including implementation issues), and grievance mechanism.</p>	
<p>SUBPROJECTS</p> <p>9. Apply the material elements described in the involuntary resettlement section of this Table, as applicable and relevant, to subprojects or sub-strategies requiring land acquisition.</p>	<p>PP grants will not involve sub-projects.</p> <p>Where a UN Agency or CSO is selected as an implementing partner (in accordance with UNDP’s policies and procedures), the Common Approach will be included in the terms of the agreement.</p>	<p>OP 26: “26. For sector investment operations that may involve involuntary resettlement, the Bank requires that the project implementing agency screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the borrower submits, prior to appraisal, a resettlement policy framework that conforms to this policy (see Annex A, paras. 23-25).”</p> <p>OP 27: “For financial intermediary operations that may involve involuntary resettlement, the Bank requires that the financial intermediary (FI) screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the Bank requires that before appraisal the borrower or the FI submit to the Bank a resettlement policy framework conforming to this policy (see Annex A, paras. 23-25). In addition, the framework includes an assessment of the institutional capacity and procedures of each of the FIs that will be responsible for subproject financing.”</p> <p>OP 28: “For other Bank-assisted project with multiple subprojects that may involve involuntary resettlement, the Bank requires that a draft resettlement plan conforming to this policy be submitted to the Bank before appraisal of the project unless, because of the nature and design of the project or of a specific subproject or subprojects (a) the zone of impact of subprojects cannot be determined, or (b) the zone of impact is known but precise sitting alignments cannot be determined. In such cases, the borrower submits a resettlement policy framework consistent with this policy prior to appraisal (see Annex A, paras. 23-25). For other subprojects that do not fall within the above criteria, a resettlement plan conforming to this policy is required prior to appraisal.”</p>

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		OP 29: “For each subproject included in a project described in paras. 26, 27, or 28 that may involve resettlement, the Bank requires that a satisfactory resettlement plan or an abbreviated resettlement plan that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the subproject is accepted for Bank financing.”
<p><b>ACCESS TO PARKS &amp; RESTRICTED AREAS</b></p> <p>10. Design, document, and disclose before appraisal of projects involving involuntary restriction of access to legally designated parks and protected areas, a participatory process for: (a) preparing and implementing project components; (b) establishing eligibility criteria; (c) agreeing on mitigation measures that help improve or restore livelihoods in a manner that maintains the sustainability of the park or protected area; (d) resolving conflicts; and (e) monitoring implementation.</p>	<p>Stage 2 of the “EA Process Following Scoping” (“preparing an environmental management plan”), in the GN EA makes the following statement about disclosure of the environmental management plan (which includes information on involuntary resettlement):</p> <p>“The EMP will be disclosed to the project stakeholders. The EMP will include a section that outlines a plan to communicate progress with implementation and effectiveness of the EMP on issues that involve ongoing risk to or impacts on the project stakeholders, and on issues that the consultation process or grievance mechanism has identified as of concern to those stakeholders. If EMP report review and evaluation result in material changes in, or additions to, the mitigation, monitoring or capacity development measures or actions described in the EMP on issues of concern to the stakeholders, the updated measures or actions will also be disclosed. These reports will be in a format accessible to the stakeholders. The frequency of these reports will be proportional to the concerns of the stakeholders but not less than annually”.</p>	<p>OP 7: “In projects involving involuntary restriction of access to legally designated parks and protected areas (see para. 3(b)), the nature of restrictions, as well as the type of measures necessary to mitigate adverse impacts, is determined with the participation of the displaced persons during the design and implementation of the project. In such cases, the borrower prepares a process framework acceptable to the Bank, describing the participatory process by which (a) specific components of the project will be prepared and implemented; (b) the criteria for eligibility of displaced persons will be determined; (c) measures to assist the displaced persons in their efforts to improve their livelihoods, or at least to restore them, in real terms, while maintaining the sustainability of the park or protected area, will be identified; and (d) potential conflicts involving displaced persons will be resolved. The process framework also includes a description of the arrangements for implementing and monitoring the process.”</p>
<p><b>IMPLEMENT PLANS</b></p> <p>11. Implement all relevant resettlement plans before project completion and provide resettlement entitlements before displacement or restriction of access. For projects involving restrictions of access, impose the</p>	<p>The EMP section of the GN EA does not include a requirement for resettlement action plans to be implemented prior to project completion.</p> <p><b>Gap Filling:</b></p> <p>The GN EA will be amended to require all action plans contained within the EMP to be completed prior to project completion.</p>	<p>OP 10: “...ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place. For impacts covered in para. 3(a) of this policy, these measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons. For impacts</p>

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<b><i>OPERATIONAL PRINCIPLES:<sup>1</sup></i></b> <b><i>Involuntary Resettlement</i></b>	<b><i>UNDP</i></b> <b><i>Policies &amp; Procedures and/or Gap Filling Commitments</i></b>	<b><i>World Bank Policies &amp; Procedures on Involuntary Settlement</i></b>
<p>restrictions in accordance with the timetable in the plan of actions.</p>		<p>covered in para. 3(b) of this policy [access restrictions], the measures to assist the displaced persons are implemented in accordance with the plan of action as part of the project (see para. 30).”</p>
<p>ASSESS PLAN SUCCESS 12. Assess whether the objectives of the resettlement instrument have been achieved, upon completion of the project, taking account of the baseline conditions and the results of resettlement monitoring.</p>	<p>Stage 2: “Preparing and EMP” in “The EA Process after Scoping” in the GN EA states: “The EMP will include EA follow-up measures including: (1) monitoring of baseline, compliance and impacts; (2) evaluation of conformance with standards, predictions, expectations and environmental performance; (3) management decisions and actions in response to issues arising from monitoring and evaluation; and (4) communicating EA follow-up results to stakeholders to provide feedback on project, EA and EMP implementation performance”.</p>	<p>OP 24: “The borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. The Bank regularly supervises resettlement implementation to determine compliance with the resettlement instrument. Upon completion of the project, the borrower undertakes an assessment to determine whether the objectives of the resettlement instrument have been achieved. The assessment takes into account the baseline conditions and the results of resettlement monitoring. If the assessment reveals that these objectives may not be realized, the borrower should propose follow-up measures that may serve as the basis for continued Bank supervision, as the Bank deems appropriate (see also BP 4.12, para. 16).”</p>
<p>Definitions of Key Terms</p>		<p>OP ft. nt. 3: “The term “displaced persons” refers to persons who are affected in any of the ways described in para. 3 of this OP.” OP ft. nt. 7: “For purposes of this policy, “involuntary” means actions that may be taken without the displaced person’s informed consent or power of choice.” OP ft. nt. 8: “‘Land’ includes anything growing on or permanently affixed to land, such as buildings and crops. This policy does not apply to regulations of natural resources on a national or regional level to promote their sustainability, such as watershed management, groundwater management, fisheries management, etc. The policy also does not apply to disputes between private parties in land titling projects, although it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse social impacts, especially those affecting poor and vulnerable groups.” OP ft. nt. 9: “For the purposes of this policy, involuntary restriction of access covers restrictions on the use of resources imposed on people living outside the park or protected area, or on those who continue living inside the park or protected area during and after project implementation. In cases where new</p>

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<i>OPERATIONAL PRINCIPLES:<sup>1</sup> Involuntary Resettlement</i>	<i>UNDP Policies &amp; Procedures and/or Gap Filling Commitments</i>	<i>World Bank Policies &amp; Procedures on Involuntary Settlement</i>
		<p>parks and protected areas are created as part of the project, persons who lose shelter, land, or other assets are covered under para. 3(a). Persons who lose shelter in existing parks and protected areas are also covered under para. 3(a).”</p> <p>OP ft. nt. 11: “‘Replacement cost’ is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account (for a detailed definition of replacement cost, see Annex A, footnote 1). For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard. Such additional assistance is distinct from resettlement assistance to be provided under other clauses of para. 6.”</p>

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<i>OPERATIONAL PRINCIPLES:<sup>1</sup> Indigenous Peoples</i>	<i>UNDP Policies &amp; Procedures and/or Gap Filling Commitments</i>	<i>World Bank Policies &amp; Procedures on Indigenous Peoples</i>
<b>E. INDIGENOUS PEOPLES</b>	<p>FCPF &amp; UN-REDD Guidelines on Stakeholder Engagement in REDD+ Readiness with a Focus on the Participation of Indigenous Peoples and Other Forest Dependent Communities (November 2010) (SE REDD+).</p> <p>Draft UN-REDD Programme Guidelines for Seeking Free, Prior and Informed Consent from Indigenous Peoples and other Forest Dependent Communities, Jan 2011 (UNREDD FPIC).</p> <p>UNDP Policy of Engagement with Indigenous Peoples (UNDP IP).</p> <p>UN Development Group Guidelines on Indigenous Peoples Issues (UNDG IP).</p> <p>Draft Guidance Notes on Environmental Assessment &amp; Environmental Screening (GN EA/ES).</p>	INSERT WB OP/BP REFERENCE
<p><b>Overarching Objective:</b> To design and implement projects in a way that fosters full respect for Indigenous Peoples’ dignity, human rights, and cultural uniqueness and so that they: (a) receive culturally compatible social and economic benefits; and (b) do not suffer adverse effects during the development process.</p>		
<p>SCREENING</p> <p>1. Screen early to determine whether Indigenous Peoples are present in, or have collective attachment to, the project area. Indigenous Peoples are identified as possessing the following characteristics in varying degrees: self-identification and recognition of this identity by others; collective attachment to geographically distinct habitats or ancestral territories and to the natural</p>	<p>UN-REDD. <i>Programme Guidelines for Seeking the Free, Prior, and Informed Consent of Indigenous Peoples and other Forest Dependent Communities</i>. Consolidated Draft for Comment, January 2011.</p> <p>“Step 1. Identify the indigenous peoples’ or other forest dependent communities’ governance structure present in the country”.</p> <p>UNDP. Guidance Note – Implementation of Environmental Screening for UNDP Projects, Draft (12 March 2011) (GN ES).</p> <p>Screening Question 4.2</p> <p>“Would the proposed project have environmental impacts that could affect local communities or other stakeholders, including on areas of indigenous people or other vulnerable groups such as women and children.</p> <p>Screening Question 1.5</p>	<p>OP 4: “For purposes of this policy, the term “Indigenous Peoples” is used in a generic sense to refer to a distinct, vulnerable, social and cultural group<sup>6</sup> possessing the following characteristics in varying degrees: (a) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (b) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (c) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (d) an indigenous language, often different from the official language of the country or region. A group that has lost ‘collective attachment to geographically distinct habitats or ancestral territories in the project area’ (paragraph 4 (b)) because of forced severance remains eligible for coverage under this policy. Ascertaining whether a particular group is considered as “Indigenous Peoples” for the purpose of this</p>



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<b>OPERATIONAL PRINCIPLES:<sup>1</sup> Indigenous Peoples</b>	<b>UNDP Policies &amp; Procedures and/or Gap Filling Commitments</b>	<b>World Bank Policies &amp; Procedures on Indigenous Peoples</b>
resources in these habitats and territories; presence of distinct customary cultural, economic, social or political institutions; and indigenous language.	“Is the proposed project likely to have environmental impacts that could affect indigenous people’s ability to use, develop and protect natural resources and other natural capital assets? For example, activities that could lead to natural resources degradation or depletion (e.g. forests, fish, water) in communities who depend on these resources for their development, well-being, etc”.	policy may require a technical judgment (see paragraph 8).”  OP 6: “A project proposed for Bank financing that affects Indigenous Peoples requires: (a) screening by the Bank to identify whether Indigenous Peoples are present in, or have collective attachment to, the project area (see paragraph 8); ....”  OP 8: “Early in project preparation, the Bank undertakes a screening to determine whether Indigenous Peoples (see paragraph 4) are present in, or have collective attachment to, the project area. In conducting this screening, the Bank seeks the technical judgment of qualified social scientists with expertise on the social and cultural groups in the project area. The Bank also consults the Indigenous Peoples concerned and the borrower. The Bank may follow the borrower’s framework for identification of Indigenous Peoples during project screening, when that framework is consistent with this policy.
CONSULTATION 2. Undertake free, prior and informed consultation with affected Indigenous Peoples to ascertain their broad community support for projects affecting them and to solicit their participation: (a) in designing, implementing, and monitoring measures to avoid adverse impacts, or, when avoidance is not feasible, to minimize, mitigate, or compensate for such effects; and (b) in tailoring benefits in a culturally appropriate manner.	UN-REDD. <i>Programme Guidelines for Seeking the Free, Prior, and Informed Consent of Indigenous Peoples and other Forest Dependent Communities</i> . Consolidated Draft for Comment, January 2011. “Step 2. Engage and partner with territorial indigenous peoples’ or other forest dependent communities’ institutions (councils, assemblies, congresses, etc.)”. “Step 3. Indigenous or other forest dependent communities in each territory, under the guidance of their traditional authorities and according to their own decision-making process, shall grant or withhold consent or backing for the proposed project or action. The decision-making process should be carried out without external pressures and respecting the community's timeline”. Step 10 of the “EA Process Following Scoping” (“developing a stakeholder engagement plan”), in the GN EA makes the following statement about stakeholder engagement: “Project stakeholder engagement is an ongoing process involving the disclosure of information to and consultation with project stakeholders. When project stakeholders may be affected by risks or adverse impacts from a proposed project,	OP 1: “For all projects that are proposed for Bank financing and affect Indigenous Peoples, the Bank requires the borrower to engage in a process of free, prior, and informed consultation. The Bank provides project financing only where free, prior, and informed consultation results in broad community support to the project by the affected Indigenous Peoples. Such Bank-financed projects include measures to (a) avoid potentially adverse effects on the Indigenous Peoples’ communities; or (b) when avoidance is not feasible, minimize, mitigate, or compensate for such effects. Bank-financed projects are also designed to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate and gender and intergenerationally inclusive.” OP 6: “A project proposed for Bank financing that affects Indigenous Peoples requires: ... (c) a process of free, prior, and informed consultation with the affected Indigenous Peoples’ communities at each stage of the project, and particularly during project preparation, to fully identify their views and ascertain their broad community support for the project (see paragraphs 10 and 11); ....” OP 10: ”Consultation and Participation. Where the project affects Indigenous

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<i>OPERATIONAL PRINCIPLES:<sup>1</sup> Indigenous Peoples</i>	<i>UNDP Policies &amp; Procedures and/or Gap Filling Commitments</i>	<i>World Bank Policies &amp; Procedures on Indigenous Peoples</i>
	<p>a plan for stakeholder engagement will be developed that will build and maintain over time a constructive relationship with project stakeholders. The nature and frequency of the engagement will reflect the project’s vulnerability and risks to and adverse impacts on the affected communities, et al.</p>	<p>Peoples, the borrower engages in free, prior, and informed consultation with them. To ensure such consultation, the borrower: (a) establishes an appropriate gender and intergenerationally inclusive framework that provides opportunities for consultation at each stage of project preparation and implementation among the borrower, the affected Indigenous Peoples’ communities, the Indigenous Peoples Organizations (IPOs) if any, and other local civil society organizations (CSOs) identified by the affected Indigenous Peoples’ communities; (b) uses consultation methods appropriate to the social and cultural values of the affected Indigenous Peoples’ communities and their local conditions and, in designing these methods, gives special attention to the concerns of Indigenous women, youth, and children and their access to development opportunities and benefits; and (c) provides the affected Indigenous Peoples’ communities with all relevant information about the project (including an assessment of potential adverse effects of the project on the affected Indigenous Peoples’ communities) in a culturally appropriate manner at each stage of project preparation and implementation.”</p> <p>OP 11: “In deciding whether to proceed with the project, the borrower ascertains, on the basis of the social assessment (see paragraph 9) and the free, prior, and informed consultation (see paragraph 10), whether the affected Indigenous Peoples’ communities provide their broad support to the project. [Borrower prepares detailed report] The Bank reviews the process and the outcome of the consultation carried out by the borrower to satisfy itself that the affected Indigenous Peoples’ communities have provided their broad support to the project. The Bank pays particular attention to the social assessment and to the record and outcome of the free, prior, and informed consultation with the affected Indigenous Peoples’ communities as a basis for ascertaining whether there is such support. The Bank does not proceed further with project processing if it is unable to ascertain that such support exists.”</p> <p>OP 20 [INSERTED]: “Because physical relocation of Indigenous Peoples is particularly complex and may have significant adverse impacts on their identity, culture, and customary livelihoods, the Bank requires the borrower to explore alternative project designs to avoid physical relocation of Indigenous Peoples. In exceptional circumstances, when it is not feasible to avoid relocation, the</p>

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<b>OPERATIONAL PRINCIPLES:<sup>1</sup></b> <b>Indigenous Peoples</b>	<b>UNDP</b> <b>Policies &amp; Procedures and/or Gap Filling Commitments</b>	<b>World Bank Policies &amp; Procedures on</b> <b>Indigenous Peoples</b>
		<p>borrower will not carry out such relocation without obtaining broad support for it from the affected Indigenous Peoples' communities as part of the free, prior, and informed consultation process. In such cases, the borrower prepares a resettlement plan in accordance with the requirements of OP 4.12, Involuntary Resettlement, that is compatible with the Indigenous Peoples' cultural preferences, and includes a land-based resettlement strategy. As part of the resettlement plan, the borrower documents the results of the consultation process. Where possible, the resettlement plan should allow the affected Indigenous Peoples to return to the lands and territories they traditionally owned, or customarily used or occupied, if the reasons for their relocation cease to exist."</p>
<p>SCOCIAL IMPACT ASSESSMENT</p> <p>3. Undertake social assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options preferred by the affected Indigenous Peoples in the provision of benefits and design of mitigation measures. Identify social and economic benefits for Indigenous Peoples that are culturally appropriate, and gender and inter-generationally inclusive and develop measures to avoid, minimize and/or mitigate adverse impacts on Indigenous Peoples.</p>	<p>UN-REDD. <i>Programme Guidelines for Seeking the Free, Prior, and Informed Consent of Indigenous Peoples and other Forest Dependent Communities</i>. Consolidated Draft for Comment, January 2011.</p> <p>"Guidelines for seeking free, prior and informed consent in the context of the UN-REDD Programme" (pages 9 and 10)</p> <p>The consultation plan should contain the following:</p> <ul style="list-style-type: none"> <li>- Arrangements assessing socio-environmental impact of proposed activity/legislative or administrative measure/policy, where these impacts are not known"</li> </ul> <p>UNDP. <i>Guidance Note – Implementing Environmental Assessment for UNDP Projects, DRAFT (12 March 2011) (GN EA)</i>. ("Scoping and Planning the EA", Step 7)</p> <p>"For all project stake holders, including indigenous peoples (see UNDP's Policy of Engagement with Indigenous Peoples) determine the likely effect of the proposed project on each stakeholder group and identify their likely position relative to the proposed project".</p> <p>Step 10 of the "EA Process Following Scoping" ("developing a stakeholder engagement plan"), in the GN EA makes the following statement about identification of benefits (with regard to public consultation on the content of EMPs)</p>	<p>OP 6: "A project proposed for Bank financing that affects Indigenous Peoples requires: ... (b) a social assessment by the borrower (see paragraph 9 and Annex A); ...."</p> <p>OP 9: "Analysis. If, based on the screening, the Bank concludes that Indigenous Peoples are present in, or have collective attachment to, the project area, the borrower undertakes a social assessment to evaluate the project's potential positive and adverse effects on the Indigenous Peoples, and to examine project alternatives where adverse effects may be significant. The breadth, depth, and type of analysis in the social assessment are proportional to the nature and scale of the proposed project's potential effects on the Indigenous Peoples, whether such effects are positive or adverse (see Annex A for details). To carry out the social assessment, the borrower engages social scientists whose qualifications, experience, and terms of reference are acceptable to the Bank."</p>

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<b>OPERATIONAL PRINCIPLES:<sup>1</sup> Indigenous Peoples</b>	<b>UNDP Policies &amp; Procedures and/or Gap Filling Commitments</b>	<b>World Bank Policies &amp; Procedures on Indigenous Peoples</b>
	<p>“<i>Consultation.</i> The consultation process will provide the stakeholders with opportunities to express their views at all points in the project decision-making process on matters that affect them directly and allows the project team to consider and respond to them. Topics the stakeholders will be able to express their views on will include, but are not be limited to:</p> <ul style="list-style-type: none"> <li>* Environmental risks and impacts, both adverse and positive;</li> <li>* Proposed mitigation measures;</li> <li>* Sharing of development benefits and opportunities;</li> <li style="padding-left: 40px;">* Implementation issues”.</li> </ul>	
<p><b>ACCESS TO PARKS &amp; PROTECTED AREAS</b></p> <p>4. Where restriction of access of Indigenous Peoples to parks and protected areas is not avoidable, ensure that the affected Indigenous Peoples’ communities participate in the design, implementation, monitoring and evaluation of management plans for such parks and protected areas and share equitably in benefits from the parks and protected areas.</p>	<p>FCPF &amp; UN-REDD <i>Guidelines on Stakeholder Engagement in REDD+ Readiness with a Focus on the Participation of Indigenous Peoples and Other Forest Dependent Communities</i> (November 2010) (SE REDD+).</p> <p>UN-REDD. <i>Programme Guidelines for Seeking the Free, Prior, and Informed Consent of Indigenous Peoples and other Forest Dependent Communities.</i> Consolidated Draft for Comment, January 2011.</p> <p>Above guidelines include provisions for the participation of IPs in design, implementation and monitoring of readiness and REDD+ activities.</p>	<p>OP 21: “In many countries, the lands set aside as legally designated parks and protected areas may overlap with lands and territories that Indigenous Peoples traditionally owned, or customarily used or occupied. The Bank recognizes the significance of these rights of ownership, occupation, or usage, as well as the need for long-term sustainable management of critical ecosystems. Therefore, involuntary restrictions on Indigenous Peoples’ access to legally designated parks and protected areas, in particular access to their sacred sites, should be avoided. In exceptional circumstances, where it is not feasible to avoid restricting access, the borrower prepares, with the free, prior, and informed consultation of the affected Indigenous Peoples’ communities, a process framework in accordance with the provisions of OP 4.12. The process framework provides guidelines for preparation, during project implementation, of an individual parks and protected areas’ management plan, and ensures that the Indigenous Peoples participate in the design, implementation, monitoring, and evaluation of the management plan, and share equitably in the benefits of the parks and protected areas. The management plan should give priority to collaborative arrangements that enable the Indigenous Peoples, as the custodians of the resources, to continue to use them in an ecologically sustainable manner.”</p>
ACTION PLAN	UN-REDD. <i>Programme Guidelines for Seeking the Free, Prior, and Informed</i>	OP 17: “If the project involves (a) activities that are contingent on establishing

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<p>5. Put in place an action plan for the legal recognition of customary rights to lands and territories, when the projects involves: (a) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples traditionally owned, or customarily used or occupied; or (b) the acquisition of such lands.</p>	<p><i>Consent of Indigenous Peoples and other Forest Dependent Communities.</i> Consolidated Draft for Comment, January 2011.</p> <p>“The FPIC process should be set in a national legal and policy framework which respects these rights” (“What is Free, Prior, and Informed Consent (FPIC)? (page 2)).</p> <p>UN-REDD. <i>Programme Guidelines for Seeking the Free, Prior, and Informed Consent of Indigenous Peoples and other Forest Dependent Communities.</i> Consolidated Draft for Comment, January 2011.</p> <p>“Review of the national legal framework related to indigenous peoples and forest dependent communities. Identify gaps between international and national frameworks on rights and national legislation... Draft and disseminate a report analyzing the existing policy, making recommendation for reform, and identifying elements of the Programme that require FPIC and outlining the process to implement FPIC.”(pg. 10)</p> <p>UNDP. <i>Guidance Note – Implementing Environmental Assessment for UNDP Projects, DRAFT (12 March 2011) (GN EA).</i> (“The EA Process after Scoping”, Stage 2: “Preparing an EMP”)</p> <p>“The EMP may range from a brief description of routine mitigation and monitoring measures to a series of specific plans including for example, Indigenous Peoples Development Plans”.</p>	<p>legally recognized rights to lands and territories that Indigenous Peoples have traditionally owned or customarily used or occupied (such as land titling projects), or (b) the acquisition of such lands, the IPP sets forth an action plan for the legal recognition of such ownership, occupation, or usage. Normally, the action plan is carried out before project implementation; in some cases, however, the action plan may need to be carried out concurrently with the project itself. Such legal recognition may take the following forms: (a) full legal recognition of existing customary land tenure systems of Indigenous Peoples; or (b) conversion of customary usage rights to communal and/or individual ownership rights. If neither option is possible under domestic law, the IPP includes measures for legal recognition of perpetual or long-term renewable custodial or use rights.”</p>
<p>COMMERCIAL DEVELOPMENT</p> <p>6. Do not undertake commercial development of cultural resources or knowledge of Indigenous Peoples without obtaining their prior agreement to such development.</p>	<p>UN-REDD. <i>Programme Guidelines for Seeking the Free, Prior, and Informed Consent of Indigenous Peoples and other Forest Dependent Communities.</i> Consolidated Draft for Comment, January 2011.</p> <p>“The following broad categories have been identified as requiring FPIC:</p> <ul style="list-style-type: none"> <li>• Projects affecting the lands or territories and other resources of indigenous peoples, particularly in connection with the development, utilization or exploitation of mineral, water or other resources (UNDRIP, Art. 32).</li> </ul>	<p>OP 18: [INSERTED] “If the project involves the commercial development of natural resources (such as minerals, hydrocarbon resources, forests, water, or hunting/fishing grounds) on lands or territories that Indigenous Peoples traditionally owned, or customarily used or occupied, the borrower ensures that as part of the free, prior, and informed consultation process the affected communities are informed of (a) their rights to such resources under statutory and customary law; (b) the scope and nature of the proposed commercial development and the parties interested or involved in such development; and (c) the potential effects of such development on the Indigenous Peoples’ livelihoods, environments, and use of such resources. The borrower includes in the IPP arrangements to enable the</p>



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	<ul style="list-style-type: none"> <li>• Removal from traditional or customary lands or territories (UNDRIP, Art. 10).</li> <li>• Removal of cultural, intellectual, religious and spiritual property (UNDRIP, Art. 11).</li> </ul> <p>Activities that may affect lands, territories, natural resources, traditional livelihoods” (pg. 8)</p>	<p>Indigenous Peoples to share equitably in the benefits to be derived from such commercial development; at a minimum, the IPP arrangements must ensure that the Indigenous Peoples receive, in a culturally appropriate manner, benefits, compensation, and rights to due process at least equivalent to that to which any landowner with full legal title to the land would be entitled in the case of commercial development on their land.”</p> <p>OP 19: “If the project involves the commercial development of Indigenous Peoples’ cultural resources and knowledge (for example, pharmacological or artistic), the borrower ensures that as part of the free, prior, and informed consultation process, the affected communities are informed of (a) their rights to such resources under statutory and customary law; (b) the scope and nature of the proposed commercial development and the parties interested or involved in such development; and (c) the potential effects of such development on Indigenous Peoples’ livelihoods, environments, and use of such resources. Commercial development of the cultural resources and knowledge of these Indigenous Peoples is conditional upon their prior agreement to such development. The IPP reflects the nature and content of such agreements and includes arrangements to enable Indigenous Peoples to receive benefits in a culturally appropriate way and share equitably in the benefits to be derived from such commercial development.”</p>
<p>IP PLAN</p> <p>7. Prepare an Indigenous Peoples Plan that is based on the social assessment and draws on indigenous knowledge, in consultation with the affected Indigenous Peoples’ communities and using qualified professionals. Normally, this plan would include a framework for continued consultation with the affected communities during</p>	<p>UN-REDD. <i>Programme Guidelines for Seeking the Free, Prior, and Informed Consent of Indigenous Peoples and other Forest Dependent Communities</i>. Consolidated Draft for Comment, January 2011.</p> <p>Under “Guidelines for seeking free, prior and informed consent in the context of the UN-REDD Programme” (pages 9-12), each country should prepare a “consultation plan and road map”.</p> <p>UNDP. <i>Guidance Note – Implementing Environmental Assessment for UNDP Projects, DRAFT (12 March 2011) (GN EA)</i>. (“The EA Process after Scoping”, Stage 1: “Conducting an EA”):</p> <p>“Indication of worker and community health and safety and social issues, and whether relevant additional assessments or plans are needed, e.g. resettlement plans or indigenous peoples development plans”.</p>	<p>OP 12: “Indigenous Peoples Plan. On the basis of the social assessment and in consultation with the affected Indigenous Peoples’ communities, the borrower prepares an Indigenous Peoples Plan (IPP) that sets out the measures through which the borrower will ensure that (a) Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits; and (b) when potential adverse effects on Indigenous Peoples are identified, those adverse effects are avoided, minimized, mitigated, or compensated for (see Annex B for details). The IPP is prepared in a flexible and pragmatic manner, and its level of detail varies depending on the specific project and the nature of effects to be addressed. The borrower integrates the IPP into the project design. ...”</p> <p>OP 13: “Indigenous Peoples Planning Framework. Some projects involve the preparation and implementation of annual investment programs or multiple</p>



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<b>OPERATIONAL PRINCIPLES:<sup>1</sup> Indigenous Peoples</b>	<b>UNDP Policies &amp; Procedures and/or Gap Filling Commitments</b>	<b>World Bank Policies &amp; Procedures on Indigenous Peoples</b>
<p>project implementation; specify measures to ensure that Indigenous Peoples receive culturally appropriate benefits, and identify measures to avoid, minimize, mitigate or compensate for any adverse effects; and include grievance procedures, monitoring and evaluation arrangements, and the budget for implementing the planned measures.</p>	<p>UNDP. <i>Guidance Note – Implementing Environmental Assessment for UNDP Projects, DRAFT (12 March 2011) (GN EA)</i>. (“The EA Process after Scoping”, Stage 2: “Preparing an EMP”)</p> <p>“The EMP may range from a brief description of routine mitigation and monitoring measures to a series of specific plans including for example, Indigenous Peoples Development Plans”.</p>	<p>subprojects. In such cases, and when the Bank’s screening indicates that Indigenous Peoples are likely to be present in, or have collective attachment to, the project area, but their presence or collective attachment cannot be determined until the programs or subprojects are identified, the borrower prepares an Indigenous Peoples Planning Framework (IPPF). The IPPF provides for the screening and review of these programs or subprojects in a manner consistent with this policy (see Annex C for details). The borrower integrates the IPPF into the project design.”</p> <p>OP 14: “Preparation of Program and Subproject IPPs. If the screening of an individual program or subproject identified in the IPPF indicates that Indigenous Peoples are present in, or have collective attachment to, the area of the program or subproject, the borrower ensures that, before the individual program or subproject is implemented, a social assessment is carried out and an IPP is prepared in accordance with the requirements of this policy. The borrower provides each IPP to the Bank for review before the respective program or subproject is considered eligible for Bank financing.”</p> <p>OP 16: [INSERTED] “Indigenous Peoples are closely tied to land, forests, water, wildlife, and other natural resources, and therefore special considerations apply if the project affects such ties. In this situation, when carrying out the social assessment and preparing the IPP/IPPF, the borrower pays particular attention to: (a) the customary rights of the Indigenous Peoples, both individual and collective, pertaining to lands or territories that they traditionally owned, or customarily used or occupied, and where access to natural resources is vital to the sustainability of their cultures and livelihoods; (b) the need to protect such lands and resources against illegal intrusion or encroachment; (c) the cultural and spiritual values that the Indigenous Peoples attribute to such lands and resources; and (d) Indigenous Peoples’ natural resources management practices and the long-term sustainability of such practices.”</p>
<p>DISCLOSURE</p> <p>8. Disclose the draft Indigenous Peoples Plan, including</p>	<p>UN-REDD. <i>Programme Guidelines for Seeking the Free, Prior, and Informed Consent of Indigenous Peoples and other Forest Dependent Communities</i>. Consolidated Draft for Comment, January 2011.</p> <p>Local level process (pages 10-11):</p>	<p>OP 10 [INSERTED: [As part of FPIC on] “the borrower ... (c) provides the affected Indigenous Peoples’ communities with all relevant information about the project (including an assessment of potential adverse effects of the project on the</p>

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<p>documentation of the consultation process, in a timely manner before appraisal formally begins, in an accessible place and in a form and language that are understandable to key stakeholders.</p>	<p>“Step 5: Once the consultation plan and road map is agreed, convey the initiative information to the community authorities, paying special attention to language and inter-cultural communication. This information must address the initiative's advantages and disadvantages. "Good faith" means that information must be exchanged constantly so that all parties know every agreement and have the opportunity to be heard and have questions and clarification requests attended to according to each culture's worldview.</p> <p>Step 6: As an essential part of the ‘free’ determination, meetings should take place in the community. Facilitators should be cultural mediators, with technical knowledge of the issue under consideration. The community may request additional technical assistance to organize meetings and present information, if needed, to ensure communities fully understand”.</p> <p>Step 10 of the “EA Process Following Scoping” (“developing a stakeholder engagement plan”), in the GN EA makes the following statement about disclosure: “Project stakeholder engagement is an ongoing process involving the disclosure of information to and consultation with project stakeholders. When project stakeholders may be affected by risks or adverse impacts from a proposed project, a plan for stakeholder engagement will be developed that will build and maintain over time a constructive relationship with project stakeholders. The nature and frequency of the engagement will reflect the project’s vulnerability and risks to and adverse impacts on the affected communities, et al. The Stakeholder Engagement Plan will include provisions for the following minimum requirements:</p> <p style="padding-left: 40px;"><i>Information Disclosure.</i> Consistent with UNDP’s Information Disclosure Policy, relevant information on the proposed project will be disclosed to help affected communities and other stakeholders understand the risks, impacts and opportunities of the proposed project. The EA document, including the EMP, will be publicly disclosed. If project stakeholders may be affected by risks or adverse impacts, they will be provided with access to information on the purpose, nature and scale of the project, the duration of proposed project activities, and any risks to and potential impacts on such stakeholders. Such disclosure will occur early in</p>	<p>affected Indigenous Peoples’ communities) in a culturally appropriate manner at each stage of project preparation and implementation.”</p> <p>OP 15: “The borrower makes the social assessment report and draft IPP/IPPF available to the affected Indigenous Peoples’ communities in an appropriate form, manner, and language. Before project appraisal, the borrower sends the social assessment and final IPP/IPPF to the Bank for review. Once the Bank accepts the documents as providing an adequate basis for project appraisal, the Bank makes them available to the public in accordance with The World Bank Policy on Disclosure of Information, and the borrower makes them available to the affected Indigenous Peoples’ communities in the same manner as the earlier draft documents.”</p>

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<b><i>OPERATIONAL PRINCIPLES:<sup>1</sup> Indigenous Peoples</i></b>	<b><i>UNDP Policies &amp; Procedures and/or Gap Filling Commitments</i></b>	<b><i>World Bank Policies &amp; Procedures on Indigenous Peoples</i></b>
	the EA process and on an ongoing basis”.	
9. Monitor implementation of the Indigenous Peoples Plan, using experienced social scientists.	<p>UN-REDD. <i>Programme Guidelines for Seeking the Free, Prior, and Informed Consent of Indigenous Peoples and other Forest Dependent Communities</i>. Consolidated Draft for Comment, January 2011.</p> <p>Local level process (page 12):</p> <p>“Step 14:</p> <p>Indigenous peoples and other forest dependent communities should participate in the monitoring of the project and maintain the freedom to withdraw from the same in the event that there’s evidence of violations of the agreed-upon guidelines or upon reporting them to the agreed bodies”.</p> <p>Stage 2 of “the EA Process Following Scoping” of the GN EA (“Preparing an Environmental Management Plan”) states that:</p> <p>The EMP may range from a brief description of routine mitigation and monitoring measures to a series of specific plans including, for example, Resettlement Action Plans, Biodiversity Action Plans, Hazardous Materials Management Plans, Emergency Preparedness and Response Plans, Community Health and Safety Plans, and Indigenous Peoples Development Plans (see UNDP’s Policy of Engagement with Indigenous Peoples).</p>	Monitoring Requirements: BP para 12, Annex B to OP, para 2(i) and Annex C to OP, para 1(f).
Definitions of Key Terms	<p>The definition offered by UNDP's 'Policy of Engagement' is as follows:</p> <p>The terms “indigenous peoples,” “indigenous ethnic minorities,” and “tribal groups” are used to describe social groups that share similar characteristics, namely a social and cultural identity that is distinct from dominant groups in society. United Nations human rights bodies, ILO, the World Bank and international law apply four criteria to distinguish indigenous peoples:</p> <p>(a) indigenous peoples usually live within (or maintain attachments to) geographically distinct ancestral territories; (b) they tend to maintain distinct social, economic, and political institutions within their territories; (c) they typically aspire</p>	OP 4: “For purposes of this policy, the term “Indigenous Peoples” is used in a generic sense to refer to a distinct, vulnerable, social and cultural group <sup>6</sup> possessing the following characteristics in varying degrees: (a) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (b) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (c) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (d) an indigenous language, often different from the official language of the country or region. A group that has lost ‘collective attachment to geographically distinct habitats or

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	<p>to remain distinct culturally, geographically and institutionally rather than assimilate fully into national society; and (d) they self-identify as indigenous or tribal.</p> <p>Despite common characteristics, there no single accepted definition of indigenous peoples exists that captures their diversity as peoples. Self-identification as indigenous or tribal is usually regarded as a fundamental criterion for determining whether groups are indigenous or tribal, sometimes in combination with other variables such as “language spoken,” and “geographic location or concentration.”</p>	<p>ancestral territories in the project area’ (paragraph 4 (b)) because of forced severance remains eligible for coverage under this policy. Ascertaining whether a particular group is considered as “Indigenous Peoples” for the purpose of this policy may require a technical judgment (see paragraph 8).”</p> <p>OP ft. nt. 4: “Free, prior, and informed consultation with the affected Indigenous Peoples’ communities’ refers to a culturally appropriate and collective decisionmaking process subsequent to meaningful and good faith consultation and informed participation regarding the preparation and implementation of the project. It does not constitute a veto right for individuals or groups (see paragraph 10).”</p> <p>OP ft. nt. 7: “‘Collective attachment’ means that for generations there has been a physical presence in and economic ties to lands and territories traditionally owned, or customarily used or occupied, by the group concerned, including areas that hold special significance for it, such as sacred sites. “Collective attachment” also refers to the attachment of transhumant/nomadic groups to the territory they use on a seasonal or cyclical basis.”</p> <p>OP ft. nt. 8: “‘Forced severance’ refers to loss of collective attachment to geographically distinct habitats or ancestral territories occurring within the concerned group members’ lifetime because of conflict, government resettlement programs, dispossession from their lands, natural calamities, or incorporation of such territories into an urban area.”</p> <p>OP ft. nt. 17: “‘Customary rights’ to lands and resources refers to patterns of long-standing community land and resource usage in accordance with Indigenous Peoples’ customary laws, values, customs, and traditions, including seasonal or cyclical use, rather than formal legal title to land and resources issued by the State.</p>

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<b>OPERATIONAL PRINCIPLES:<sup>1</sup></b> <b>Physical &amp; Cultural Resources</b>	<b>UNDP</b> <b>Policies &amp; Procedures and/or Gap Filling Commitments</b>	<b>World Bank Policies &amp; Procedures on Physical &amp; Cultural Resources</b>
<b>F. PHYSICAL &amp; CULTURAL RESOURCES (PCR)</b>	<p>UNDP. Guidance Note – Implementation of Environmental Screening for UNDP Projects, Draft (12 March 2011) (GN ES).</p> <p>UNDP. Guidance Note – Implementing Environmental Assessment for UNDP Projects, Draft (12 March 2011) (GN EA).</p>	<p>OP/BP 4.11 Physical Cultural Resources</p>
<p><b>Overarching Objective:</b> To assist in preserving physical cultural resources and avoiding their destruction or damage. PCR includes resources of archaeological, paleontological, historical, architectural, religious (including graveyards and burial sites), aesthetic, or other cultural significance.</p>		
<p><b>ASSESSMENT</b></p> <p>1. Use an environmental assessment (EA) or equivalent process to identify PCR and prevent or minimize or compensate for adverse impacts and enhance positive impacts on PCR through site selection and design.</p>	<p>EA is provided for in the Draft Environmental Assessment Process. However, some amendments need to be made to both the ES and GN EA to take better account of PCR issues. In addition, specific guidance will be developed to help answer PCR questions.</p> <p><b>Gap Filling:</b></p> <p>1. Add a screening question to Section 4 of Table 3 in the EA Screening Template (UNDP. Guidance Note – Implementation of Environmental Screening for UNDP Projects, Draft (12 March 2011) (ES)).</p> <p>The question could read:</p> <p>“Would the proposed project negatively affect significant physical or cultural resources?”</p> <p>2. Develop specific guidance to assist with answering the above question.</p>	<p>OP 3: “The Bank assists countries to avoid or mitigate adverse impacts on physical cultural resources from development projects that it finances. The impacts on physical cultural resources resulting from project activities, including mitigating measures, may not contravene either the borrower’s national legislation, or its obligations under relevant international environmental treaties and agreements.”</p> <p>OP 4: “The borrower addresses impacts on physical cultural resources in projects proposed for Bank financing, as an integral part of the environmental assessment (EA) process.”</p> <p>OP 5: “The following projects are classified during the environmental screening process as Category A or B, and are subject to the provisions of this policy: (a) any project involving significant excavations, demolition, movement of earth, flooding, or other environmental changes; and (b) any project located in, or in the vicinity of, a physical cultural resources site recognized by the borrower. Projects specifically designed to support the management or conservation of physical cultural resources are individually reviewed, and are normally classified as Category A or B.”</p>
<p><b>SURVEYS</b></p> <p>2. As part of the EA, as appropriate, conduct field based surveys, using qualified</p>	<p>UNDP. Guidance Note – Implementing Environmental Assessment for UNDP Projects, Draft (18 February 2011) (GN EA).</p> <p>Scoping and Planning the EA</p> <p>“Step 1. Determine Data Availability for EA. The EA should build on an adequate</p>	<p>OP 6: “To develop the TORs for the EA, the borrower, in consultation with the Bank, relevant experts, and relevant project-affected groups, identifies the likely physical cultural resources issues, if any, to be taken into account by the EA. The TORs normally specify that physical cultural resources be included in the baseline data collection phase of the EA.”</p>



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<p>specialists.</p>	<p>understanding of relevant baseline biophysical dimensions, ecosystems conditions, and other environment-related issues. Determine if there is sufficient data available to conduct an EA and, if the data are insufficient, plan for and undertake efforts to fill the identified data gaps”.</p> <p>Stage 1: Conducting an EA</p> <p>“Step 2. Develop Baseline Environmental Information. The current and projected environmental baseline data must be presented for the project’s area of influence”.</p> <p><b>Gap Filling:</b></p> <p>The abovementioned steps will be amended as follows (see bold text):</p> <p>“Step 1. Determine Data Availability for EA. The EA should build on an adequate understanding of relevant baseline biophysical dimensions, ecosystems conditions, physical and cultural resources, and other environment-related issues. Determine if there is sufficient data available to conduct an EA and, if the data are insufficient, plan for and undertake efforts to fill the identified data gaps”.</p> <p>Stage 1: Conducting an EA</p> <p>“Step 2. Develop Baseline Environmental Information. The current and projected environmental, social, and physical/cultural baseline data must be presented for the project’s area of influence”.</p>	<p>BP 8: “The TT ensures that the physical cultural resources component of the EA includes (a) an investigation and inventory of physical cultural resources likely to be affected by the project; (b) documentation of the significance of such physical cultural resources; and (c) assessment of the nature and extent of potential impacts on these resources.”</p>
<p>CONSULTATION</p> <p>3. Consult concerned government authorities, relevant non-governmental organizations, relevant experts and local people in documenting the presence and significance of PCR, assessing the nature and extent of potential impacts on these resources, and designing and</p>	<p>The EA process requires public disclosure as part of the stakeholder engagement process. Section 3 – Steps 7 &amp; 10 outline the Stakeholder Engagement Plan (GN EA (3)).</p> <p>“Project stakeholder engagement is an ongoing process involving the disclosure of information to and consultation with project stakeholders....a plan for stakeholder engagement will be developed that will build and maintain over time a constructive relationship with project stakeholders. The nature and frequency of the engagement will reflect the project’s risks to and adverse impacts on the affected communities” (GN EA (3.10)).</p> <ul style="list-style-type: none"> <li>• Consultations required for projects identified as requiring EA.</li> </ul>	<p>OP 8: “ When the project is likely to have adverse impacts on physical cultural resources, the borrower identifies appropriate measures for avoiding or mitigating these impacts as part of the EA process. These measures may range from full site protection to selective mitigation, including salvage and documentation, in cases where a portion or all of the physical cultural resources may be lost.”</p> <p>OP 11: “As part of the public consultations required in the EA process, the consultative process for the physical cultural resources component normally includes relevant project-affected groups, concerned government authorities, and relevant nongovernmental organizations in documenting the presence and significance of physical cultural resources, assessing potential impacts, and</p>



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implementing mitigation plans.	<ul style="list-style-type: none"> <li>Must consult stakeholders who will be affected directly or indirectly by the project and consider and respond to their views. Stakeholders contribute to the establishment of a “stakeholder engagement plan” to build and maintain a constructive relationship with stakeholders. The nature and scope of the engagement is determined by the risks and impacts associated with the project. The plan includes provisions (at a minimum) for information disclosure, consultation (including implementation issues), and grievance mechanism.</li> </ul>	exploring avoidance and mitigation options.” OP 15: “When the borrower’s capacity is inadequate to manage physical cultural resources that may be affected by a Bank-financed project, the project may include components to strengthen that capacity.”
<b>CHANCE FIND PROCEDURES</b>  4. For materials that may be discovered during project implementation, provide for the use of "chance find" procedures in the context of the PCR management plan or PCR component of the environmental management plan.	The issue of “chance find” procedures is not covered in current drafts of the ES or GN EA.  <b>Gap Filling:</b> The EMP component of the GN EA will be amended to include a “chance find” procedure.	OP 9: “As an integral part of the EA process, the borrower develops a physical cultural resources management plan that includes measures for avoiding or mitigating any adverse impacts on physical cultural resources, provisions for managing chance finds, any necessary measures for strengthening institutional capacity, and a monitoring system to track the progress of these activities.”
<b>DISCLOSURE</b> 5. Disclose draft mitigation plans as part of the EA or equivalent process, in a timely manner, before appraisal formally begins, in an accessible place and in a form and language that are understandable to key stakeholders.	In the GN EA “Scoping and Planning the EA” section, consultation on mitigation plans is outlined as follows: “The consultation process will provide the stakeholders with opportunities to express their views at all points in the project decision-making process on matters that affect them directly and allows the project team to consider and respond to them. Topics the stakeholders will be able to express their views on will include, but are not be limited to: - Environmental risks and impacts, both adverse and positive;_ - Proposed mitigation measures; - Sharing of development benefits and opportunities;	OP 12: “The findings of the physical cultural resources component of the EA are disclosed as part of, and in the same manner as, the EA report. Exceptions to such disclosure would be considered when the borrower, in consultation with the Bank and persons with relevant expertise, determines that disclosure would compromise or jeopardize the safety or integrity of the physical cultural resources involved or would endanger the source of information about the physical cultural resources. In such cases, sensitive information relating to these particular aspects may be omitted from the EA report.”

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<i><b>OPERATIONAL PRINCIPLES:<sup>1</sup></b></i> <i><b>Physical &amp; Cultural Resources</b></i>	<i><b>UNDP</b></i> <i><b>Policies &amp; Procedures and/or Gap Filling Commitments</b></i>	<i><b>World Bank Policies &amp; Procedures on</b></i> <i><b>Physical &amp; Cultural Resources</b></i>
	- Implementation issues”.	
Definition of Key Terms	None.	None.

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<b><i>Grievances and Accountability</i></b>	
<b>KEY FEATURES THE WORLD BANK’S INDEPENDENT INSPECTION PANEL</b> <i>(AS DESCRIBED BY WB STAFF; I.E., NOT APPROVED BY THE WB BOARD.)</i>	<p>IN THIS COLUMN OTHER DELIVERY PARTNERS SHOULD DESCRIBE THE KEY FEATURES OF ANY ACCOUNTABILITY, DISPUTE RESOLUTION OR REDRESS MECHANISM THEY BELIEVE IS SUBSTANTIALLY EQUIVALENT WITH THE WB’S INDEPENDENT INSPECTION PANEL</p> <p><i>(SEE BELOW FOR OTHER MECHANISMS)</i></p>
<p>1. Executive Directors of the World Bank (“the Board”) appoint a panel of inspectors of different nationalities from Bank member countries, who serve no more than one term. The Panel is independent from the Bank’s Management, and must be given sufficient budgetary resources to carry out its activities. Efforts are made to inform in borrowing countries of the availability of the Panel. Panel Members can only be removed from office for cause.</p>	
<p>2. The Panel receives written requests for inspection by an affected party in the territory of the borrower, alleging that its rights or interests have been or are likely to be directly affected by an action or omission of the Bank as a result of a failure of the Bank to follow its operational policies and procedures with respect to the design, appraisal and/or implementation of a project financed by the Bank, provided that such failure has had, or threatens to have, a material adverse effect. The request must explain the steps taken to deal with the issue and actions taken to bring the issue to the attention of Management, and Management’s response to such actions.</p>	
<p>3. Within 21 days of being notified of a request for inspection, Management provides the Panel with evidence that it has complied or intends to comply with the Bank’s relevant policies and procedures. Within 21 days of receiving the Management response, the Panel determines whether the request meets the eligibility criteria, and recommends to the Board whether the matter should be investigated.</p>	
<p>4. In determining whether to investigate, the following eligibility criteria are used:</p> <ul style="list-style-type: none"> <li>a. The affected party consists of any two or more persons with common interests or concerns and who are in the borrower’s territory.</li> <li>b. The request asserts in substance that a serious violation by the Bank of its operational policies and procedures has or is likely to have a material adverse effect on the requester.</li> </ul>	

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<ul style="list-style-type: none"> <li>c. The request asserts that its subject matter has been brought to Management’s attention and that, in the requester’s view, Management has failed to respond adequately demonstrating that it has followed or is taking steps to follow the Bank’s policies and procedures.</li> <li>d. The matter is not related to procurement.</li> <li>e. The related loan has not been closed or substantially disbursed.</li> <li>f. The Panel has not previously made recommendation on the subject matter or, if it has the request asserts that there is new evidence or circumstances not known at the time of the prior request.</li> </ul>	
<p>5. If the Board authorizes an investigation, it does so without making a judgment on the merits of the request, and informs the affected party of the decision within two weeks of the date of such decision. Management makes its response to the request publicly available within three days after the Board’s decision.</p>	
<p>6. If the Panel proceeds with an investigation, the Panel submits its report to the Board and the President of the Bank, focusing on whether there is a serious Bank failure to observe its operational policies and procedures with respect to project design, appraisal and/or implementation, and assessing material adverse effect of Bank failure, using the without-project situation as the base case for comparison. All decisions of the Panel on procedural matters, its recommendations to the Board on whether to proceed with the investigation of a request, and its reports are reached by consensus and, in the absence of a consensus, the majority and minority views are stated.</p>	
<p>7. Within six weeks of receiving the Panel’s report, Management submits to the Board for their consideration: 1) a report, addressing possible Bank remedial efforts, and 2) an action plan agreed between the borrower and the Bank, in consultation with the requesters, that seeks to improve project implementation. Management discloses the report and the action plan to the public and the claimants in their language, to the extent possible, within two weeks of the Board’s consideration. Management will continue to report to the Board on the Action Plan, as appropriate.</p>	

OTHER ACCOUNTABILITY, DISPUTE RESOLUTION, & REDRESS MECHANISMS – BELOW, USING ONE ROW PER MECHANISM, OTHER DELIVERY PARTNERS SHOULD DESCRIBE ANY OTHER ACCOUNTABILITY, DISPUTE RESOLUTION OR REDRESS MECHANISM THAT WILL APPLY TO THE FCPF READINESS FUND.	
UNDP’s Draft Environmental Assessment Guidance requires that projects identified through the screening process as requiring environmental assessment establish a <b>grievance mechanism</b> to “receive and facilitate resolution of the stakeholders’ concerns and grievances about the project’s environmental performance. The grievance mechanism will be appropriate to the potential adverse impacts of the project. It will address concerns promptly, using an understandable and transparent process that is culturally appropriate and readily accessible to all stakeholders at no cost and without retribution. The grievance mechanism will not impede access to judicial or administrative remedies. Affected communities will be informed about the mechanism as part of the stakeholder engagement process.”	
Step 3 (Propose a grievance redress mechanism within the work program) in Section 2c (REDD-plus Implementation Framework) of the <b>joint FCPF UN-REDD R-PP template</b> <sup>2</sup> , outlines the following guidelines for a country to develop a grievance mechanism:	
<ul style="list-style-type: none"><li>• The country is asked to include its proposals for how it will support enhancement of existing grievance redress mechanisms, in order to address its REDD-plus strategy in component 2b and its consultation and participation process laid out in component 1c.</li><li>• For countries operating under the UN-REDD Programme this should adhere to the principles and standards outlined in the UN-REDD Programme Guidelines on FPIC and Recourse, which will be annexed to the FCPF and UN-REDD Programme Guidelines on Stakeholder Engagement in REDD+ Readiness, in July/August 2011 (See point 3 below)</li><li>• The objectives of introducing this grievance mechanism are to: 1) build on existing local dispute resolution processes where they exist, or could be revised, to include REDD-plus-related grievances, to seek local resolution whenever possible; and 2) provide recourse to a higher-level grievance mechanism (if considered appropriate in the country context) for grievances not resolved at the local level. A number of resources are available on this topic, including the IFC and World Bank notes included in Annex A.</li><li>• The proposals should include proposals to:<ul style="list-style-type: none"><li>a) <b>Conduct rapid assessment of existing formal &amp; informal grievance redress mechanisms:</b> Offer a proposed assessment of what options exist for putting in place an accessible, affordable and effective grievance redress mechanism for issues arising under a REDD-plus regime, and how existing grievance redress mechanisms at the local or national level can be modified to ensure that they are more accessible, affordable and effective in responding to challenges in REDD-plus implementation. This assessment also should consider the appropriate level to build on to provide redress. For example, perhaps building on local level existing systems in proposed REDD-plus pilot project areas, or at the regional level where clusters of activities would occur, or building on a national grievance mechanism.</li><li>b) <b>Propose a framework for the proposed grievance redress mechanism:</b> Propose a study or other activities to define the structure, functioning and governance of such a mechanism, taking into account customary grievance approaches where feasible, and public dialogue and consultation. Topics to be included in this assessment could include: identification of criteria for evaluation of the performance of the proposed mechanism over time, and indicators to be used; and how grievances could be brought to the mechanism.</li></ul></li></ul> <p>As background for consideration, the grievance redress process usually includes six steps – grievance uptake; grievance sorting and processing; acknowledgement and follow-up; grievance verification, investigation and action; grievance monitoring and evaluation; and feedback/communication. These steps are described in detail in papers “<i>Feedback Matters: Designing</i></p>	

<sup>2</sup> The joint R-PP template is currently being finalized. The referenced text comes from the March 20, 2011 version.



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*Effective Grievance Redress Mechanisms for Bank-Financed Projects Part 1: The Theory of Grievance Redress, and Part 2: The Practice of Grievance Redress*”, which are presented in Annex A, with a link to access to them, as available tools for potential reference.

Effective grievance redress mechanisms are typified by a number of characteristics, such as multiple grievance uptake locations and multiple channels for receiving grievances; fixed service standards for grievance resolution; prompt and clear processing guidelines (including reviewing procedures and monitoring systems); and an effective and timely grievance response system to inform complainants of the action taken.

**c) Propose transparent information sharing and consultation on the proposed mechanism:** Include how public dissemination of results of any studies or discussions of proposed grievance arrangements would be conducted.

The draft **UN-REDD Programme Guidelines on FPIC and Recourse**<sup>3</sup> applies to the UN-REDD Programme, with the proposition that it shall inform the grievance mechanism for REDD+ implementation. The grievance mechanism must be accessible to a diversity of stakeholders, and capable of addressing a diversity of conflicts and possible claims at all stages of programme development and implementation. The Guidelines outline that an effective grievance mechanism should be accessible, independent and impartial, transparent and accountable. The mechanism should be efficient and effective, with flexibility to respond to diverse issues brought forward by diverse parties. It should have a dedicated budget and follow the principle of subsidiarity, where possible.

At the Collaborative Partnership on Forests (CPF) Dialogue on Thursday, 3 February 2011 during the ninth session of the UN Forum on Forests (UNFF9), the UNDP Administrator spoke about UNDP’s commitment to a strengthened safeguard and accountability framework in the context of REDD+ stating that, “UNDP is committed to (1) having its work on environmental and social safeguards for REDD+ initiatives meet the expectations set out in the Cancun Agreements; (2) developing a recourse mechanism for forest stakeholders involved in REDD+, to ensure accountability and provide a system for addressing complaints from affected parties; and (3) ensuring that human rights and the UN Declaration of Rights of Indigenous Peoples, including the right to free, prior, and informed consent, underpin the safeguards framework.”

The accountabilities of UNDP have been firmly established and reaffirmed over many years by a series of General Assembly resolutions and Executive Board decisions. The commitment to accountability of UNDP is established by General Assembly resolution 26/88 and affirmed by resolution 59/250. It is reaffirmed by resolution 62/208 on the Triennial Comprehensive Policy Review of the operational activities for development within the United Nations system, which emphasizes the principle of national ownership, with operational activities carried out for the benefit of the programme countries, at the request of those countries and in accordance with their own policies and priorities for development.

In order to respond to these challenges UNDP has established an organizational accountability system to support increased transparency, clarity and alignment of all organizational activities, in accordance with the guidance provided by international practice, standards and new institutional systems. This organization-wide accountability system is aligned with the UNDP Strategic Plan 2008 - 2011 (extended to 2013). The UNDP Accountability System (DP/2008/16/Rev.1) was approved by the UNDP Executive Board in its September 2008 session, and is gradually being operationalized throughout the organization.

<sup>3</sup> Please do not reference or circulate information on the Guidelines before a draft is finalized for distribution and consultation.

Background Information on United Nations Development Programme Environmental and Social Safeguards Policies and Procedures – 3 June 2011

<p>The <b>UNDP Accountability Framework</b> is based on ten elements of stakeholders and managerial accountability: Planning and strategic direction; Policy and programme; Results and performance; Partnership management; Stewardship; Values and culture; Risk management; Quality assurance; Learning and Change management; People management. All the elements of the framework are interlinked.</p> <p>The various elements of the Framework circle are guiding us to assuring a high level of accountability in UNDP. When clicking on them you will see how the elements are integrated in our daily work activities and what tools and resources you can use in order to contribute to a higher level of accountability. With each element there is also a section about what actions that have been taken to strengthen accountability in our organization.</p>
<p>The <b>UNDP Oversight Policy</b> establishes the procedures, tools and reporting for independent external and internal oversight in order to provide assurance of UNDP programmatic interventions to the Executive Board and Administrator of UNDP. It describes external oversight organized within the UN framework through the UN Board of Auditors and UN Joint Inspection Unit, and the role of the UNDP Audit Advisory Committee (AAC).</p> <p>Functional systems of internal controls are in place for the evaluation of the policy framework, efficient utilization of resources and adherence to professional and ethical standards. Independent assurance is achieved through the AAC, the Office of Audit and Investigation (OAI), and the Evaluation office (EO). The heads of OAI, EO and the Ethics Office report to the Administrator and independently to the Executive Board on their findings, and oversight reporting is part of standing items and reporting requirements on the agenda of the Executive Board. Internal audit and evaluation capacity has recently been enhanced.</p>
<p>UNDP is currently undertaking a scoping review of a) UNDP policies, procedures and guidelines to identify the needs and entry points for establishing a <b>corporate recourse mechanism</b>; and b) existing best practice and approaches for recourse mechanisms to establish a sense for the standards that UNDP’s approach should adhere to and experiences UNDP can learn from. This review will inform an outline of options for the design of a potential UNDP corporate level recourse mechanism, for management’s consideration. It is anticipated that identified options will build on the existing accountability mechanisms (e.g. OAI) that UNDP already has in place.</p>