



Environmental and Social Management Framework & Process Framework

Managing Watersheds for Enhanced Resilience of Communities to Climate Change in Nepal (MaWRiN) Project (GEF G0033)

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LIST OF ACRONYMS

ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Safeguards
ESSF	Environmental and Social Safeguards Framework
GEF	Global Environmental Facility
IP	Indigenous Peoples
IPP	Indigenous Peoples Plan
IPPF	Indigenous Peoples Planning Framework
MaWRiN	Managing Watersheds for Enhanced Resilience of Communities to Climate Change in Nepal
NWFPs	Non-wood forest products
PAP	Project Affected People
PF	Process Framework
PFO	Project Field Office
PMU	Project Management Unit
PSC	Project Steering Committee
SEP	Stakeholder Engagement Plan
SIPP	Safeguards Integrated Policies and Procedures
WWF	World Wildlife Fund

1. INTRODUCTION

Climate change poses one of the biggest challenges to sustainable development in Nepal, which is featured among the ten countries most affected by climate change between 2010 and 2019 according to the Global Climate Risk Index 2021. The country is beset with climate-induced hazards such as floods, landslides and debris-flows along with extended dry spells and drying up of water sources along the mid hills and mountains while glacial melt is significantly increasing the potential risk of Glacial Lake Outburst Floods (GLOFs) in the high mountains. Floods are frequent, triggered by rapid snow and ice melt in the mountains as well as by extreme, torrential rainfall occurrences in the foothills during the monsoon season (June-September). The heavy rains also wear away the geologically fragile mountains and foothills, especially where areas are exposed and degraded due to unsustainable land use and depletion of forest resources, causing landslides, soil erosion and expansion of river banks.

The Marin Watershed has been identified as one of the most vulnerable areas to the impacts of climate change in the country. Increasing floods, droughts, fires and associated landslides in the area affect the subsistence of agrarian, largely indigenous, communities in the area. Drought and fire are exacerbating the human-caused degradation and loss of forests, which is a resource upon which the subsistence living communities depend. Drought, floods and landslides also impact subsistence agriculture, and cause waterways to fill with debris.

The Managing Watersheds for Enhanced Resilience of Communities to Climate Change in Nepal (MaWRiN) Project, located in Marin watershed in the central-east of the Churia region, was conceptually approved in November 2020 by the GEF for funding from the GEF-managed Least Developed Countries Fund (LDCF). To be implemented over a period of five years by WWF in close association with the Ministry of Forests and Environment (MoFE) as the national executing partner, the project will enable the government and local stakeholders to invest in protecting the Marin watershed while bolstering the longer-term resilience of local and indigenous communities against climate emergencies.

The MaWRiN Project will be partially financed by the Global Environment Fund and WWF is the implementing agency for this proposed GEF project. Hence, the WWF's Environmental and Social Safeguards Framework, as detailed in the Safeguards Integrated Policies and Procedures (SIPP) apply to the project, and require the preparation of an Environmental and Social Monitoring Framework (ESMF), Process Framework (PF), and Indigenous Peoples Planning Framework.

The principles and procedures of the ESMF apply only to project activities that are funded through GEF.

In general, the anticipated adverse environmental and social impacts on the population that resides within project affected areas are site-specific, reversible and can be readily mitigated. Thus, MaWRiN is classified as a **“Category B” project** under the WWF Environmental and Social Safeguards Categorization.

The overall Executing Agency for MaWRiN is the Ministry of Forestry and Environment (MoFE), implementing the Project on behalf of the Ministry of ****, the Recipient of the funds.

1.1. Objective of the ESMF

The preparation of this ESMF was required in accordance with the WWF's ESSF in order to identify and manage the environmental and social risks and impacts of the MaWRiN project. The ESMF aims

to outline the principles, procedures, and mitigation measures for addressing environmental and social impacts associated with the project in accordance with the laws and regulations of Nepal and with the ESSF.

Since the precise scope of activities that will be implemented as part of the project will only be determined during the implementation phase, site-specific social and environmental impacts are uncertain at this stage. Thus, the development of site-specific Environmental and Social Management Plans (ESMPs) is currently not feasible, and an ESMF is necessary to set out procedures for addressing potential adverse social and environmental impacts that may occur during project activities. Site-specific ESMPs will be developed pursuant to the guidance provided by this ESMF during project implementation.

The specific objectives of the ESMF include the following:

- Carry out a preliminary identification of the positive and negative social and environmental impacts and risks associated with the implementation of the Project;
- Outline the legal and regulatory framework that is relevant to the Project implementation;
- Specify appropriate roles and responsibilities of actors and parties involved in the ESMF implementation;
- Propose a set of preliminary recommendations and measures to mitigate any negative impacts and enhance positive impacts;
- Develop a screening and assessment methodology for potential activities, that will allow an environmental/social risk classification and the identification of appropriate safeguards instruments;
- Set out procedures to establish mechanisms to monitor the implementation and efficacy of the proposed mitigation measures;
- Outline requirements related to disclosure, grievance redress, capacity building activities, and budget required for the implementation of the ESMF.

1.2. Objective of the PF

The Project triggers the WWF's Standard on Access Restriction and Resettlement as it may restrict or otherwise affect access to natural resources and the livelihood activities of project affected people (PAP). This Process Framework (PF) describes the process by which affected communities participate in identification, design, implementation and monitoring of relevant project activities and mitigation measures. The purpose of this PF is to ensure participation of Project Affected People (PAP) while recognizing and protecting their rights and interests and ensuring that they do not become worse off as a result of the project. Specifically, the PF will:

- Describe activities that may involve new or more stringent restrictions on use of natural resources in the project area.
- In partnership with them, establish the mechanism through which local communities can contribute to the project design, implementation and monitoring.
- Identify the potential negative impacts of the restriction on the surrounding communities.

- Specify the criteria for eligibility of economically displaced persons to receive compensation benefits and development assistance (no physical displacement is allowed under WWF funded projects).
- Describe the mitigation measures required to assist the economically 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;
- Describe the grievance procedure or process for resolving disputes to natural resource use restrictions.
- Describe the participatory monitoring arrangements with neighboring community members.

As the project intends to enhance the livelihoods and resilience of indigenous peoples and local communities, the allocation of project benefits among local community members is particularly important. The intent of the framework is to ensure transparency and equity in the planning and implementation of activities by the project. This framework details the principles and processes for assisting communities to identify and manage any potential negative impacts of the project activities. Since the exact social impacts will only be identified during project implementation, the PF will ensure that mitigation of any negative impacts from project investments through a participatory process involving the affected stakeholders and rightsholders. It will also ensure that any desired changes by the communities in the ways in which indigenous peoples exercise customary tenure rights in the project sites would not be imposed, but would emerge from a consultative process.

1.3. Objective of the IPPF

The target project areas include minority groups as per the definition of the National Foundation for Upliftment of Aadijati Janjati Act 2002 of Nepal, there are 59 indigenous nationalities recognized in Nepal of which Tamang, Magar, Newar, Majhi, Gurung, Sunuwar, Dunuwar, Pahari, Mushahar, Thami, Ghale, Gharti/Bhujel, Hayu, Rai, Limbu, Dhanuk, Sherpa, Kumal, Rajbanshi, Chepang, Santhal/Sattar, Jhangad, Dhimal, Bhote, Yakkha, Darai, Thakali, Chhantyal, Bote, Jirel, Dura, Meche, Rajhi, Byanshi are residing in the Marin watershed.

Based on WWF's Standard on Indigenous Peoples, the people affected by this project would thus be considered Indigenous, ethnic or tribal minorities. An Indigenous People/Ethnic Peoples Planning Framework thus has to be prepared.

The objective of the Indigenous Peoples Planning Framework (IPPF) is to clarify the principles, procedures and organizational arrangements to be applied to indigenous peoples IPs for the MaWRiN project. This framework will serve as a guideline to the Project Team to (a) Enable them to prepare an Indigenous Peoples Plans (IPPs) for specific activities proposed consistent with WWF's Environment and Social Safeguard Integrated Policies and Procedures, (b) Enable IPs to benefit equitably from the project, and (c) Engage affected IPs in a Free Prior Informed Consent (FPIC) process.

1.4. ESMF/PF/IPPF Preparation Methodology

The ESMF/PF/IPPF was prepared relying on a thorough desk review analysis, as well as consultations with project stakeholders carried out in December 2021:

- Ten percent of total vulnerable households of the identified micro watershed were surveyed.
- 7 Focal Group Discussions (FGDs) were carried out with Indigenous Peoples, Marginalized Groups (like Dalits, minor ethnicities like Hayu), and Women.
- Key Informant Interview (KII) were held with elected representative of local government, representative from Community Forest Users Group (CFUG), Drinking Water Users Group, local level indigenous organization (Hayu Leader) and representative from schools.

Overall, 79 IPs participated in consultations, 49% of whom were women.

S.N	Tools Used	Total Number	Total Female	Total Male	Dalit	Indigenous People
1	FGD	7	37	43	17	72
2	KII	9	2	7	0	7

Inputs and feedback provided by consultations participants were integrated into the project documents and into this ESMF.

In order to avoid duplications and for ease of reference, the ESMF, PF, and IPPF components are combined into a single document.

2. PROJECT DESCRIPTION

This chapter outlines the objectives of the MaWRiN project, its components, milestones, and major supported activities.

2.1. Project Objectives and Components

The objective of the project is “to enhance climate resilience of Indigenous people and local communities in the Marin watershed through nature-based solutions and livelihood improvement.”

The fundamental project approach will be to address climate change impacts using an integrated approach at the watershed level. This approach is to consider: (a) strengthening coordination between local stakeholders and their capacity to assess climate risks and vulnerabilities, and mainstream appropriate climate adaptation strategies and actions in local development; (b) enhancing the climate resilience of local livelihoods and the resources that the local communities depend upon including through community-based management, and reducing impacts of climate disasters and hazards employing nature-based solutions; and (c) generating lessons and good practices, and developing knowledge for replication, adaptation and sustainability of the project results.

The theory of change of the project presumes that when stakeholders are capacitated to assess climate risks and vulnerabilities and accordingly integrate adaptation solutions into development plans through coordination and collaboration, and learning and knowledge complemented by demonstrated examples of sustainable practices of livelihood and natural resources management, and nature-based solutions to climate hazards and disasters, then the resilience of communities and ecosystems to climate change will improve.

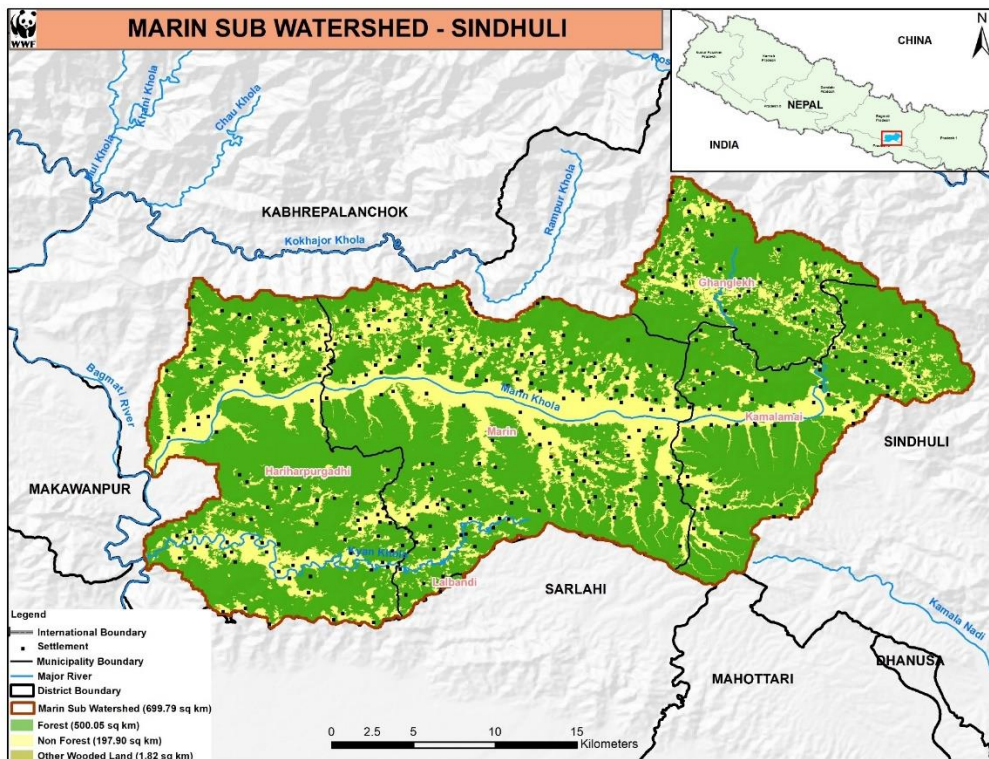
The project’s objective will be achieved through the following three inter-connected components:

- **Component 1:** Enabling environment for mainstreaming climate change, through development of capacity of the municipalities and other key local agencies to assess and understand climate risks and vulnerabilities, and accordingly mainstream climate change adaptation strategies and actions in local policies and plans, and establishment of a multi-stakeholder platform for dialogue and coordinated actions on climate change adaptation at the watershed level.
- **Component 2:** Enhanced Resilience of Local Communities to Climate Change through a) community-based natural resource management such as community identification of adaptation interventions, support and demonstration of sustainable and climate-resilient agriculture and livestock practices, improved water management, strengthened management of community and leasehold forests, and b) Nature-based Solutions that reduce climate impacts and risks.
- **Component 3:** Monitoring, evaluation and knowledge management, through tracking of project progress on a regular basis, garnering and analysis of lessons and good practices, and development and dissemination of knowledge that reinforces project results from components 1 and 2, providing sound basis for their replication, adaptation and sustainability.

2.2. Project Area Profile

The project area, Marin watershed, has a total area of about 70,000 hectares (ha), and is made up of Marin and Kyan sub-watersheds, and numerous catchments. The Marin river originates in the Churia hills and flows through four municipalities – Ghyanghlekh Rural Municipality, Hariharpur Rural Municipality, Kamalamai Municipality, and Marin Rural Municipality – in the Sindhuli district. The altitude of the project area ranges between 165 meter in Kyaneshwor creek valley to 2,288 meter in hill tops of Mahabharat range. Thus, it has sub-tropical hot climatic condition in river valleys to mild cold in uphill.

The proposed area, Marin Sub-watershed lies in the Churia hills of Nepal that extends along the entire length of the country between the southern floodplains and the northern mountains. The Churia are the youngest hills in the Himalayan system and therefore, are more fragile than the older mountains to the north. Most of the ridges are under forest cover because of the coarse textured shallow soil and steep slopes, which make them unsuitable for cultivation. Soil erosion and landslides in are common in the Churia hills due to deforestation, poorly planned infrastructures, over-grazing, shifting cultivation, and over-exploitation of forest resources the steep slopes and intense rainfall, which is aggravated by steep slopes and intense rainfalls. Sand, stone and boulder mining is lucrative business for contractors, but unregulated mining has caused river channelization and widening, altering flood and flow regimes. These factors are responsible for the erosion of biological diversity, desertification of the Churia and lower areas and increasing threats to people's access to food and water . Infrastructure development continues to fragment forests and convert them to other uses.



2.3. Demographic information

The population of Marin Sub-watershed is thinly scattered throughout the lower and less steep areas of the watershed. The watershed is made up of 18 wards¹ located in these four municipalities. These 18 wards have a total population of 63,722, including 30,276 males and 33,446 females (see table below).

Indigenous communities, such as Tamang, Magar, Newar, Danuwar and Majhi, make up 68.5% of the local population and another 8.28% is made up of Dalits, which include Kami, Sarki and Damai/Dholi, who are traditionally discriminated as low caste.

Table 1: Population Distribution of the Project Area

Municipality	Ward	Total Households	Total Population	Total Male	Total Female	
Ghyanghlekh Municipality	Rural	Ward-1	415	2,261	1,047	1,214
	Ward-2	545	3,029	1,366	1,663	
	Ward-3	445	2,346	1,102	1,244	
Hariharpur Municipality	Rural	Ward-2	663	3666	1789	1877
	Ward-4	412	2432	1151	1281	
	Ward-5	550	3583	1721	1862	
	Ward-6	492	2839	1346	1493	
	Ward-7	640	3756	1816	1940	
	Ward-8	485	2769	1320	1449	
Kamalamai Municipality	Ward-1	973	4,804	2,262	2,542	
	Ward-2	848	4,415	2,074	2,341	
Marin Municipality	Rural	Ward-1	441	2,922	1,360	1,562
	Ward-2	726	4,640	2,315	2,325	
	Ward-3	836	4,962	2,378	2,584	
	Ward-4	758	4,408	2,105	2,303	
	Ward-5	528	2,865	1,345	1,520	
	Ward-6	800	3,923	1,914	2,009	
	Ward-7	781	4,102	1,865	2,237	
Total	All Wards	11,338	63,722	30,276	33,446	

¹ A ward is a subdivision of a municipality and the smallest administrative unit of local governance in Nepal. A municipality is to have a minimum of five wards and a maximum of 33 wards. Small areas of Wards 4, 5 and 8 in Kamalamai Municipality and Wards 1 and 3 in Hariharpur Gadhi Rural Municipality also fall in the Marin watershed but they have included in the project area.

Source: National Population and Housing Census of Nepal, 2011

2.4. Indigenous Peoples and Vulnerable Groups

Indigenous peoples. See the Indigenous Peoples Planning Framework (Section 5.4).

Migrants. The Churia region also has migrants from surrounding hills who in most cases may be residing in unregistered lands (usually fringes of forests or along landslide susceptible areas). These communities may not be registered in any formal institutions such as the local municipalities, community forestry user groups, irrigation user groups or farmers groups. This number could vary since the in-migration depends on various socio-economic and political contexts and in most cases is also impacted by natural disasters which displace communities or destroy their livelihood assets.

2.5 Economic activity

Low incomes and high poverty level characterize the project area. At 43%, poverty in the watershed is very high and ranges from 24% in Kamalamai municipality to 56% in rural municipalities, indicating significant economic disparity within the watershed. On the income index, the four municipalities in the watershed rank very low: Kamalamai at 76, Hariharpur at 78, Ghyanghlekh at 82, and Marin at 97 out of the 119 municipalities in Bagmati province.²

78% of the local population relies on subsistence agriculture, forest, and fish farming for their livelihood with a significantly higher percentage (85%) of the female population depending on it as compared to male population (73%). While agriculture is the main source of livelihood for people living in the Marin watershed, only about 21.6% of the total land in the project area is agricultural land with average farm landholding of 0.92 hectares per household³.

Rice and maize are the dominant crops grown in the project area. Three types of rice are grown by the local farmers: Chaithe rice grown in irrigated fields; local rice grown in rain-fed fields; and hybrid rice. Similarly, three types of maize are grown: winter maize, rainy season maize, and spring maize. Among the rice types, local rice accounts for more than 95%, both in terms of production and land under rice cultivation. Similarly, rainy season maize makes up for more than 92%, both in terms of production and land under maize cultivation. These figures clearly suggest the enormous importance that rains have for the local farmers in the Marin watershed. Wheat, millet and buckwheat are the other cereal crops grown by the local farmers. Non-cereal crops include potato, soybean, vegetables, oil crops, spices and banana.

Livestock farming is integrated in the local livelihood system, with local people rearing cattle, buffalo, sheep and goat. While cattle are kept mainly for dairy products and tilling fields, buffalo, sheep and goat are reared mainly for meat. There are 33,917 cattle, 13,573 buffaloes, 643 sheep and 64,091 goats in the project area. Poultry farming and piggery are also practised to supplement domestic consumption as well as to make extra income.

A vast number of rural families and mainly indigenous communities in this area depend on NTFPs for meeting their food and health care requirements. Many NTFPs, particularly the medicinal and aromatic plants are also important sources of cash income for thousands of rural families. Around

² Province Policy and Planning Commission, Bagmati Province, Hetauda, Nepal, 2019.

³ As per data from Sindhuli Agriculture Knowledge Center, 2020

half of the population lives in rural mountain areas with fragile physiography and low productivity thereby creating a very strong poverty-environment-health and vulnerability nexus. Many marginal agriculture lands in these areas have been temporarily abandoned in recent years primarily because of labour scarcity due to outmigration of youths seeking off-farm and foreign employment. Pressure on national forests through encroachments, deforestation and forest fires are much higher in the west than in the east. Local teashops, hotels and restaurants have been escalating the extraction of forest products, mainly firewood. The natural balance of the Chure region has fluctuated due to the excessive pressure on its natural resources, leading to the scarcity of the easily available products such as wild-fruits, root-vegetables, wildlife, fish, herbs, timber of special tree species, which in turn has created difficulty in the livelihood of the indigenous communities who are traditionally dependent on such products. A key challenge in the present scenario is a trade-off between local infrastructure development and forest conservation. Construction of rural roads through poorly planned excavation is leading to deforestation, drying up of water sources and landslides.

The indigenous peoples and dalits living in the Churia region are highly marginalized, which may be attributed to the marginalization of the area. Extreme pressure on natural resources from the migrant populations, mainly from mid-mountains, from the people of the Tarai and the market forces for natural resources have highly degraded or destroyed the natural resource base. This has marginalized, or even displaced, large numbers of indigenous peoples.

2.6 Flora & Fauna

Forest land makes up 78.39% of the project area. Several parts of the Churia including the Marin Sub watershed have been encroached for settlement and cultivation, especially by those who have hardly any livelihood option other than farming.

Frequent forest fires and overgrazing are the dominant factors for degradation of the ecology of the area. Most of the rivers in this region have high drainage density. The erosion hazards are particularly very high in the Churia hills compared to other mountain areas of the country. Any human activity causing destruction of the vegetative cover leads to erosion in the Churia. This, in turn, results in high floods and damages agricultural fields in the downstream areas of the Tarai.

More than 31,000 hectares of forests have been handed over to the local communities for management as community forests to sustain their basic forest needs such as fuelwood, fodder and timber and make income through sale where there are surplus forest resources based on government-approved forest management plan. Altogether, there are 143 community forests registered in the project area but only 62 of them are operational currently. In addition, more than 740 hectares of forests have been handed over 119 leasehold forest groups comprising 1,157 poor households in the project area as leasehold forests to address the dual objectives of forest conservation and poverty alleviation.

3.4. Wildlife

Due to the high population density of unproductive livestock, the forests in this region are experiencing grazing pressure, which retards forest regeneration and increases soil erosion along the slopes. However, recently livestock numbers have been decreasing due to the out-migration of people in rural areas and increased awareness among the local people of the consequences of over grazing. There is a high dependency of local communities on forests for fuelwood. Forest fires are

common all over the Churia region. Most of the forest fires are intentional; the local community or vested interest groups induce fire for collecting certain NTFPs, timber and firewood, or for growing new grasses for livestock. Large tracts of fertile agricultural land are either damaged by floods and riverbank-cutting in downstream areas. Surface erosion and decreasing use of forest leaf litter in agricultural land are also degrading the soil fertility

3.5 Decision-making

In general, most of the residents of the watershed are members of community forests where special priorities are given to indigenous nationalities in the design and intervention of the livelihood improvement programs. Poor and vulnerable households are selected by the communities based on well-being ranking done during the community forest user group operational plan preparation and revision process. Also, priorities are given to include resources for alternative energy promotion activities to reduce women's workload in collecting firewood from nearby forest areas.

The community forest groups conserve and manage their adjoining forests handed over to them through Acts and regulations, which include provisions to ensure participation and representation of the poor, vulnerable and marginalized communities including Dalits, Indigenous Peoples and minorities. The municipal level election system also has an established mechanism to ensure selection of women and marginalized dalit community in the elections through a reserved quota for them. At the grassroots level, most of the government and non-government agencies work through the local Soil Conservation User Groups, Irrigation water user groups, Farmer Groups, Agriculture cooperatives which implement activities on the ground and also influence natural resource management within their immediate vicinities. The indigenous nationalities are represented by their formal organizations who are also the members of Nepal Federation of Indigenous Nationalities (NEFIN) as the apex coordinating organization.

Reportedly, law enforcement has been weak, particularly in dealing with encroachment, illegal settlement, and protection and conservation of natural resources, especially forest and largely due to remoteness of the area as well. The responsibility of resolving the issue of illegal settlers in the Churia area has not been assigned to any one single ministry, but to more than one ministry which have different priorities and interests. This has led to the continuation of the problem of illegal settlers in the Churia area till today. Political interferences are common to resolve social conflicts and disturbances. The law enforcement agencies do not have adequate human and other necessary resources. The contradictions between the various legislation and policies related to forest conservation and utilization have also acted as a constraint on effective law enforcement.

3. ENVIRONMENT AND SOCIAL POLICY, REGULATIONS AND GUIDELINES

This chapter first outlines the laws and regulations of Nepal and the WWF's SIPP that are applicable to the project, and then discusses gaps between Nepal's laws and regulations and the SIPP. **For the purposes of the MaWRiN implementation, the principles and procedures of the SIPP shall prevail in all cases of discrepancies.**

3.1 Nepal's Policies, Laws, Regulations Guidelines

The current review of applicable national policies, legislation and regulations includes those that are pertinent to the project, as well as the broader policy and reform context within which the project takes place. Particular attention has been paid to laws and regulations governing the project's implementation and the access of poor and excluded groups to goods, services, and opportunities provided by the project.

Constitution of Nepal: The Constitution of the Federal Republic of Nepal (2015) acknowledges environmental and social rights of its citizens and commits to safeguard them by applying social equity and inclusive governance and ending any kind of discriminations relating to class, caste, region, language, religion, and gender. Clauses 17, 18, 27, 30, 38, 39, and 40 of the Constitution have specific provisions related to right to freedom, equality, information, clean environment, women, and Dalits respectively.

Clause 51 of the Constitution has special provisions for managing and using natural resources sustainably and safeguarding the environment and society:

- The State shall pursue a policy of making a sustainable use of biodiversity through the conservation and management of forests, fauna and flora, and by minimizing the negative impacts of industrialization and physical development by promoting public awareness on environmental cleanliness and protection.
- The State shall pursue a policy of adopting appropriate ways of minimizing or stopping negative impacts on environment if it is there, or if there is a possibility of such an impact on nature, environment, or biodiversity.
- The State shall formulate policies and enact laws based on the principle of sustainable environment development based on pre-warning and pre-informed agreements regarding environmental protection. Those people who pollute the environment shall have to be responsible for their action.
- Creating a condition to ensure employment for all and employment opportunities in the country itself by making the labor force, which is the main social and economic force, competent and professional.
- Making special arrangements to ensure the rights of Adivasi/Janjatis (Indigenous ethnic groups) to lead a dignified life with their respective identities and ensuring they participate in decision making processes that concern them, and preserving and maintaining the traditional knowledge, skills, experience, culture and social practices of Adivasi/Janjatis and local communities.
- Making special arrangements for minority communities to exercise their social and cultural rights by maintaining their identity.
- Making special arrangements for the Madhesi community to have equal distribution of benefits of economic, social and cultural opportunities, and for the protection, progress, empowerment and development of the very poor classes within the Madhesi community.

Environment Protection Act (2019): Environment includes all natural, cultural, and social systems, economic and human activities and their constituent parts, and the interaction and interrelationship among the constituent parts. This one of the most progressive definitions of the term 'environment' as it includes economic, human, and social dimensions. The Environment Protection Act requires the

proponents to prepare a brief environmental study or initial environmental examination (IEE) or environmental impact assessment (EIA) report in relation to prescribed plans, programs, or projects which may cause changes in existing environmental conditions by physical activity, development activity, or change in land use. Thus, the word 'proposal' has been progressively defined to include plan. The general interpretation is that 'proposal' is limited to projects and therefore the act only requires EIA at the project level and does not cover plans, policies, and legislation. Another interpretation is that 'proposal' has been so comprehensively defined by this law that it includes plans, policies, and legislation thus requiring preparation of strategic environmental assessment in relation to any plan, policy, or legislation.

To improve the quality of the studies/documents the ACT includes provision for restricting the proponent from preparing environmental study report for a period not exceeding 5 (Five) years if the submitted report does not adhere to that standard. The Act puts emphasis on the need of alternative analysis stating that the potential initial, mid-term and long-term adverse impacts on the environment and also the method and procedure to be adopted for minimizing the impact. After having prepared a brief environmental study or IEE or EIA, the proponent is required to submit it to the relevant government agency for approval. The Act delineates and defines the role and responsibilities of the three tiers of governments with regard to preparation of IEEs, EIAs, approval and clearance procedures.

National Environmental Policy (2019): The policy was framed to guide the implementation of environment related laws and other thematic laws, to realize Nepal's international commitments and to enable collaboration between all concerned government agencies and non-government organizations on environmental management actions. The policy aims to lessen and prevent all types of environmental pollution, to manage waste from all sectors, to expand parks and greenery in urban area and to ensure environmental justice for affected people. The policy specifies special measures, including setup of effective systems for checking and reducing pollution, encouragement for the use of environment-friendly technology, regulation of harmful pesticides and protection of human health from unauthorized food adulterants. The policy includes promotion of technologies to manage pollutants such as dust, smoke and water from industries; to promote the use of alternative energy in homes and for energy effective housing.

National Forest Policy (2019): Nepal adopted a new National Forest Policy in 2019 with the vision to contribute local and national prosperity through sustainable management of forests, biodiversity, and watershed. To achieve this vision, the following policies have been formulated:

- Increase forest productivity and production of forest products through sustainable forest management.
- Increase the benefits from ecosystem services including biodiversity and resource conservations and ensure equitable distributions.
- Increase productivity of land through integrated conservation and management of watersheds.
- Strengthen (i.e., ecologically, economically and socially) community-based forest management systems such as community forests, leasehold forests, collaborative forests, buffer zone community forests, protection forests and religious forests, and adopt justifiable benefit sharing.

- Through involvement of private sector in forest development and enhancement, enhance values of products and generate green employment by diversifying and commercializing forest-based enterprises and products.
- To reduce the impact of climate change, adopt options for mitigation and adaptation.
- Strengthen management to promote good governance, inclusiveness, and social justice in Forest Sector.

Forestry Sector Strategy (2016-2025): The Forestry Sector Strategy (FSS) is a guiding document to implement the Forest Policy (2015) for 10 years (i.e., 2016 to 2025). The FSS aims to deliver five major outcomes: sustainable production and supply of forest products; improvements of biodiversity; watersheds and ecosystem services; increased contribution to national economic development; and inclusive and accountable forestry sector institutions and organizations to develop a climate-resilient society and forest ecosystems.

Forest Act, 2019: Forest Act, 2019 recognizes the importance of forests in maintaining a healthy environment. Section 49 of the act prohibits registration; setting fires; grazing, removing, or damaging forest products; felling trees or plants; hunting wildlife; and extracting boulders, sand, and soil from the national forest without prior approval. Regarding the non-forestry use of forest land, Clause 42 (1) of the Forest Act 2019 states that the government may permit the use of any part of government-managed forest, leasehold forest, or community forest if there is no alternative for the implementation of a plan or project of national priority without significantly affecting the environment. According to Clause 42 (2), While permission of use of forest land is granted under Clause 42 (1), at least equal areas must be provided for plantation in adjoining area or similar area somewhere else from the project proponent.

The Forest Act has given a bundle of rights to local communities for protection, development, management, and use of forest products under different institutional management modalities including community forests, collaborative forests, leasehold forests, and religious forests. The act and regulations define community forest user groups (CFUGs) as self-sustained, perpetual entities and have given absolute rights to them in managing their forests.

The regulatory provisions authorize CFUGs to formulate their own rules and enforce and sanction as appropriate. The CFUG constitution is a key regulatory document that defines decision making and benefit sharing mechanisms within the group as well as rights and responsibilities of different user members and forums. Within the legal framework defined by the rules, the CFUGs hold regular meetings, prepare and amend rules, and allocate an annual budget for overall forest development including different local development initiatives.

The Forest Act, 2019 and draft Forest Regulations, 2019 include some environmental and social safeguard related provisions:

- Land ownership remains with the state, while the land use rights belong to the CFUGs.
- User groups are recognized as independent, self-governing, autonomous, and corporate bodies with perpetual succession.
- All management decisions (land management and forest management) are taken by the CFUGs.
- Each household is recognized as a unit for the membership and every member has equal rights over the resources.
- Equitable distribution of benefits.
- CFUGs can accumulate their fund from grants received from GoN and other local institutions, sale of CF products, and amount received by other sources such as fines, etc.

- CFUGs have to spend 25 percent of their income in forest development, protection and management activities and 50 percent of remaining amount in poverty reduction, women empowerment and enterprise development in coordination with local level.
- CFUGs can use their funds in any kind of community development works.

There is a total 143 registered Community Forest Users Group in Marin Sub-watershed but only 62 are active.

The Grazing Land Nationalization Act (1975) (Amendment 2010) assigns management of grazing land to local authorities. The latter are responsible for demarcating grazing areas, as well as imposing taxes on grazing and ensuring that over-grazing is avoided. Land designated for grazing can solely be local government land (either municipal or rural), and it cannot be owned by either an individual or a group of persons. If the grazing land is located within the jurisdiction of several local authorities, its ownership will be split among these authorities. All local government residents who own livestock have grazing rights, and the local government can impose on them a tax of Rs 1 to Rs 3 per year per animal, depending upon the size of the animal. There are no distinct grazing rights for indigenous communities.

National Biodiversity Strategy and Action Plan (NBSAP) (2014-2020): The Government of Nepal has developed a comprehensive strategy and action plan for biodiversity conservations for 2014 to 2020. The overall goal of the NBSAP is to significantly enhance the integrity of Nepal's ecological systems by 2020, thereby contributing to human wellbeing and sustainable development of the country. The objective of developing the NBSAP is to provide a strategic planning framework for conservation and sustainable use of biodiversity and biological resources of Nepal for enhancing local livelihoods and eco-friendly national development, and equitable sharing of the benefits accrued from the use of biological resources across all sections of society. The strategy includes eight underpinning principles and 13 approaches to address and respect traditional and cultural practices of IPLC

In addition to the policies and measures discussed above, some additional policies and measures are also in place that address cross-cutting issues of forests and their stakeholders and provide different requirements for overall environmental and social safeguards while implementing any development projects. These include: Land Acquisition Act 2034 (1977); Land Act 1964; Labour Act 1992; Water Resources Act, 1993; National Foundation for the Development of Indigenous Nationalities (NFDIN) Act 2002; Right to Information Act, 2007; Good Governance Act, 2008; and National Dalit Commission (NDC), 2002.

3.1.5. Vulnerable Groups

Targeted legislation provisions are also available to address the specific needs and conditions of vulnerable groups.

National Adaptation Plan NAP (2021-2050): Gender Equality and Social Inclusion (GESI), Livelihoods and Governance (GESILG) are guiding principles of the NAP, which takes a dual approach of both mainstreaming GESI considerations into policies, programmes, and projects; and targeting excluded and vulnerable groups, where needed, through GESI-specific programs and projects.

The Plan recognizes that marginalized or indigenous groups, particularly Majhi, Raute, Chepang, Satar, are more vulnerable to food insecurity and are more likely to suffer from disasters like floods, landslides, and fire. Heat and cold waves impact those working outside, including the poor, women,

children, and the elderly. Women are particularly vulnerable to climate change because lack of income, limited ownership of land and property, limited access to credit and markets, and lack of capacity for diversification of livelihoods.

The Agriculture Development Strategy (2015-2035) includes various measures targeted at the most disadvantaged rural population including poor households, women, indigenous peoples, Dalits and other marginalized communities, especially with a focus on improved food security.

National Climate Change Policy (2019): section 8.9 includes provisions on gender equality and social inclusion, livelihoods and good governance, and requires to address the particular concerns of women, Dalit, Indigenous People, Madhesi, Tharu, Muslim and other minorities with respect to climate change. Climate resilient livelihood program shall be targeted to such people and household and adaptation measures shall be taken in line with indigenous knowledge, skills and technologies.

15th Development Plan of Nepal (FY 2019/20-2023/24) seeks to mainstream rights-based gender equality and inclusion. The participation of poor, marginalized, Dalit, women, children, adolescents, disadvantaged, and people with disabilities and senior citizens will be ensured in population and sustainable development-related programmes aligning it with the tenets of gender equality and social inclusion. A special programme will be operated and institutionalized for the protection of marginalized and near-extinct ethnic groups (Raute, Kusunda, Chepang, Rajbanshi, Chamar, Mushar, Badi, Raji, etc.). All the apparatuses and programmes of the state will be made friendly to people with disabilities

The Environment Protection Act (2019) includes Chapter-4 of EPA includes **Provisions Relating to Climate Change, Section 24 (2)**. According to this Chapter, Adaptation Plans that are developed as part of the Act require prioritizing women, persons with disabilities, children, senior citizens and economically indigent communities who are more vulnerable to effects of climate change and the inhabitants of those geographical areas that have become more vulnerable to climate change.

The Social Security Act (2018) assures the economic and social security of senior citizen above 70 years old, senior citizens from Dalit community, and single women above 60 years old through social security allowance. "Helpless single women" (widows, divorced and unmarried, those who live alone after legal separation and unmarried) are eligible for an allowance after the age of 60. Disability allowance and Tribe on the verge of extinction allowance for indigenous tribes are also available.

Local Government Operation Act (2017): Schedule-6 Section 24 (2) requires that while developing and implementing local government plans, policies and programs, local governments should focus on gender and social inclusion, ensure the maximum participation of women, children, Dalits, Youths, Ethnic Minorities, Indigenous People, Disable and Elderly People; and promote plans and programs which promote gender balance and social inclusion.

President Chure-Tarai Madhesh Conservation and Management Master Plan (2017) includes a guiding principle to streamline the inclusion of women, Dalit, Indigenous and marginalized communities while planning and implementing the programs related to climate-adaptation and poverty reduction. It also requires the participation of local communities (especially women, Dalit, Indigenous and marginalized) in each step (planning, implementation, maintenance, monitoring and benefit distribution) of the programs. For the implementation of this Master Plan, capacity building activities will be provided through various trainings, and priority for training participation will be given to women, dalit, and indigenous and marginalized communities.

Second Nationally Determined Contribution (NDC) of Nepal (2020) includes provisions on the development of specific programs with dedicated resources (human and financial) to ensure full,

equal and meaningful participation of women, children, youth, Indigenous Peoples and marginalized groups in climate change-related policy development; and during the planning, monitoring and implementation processes at local, provincial and national levels. The NDC promotes the leadership, participation and negotiation capacity of women, Indigenous Peoples and youth in climate change forums. It also requires to collect gender-disaggregated data while reporting on progress and achievements.

The Forestry Sector Strategy, Nepal (2016-25) includes several provisions that target vulnerable groups and aims to achieve the following objectives:

- Enhance the participation, competency and leadership of women, indigenous nationalities, and other poor and socially excluded groups and individuals in forestry sector institutions in its economic benefits;
- Promote community-based and private forest enterprises for livelihoods improvement and wealth creation, especially for the poorest of the poor;
- Enhance the representation of women, Dalits, ethnic and Indigenous People in leadership positions on key decision-making forums is proportionate to their population;
- Ensure proportional inclusion and representation of economically poor and marginalized groups of people at all levels of leadership and decision-making processes in community-based forest management;
- Promote gender equity, inclusive development and social and economic uplifting of the poor, women, Dalits, Janajatis, Adivasi and other marginalized groups of people;
- Establish and support sub-groups within CFUGs for women, Dalits, Janajatis, Adivasis (Indigenous People), specific forest users, etc and provide capacity development support for them;
- Establish representative GESI (Gender Equality and Social Inclusion) forums at national and sub-national levels comprising gender focal points from different organizations to highlight issues, share experiences and empower marginalized groups;
- Encourage and support CFUGs to create cash incomes and job opportunities for poor and marginalized households;
- Enhance capacity to reduce weak governance and strengthen transparency;
- Promote and develop community-based approaches and develop integrated site-specific conservation practices for protection forests with defined roles and responsibilities of key stakeholders and benefit-sharing mechanisms and by ensuring the rights of indigenous and local communities;
- Implement the forestry-related provisions of NAPA (National Adaptation of Plan of Action) and LAPA (Local Adaptation Plan of Action) through the approaches indicated in the Forestry Sector Strategy, e.g. participatory, transparent, community-based and gender and socially inclusive.
- Promote income diversification amongst the most vulnerable groups such as poor, women, dalit, indigenous and disadvantaged communities as well as household members of community-based forest management groups to enhance their resilience;

3.1.6. Community Engagement

Consultations with all the vulnerable and marginalized groups noted above are mandatory in advance of any planning, implementation, and monitoring/evaluation program. See additional provisions in section 3.1.5. on the engagement of vulnerable groups.

3.1.7. Indigenous People

Relevant national policies on IPs

Nepal does not have a standalone policy on Indigenous Peoples, however in the Tenth Plan significant emphasis has been placed on delivering basic services to the disadvantaged people such as indigenous community. One of the main thrusts of the Tenth Plan is the implementation of targeted programs for the uplifting, employment and basic security of indigenous people.

The policy provision also outlines that the government should pilot strong and separate package of program of basic security for vulnerable sections of society. Policies and action for their protection and development have also been developed in the plan. The plan states that targeted and empowerment programs shall be promoted to enhance the wellbeing of the vulnerable, disadvantaged and exploited groups.

14th Development Plan adopts inclusive and equitable development strategy to uplift the living standard of the excluded groups including, Adivasi/Janajati, women, people with disability and remote geographical areas and poor people of the various regions of the country from the prevailing discriminatory practices in the society. One of the strategies of its Social Development Policy is to increase the accessibility of socially, economically and geographically deprived class, region and community in the available resources by empowering them through the principles of equity and inclusion.

The plan emphasized to increase investment to support development by promoting inclusion of excluded communities, region and gender in all structure, sector and processes of the nation. The plan has given emphasis in implementing different types of income generation supportive program targeting the poor and vulnerable people

Similarly, the National Foundation for Upliftment of Adivasi/Janjati Act, 2058 (2002), the National Human Rights Action Plan 2005, the Environmental Act 1997, and the Forest Act 1993 have emphasized protection and promotion of indigenous peoples' knowledge in particular. In 1999, the Local Self-Governance Act was amended to give more power to the local political bodies, including authority to promote, preserve, and protect the IP's language, religion, culture, and their welfare.

In 2007 the UN Declaration on the Rights of Indigenous Peoples was adopted by the General Assembly. Nepal ratified ILO Convention No. 169 on September 14, 2007 (BS 2064/05/28). Article 1 of the convention provides a definition of tribal and indigenous peoples.

Article 6 requires consultation with the peoples concerned through appropriate procedures and, in particular, through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly. In Article 15, it states that indigenous and tribal peoples shall, wherever possible, participate in the benefits of natural resource utilization activities and shall receive fair compensation for any damages which they may sustain as a result of such activities.

Article 16(2) clearly mentions that where the relocation of these peoples is considered necessary, such exceptional measures and such relocation shall take place only with their free and informed consent. Where their consent cannot be obtained, such relocation shall take place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the peoples concerned.

Article 16(3) mentions that, whenever possible, these peoples shall have the right to return to their traditional land as soon as the grounds for relocation cease to exist. Article 16(5) specifies the persons thus relocated shall be fully compensated for any resulting loss or injury.

Requirements of FPIC (Free and Prior Informed Consent) of IPs

The concept FPIC has emerged as an international human rights standard that recognizes the collective rights of indigenous peoples to self-determination and to their lands and territories. FPIC is usually considered as a collective right of indigenous peoples to make decisions through their own freely chosen representatives and customary or other institutions and to give or withhold their consent prior to the approval by government, industry or other outside party of any project that may affect the lands, territories and resources that they customarily own, occupy or otherwise use. It is thus not a stand-alone right but an expression of a wider set of human rights protections that secure indigenous peoples' rights to control their lives, livelihoods, lands and other rights and freedoms.

In these regards, though Nepal has no explicit legal and policy provision on FPIC. The Constitution of Nepal 2015, Article 51, Sub article J (8) has some implicit elements requiring FPIC (Free Prior Informed Consent) of Indigenous Nationalities while making any decisions concerning these people. The essence of this constitutional provision is to ensure the indigenous nationalities participate in decisions concerning their community by making special provisions for opportunities and benefits in order to ensure the right of these peoples to live with dignity, along with their identity, and protect and promote traditional knowledge, skill, culture, social tradition and experience of the indigenous nationalities and local communities.

3.2 WWF Safeguards Standards and Procedures Applicable to the Project

WWF's safeguards standards require that any potentially adverse environmental and social impacts are identified, and avoided or mitigated. Safeguards policies that are relevant to this project are as follows.

(i) Standard on Environment and Social Risk Management

This standard is applicable because MaWRiN intends to support activities that result in a variety of environmental and social impacts. MaWRiN is a conservation project, and its environmental and social outcomes are expected to be generally positive. Adverse environmental and social impacts that may occur as a result of project activities are expected to be site-specific, negligible and easily mitigated.

The precise location and impact of specific activities cannot be determined at this stage, and will only be known during project implementation. Thus, an ESMF was prepared to set out guidelines and procedures on how to identify, assess and monitor environmental and social impacts, and how to avoid or mitigate adverse impacts. Site-specific ESMPs will be prepared as required, based on principles and guidelines of the ESMF.

(ii) Standard on Protection of Natural Habitats

WWF's mission is to protect natural habitats, and it does not undertake any projects that would result in conversion or degradation of critical natural habitats, especially those that are legally protected, officially proposed for protection, or identified as having high conservation value.

The Marin watershed, where project activities will be carried out, provides ecosystem services and livelihood to project affected communities. The mainstay of these communities is agriculture, livestock, and NTWP, and they are thus directly dependent on natural resources.

Overall, MaWRiN project activities will produce significant conservation benefits. Any potential adverse environmental impacts on human populations or environmentally important areas including forests, grasslands and other natural habitats are expected to be very limited. However, the ESMF/PF is prepared to properly manage the risk of any unforeseen adverse environmental impact on natural habitats, including critical natural habitats, as well as measures to enhance the project's positive environmental outcomes.

(iii) Standard on Involuntary Resettlement

The WWF's Standard seeks to ensure that adverse social or economic impacts on resource-dependent local communities as a result from conservation-related restrictions on resource access and/or use are avoided or minimized. Resolution of conflicts between conservation objectives and local livelihoods is sought primarily through voluntary agreements, including benefits commensurate with any losses incurred. Involuntary resettlement is avoided or minimized, including through assessment of all viable alternative project designs and, in limited circumstances where this is not possible, displaced persons are assisted in improving or at least restoring their livelihoods and standards of living relative to pre-displacement or pre-project levels (whichever is higher).

The adverse resettlement impacts of the MaWRiN project are expected to be minimal. Land acquisition or physical displacement will not take place. Other forms of economic resettlement (e.g., restrictions of access to natural resources and livelihoods, loss of community property resources, land use conflicts, etc.) will be discouraged under the project. However, if such resettlement impacts will be unavoidable, they will be planned in partnership with the affected peoples and/or communities, and mitigation measures will be taken to reduce and mitigate such impacts, in accordance with the guidance provided in the ESMF/PF.

(iv) Standard on Indigenous Peoples

The WWF's standard requires ensuring that indigenous rights are respected, that indigenous peoples do not suffer adverse impacts from projects, and that indigenous peoples receive culturally appropriate benefits from conservation. The policy mandates that projects respect indigenous peoples' rights, including their rights to FPIC processes and to tenure over traditional territories; that culturally appropriate and equitable benefits (including from traditional ecological knowledge) are negotiated and agreed upon with the indigenous peoples' communities in question; and that potential adverse impacts are avoided or adequately addressed through a participatory and consultative approach.

The ethnic composition of settlements within the Marin Sub-watershed is highly diverse with around 45 castes and ethnicities but dominated largely by Tamang along with Magar, Brahmin, Chhettri,

Newar, Majhi and Dalits making up around 90% of the population. The major indigenous communities within the watershed are Tamang (55%), Magar (9%), Newar (5%), Majhi (5%) with a small population of Gurung, Sunuwar, Dunuwar, Pahari, Mushahar, Thami, Ghale, Gharti/Bhujel, Hayu, Rai, Limbu, Dhanuk, Sherpa, Kumal, Rajbanshi, Chepang, Santhal/Sattar, Jhangad, Dhimal, Bhote, Yakkha, Darai, Thakali, Chhantyal, Bote, Jirel, Dura, Meche, Rajhi, and Byanshi. Nepali, Tamang, Majhi, Newari and Magar are the most widely spoken languages in the watershed.

The prevalence of IPs in the Marin watershed thus triggers the preparation of an Indigenous Peoples Planning Framework (IPPF), in line with the WWF's SIPP requirements. To avoid duplications and simplify the safeguards process, the IPPF constitutes a separate chapter of this ESMF. In order to ensure that all PAP take an active part in the design and implementation of project activities, the implementation of the ESMF/PF/IPPF will be done in alignment with FPIC best practices.

(v) Standard on Community Health, Safety and Security

This Standard ensures that the health, safety and security of communities are respected and appropriately protected. The Guidance on Labor and Working Conditions requires employers and supervisors to implement all reasonable precautions to protect the health and safety of workers through the introduction of preventive and protective measures. It also requires that the labor rights of project-employed workers are observed, as indicated in WWF ESS Landscape Screening Tool. Project activities should also prevent adverse impact involving quality and supply of water to affected communities; safety of project infrastructure, life and properties; protective mechanisms for the use of hazardous materials; disease prevention procedures; and emergency preparedness and response.

(vi) Standard on Pest Management

The project will not allow the procurement or use of formulated products that are in World Health Organization (WHO) Classes IA and IB, or formulations of products in Class II, unless there are restrictions that are likely to deny use or access by lay personnel and others without training or proper equipment. The project will follow the recommendations and minimum standards as described in the United Nations Food and Agriculture Organization (FAO) International Code of Conduct on the Distribution and Use of Pesticides and its associated technical guidelines, and procure only pesticides, along with suitable protective and application equipment, that will permit pest management actions to be carried out with well-defined and minimal risk to health, environment, and livelihoods.

The project will not fund nor include the promotion or usage of pesticides. On the contrary, it will aim to reduce the amount of chemical fertilizers and pesticides used through strengthening of farmer capacity on the proper use of chemicals/non-chemical alternatives for pest management (e.g. integrated pest management and good agriculture practice). Thus, this standard is not triggered by the project.

(vii) Standard on Cultural Resources

This Standard requires that Cultural Resources (CR), which include archaeological, paleontological, historical, architectural, and sacred sites (e.g., graveyards, burial sites, sites of unique natural values, etc.) are appropriately preserved and their destruction or damage is appropriately avoided.

Project activities are not expected to negatively impact cultural resources (CR). Project activities will contribute to strengthening the sanctity of CR through integrated conservation actions. To avoid or at least mitigate any adverse impacts on CR, the project will not finance activities that could damage CR. The Project Management Unit will also consult with local people and other relevant stakeholders in documenting the presence and significance of CR, assessing the nature and extent of potential impacts on these resources, and designing and implementing mitigation plans.

(viii) Standard on Accountability and Grievance System

Project-affected communities and other interested stakeholders may raise a grievance at any time to the Project Team and WWF, and to this end a project-level Grievance Mechanism will be created for this project. The PMU will be responsible for informing project-affected parties about the Accountability and Grievance Mechanism, including the various avenues available to them. Contact information of the PMU and WWF will be made publicly available. Relevant details are also provided in the Grievance Redress section of this ESMF/PF/IPPF.

The WWF Standard on Accountability and Grievance Mechanism is not intended to replace project- and country-level dispute resolution and redress mechanisms. This mechanism is designed to: address potential breaches of WWF's policies and procedures; be independent, transparent, and effective; be accessible to project-affected people; keep complainants abreast of progress of cases brought forward; and maintain records on all cases and issues brought forward for review.

(ix) Standard on Public Consultation and Disclosure

This standard requires meaningful consultation with relevant stakeholders, occurring as early as possible and throughout the project cycle. It requires the Project Team to provide relevant information in a timely manner and in a form and language that are understandable and accessible to diverse stakeholders. This standard also requires that information concerning environmental and social issues relevant to the project is disclosed for at least 30 days prior to implementation, and 45 days if there are Indigenous Peoples in the project area. WWF will disclose safeguards documentation on its Safeguards Resources web page. The final safeguards documents should be published on national websites of the Implementing Agencies and made available locally in specific locations. The project is also required to locally release all final key safeguards documents via hardcopy, translated into the local languages and in a culturally appropriate manner, to facilitate awareness by relevant stakeholders that the information is in the public domain for review.

(x) Standard on Stakeholder Engagement

This standard details the necessary requirements for meaningful, effective and informed stakeholder engagement in the design and implementation of projects. The project has prepared a Stakeholder Engagement Plan (Annex 4 of the Project document) that will be implemented during the project.

3.3 Gaps between Nepal's laws and policies and the WWF's SIPP

Several gaps can be identified between Nepal's laws and policies and the WWF's requirements.

- **General environmental and social assessment:** Lack of a comprehensive screening of adverse environmental and social impacts of development interventions in Nepal's legislation. **Mitigation measure:** such a screening will be carried out in line with WWF's requirements and in compliance with this ESMF.
- **Natural habitats:** Natural habitats are not specifically required to be assessed in the EIA. **Mitigation measure:** impacts on natural habitats will be assessed in line with WWF's requirements and in compliance with this ESMF.
- **Occupational health and safety:** Lack of comprehensive legislation on occupational health and safety in Nepal (the Labour Act, 2017 does not address these issues). **Mitigation measure:** occupational health and safety measures will be undertaken in line with WWF's requirements and in compliance with this ESMF.
- **Community health and safety:** Public health legislation does not specifically impose requirements for development and infrastructure projects. **Mitigation measure:** ESMPs developed under the project will aim to address all community health and safety issues that arise during execution and operation of the project, including those related to the ongoing COVID-19 pandemic.
- **Involuntary resettlement:** Nepal's legislation does not allow for PAP consultation in the compensation options; does not allow non-cash compensation options such as alternative land allocation; Valuation of lost assets considers depreciation and hence not at replacement cost; does not make mention of compensating non-titleholders (tenants, encroachers and squatters). **Mitigation measure:** compensation for loss of access to livelihoods or any other forms of economic resettlement will be undertaken in compliance with this ESMF. Land acquisition will be prohibited and no project activities will be executed on privately-owned lands.
- **Indigenous peoples:** The provision of FPIC and broad community support in relation to IPs is absent. **Mitigation measure:** project activities that target or affect IPs will be implemented in line with this ESMF and IPPF.

For the purposes of the MaWRiN project, the provisions of the WWF's SIPP shall prevail over Nepal's legislation in all cases of discrepancy.

4. ANTICIPATED ENVIRONMENTAL AND SOCIAL IMPACTS AND MITIGATION MEASURES

The MaWRiN project seeks to enhance climate resilience of Indigenous people and local communities in the Marin watershed through nature-based solutions and livelihood improvement, and it is thus expected to result in major positive environmental outcomes.

4.1 Activities Triggering Adverse Impacts

Minor and site-specific negative environmental and social impacts may result from activities under Component 1: Enabling environment for mainstreaming climate change, and Component 2: Enhanced Resilience of Local Communities to Climate Change.

As part of Component 1, the project will support the integration of CCA in agriculture, livestock, forestry, and water sectors at the municipality level. These activities may result in changes in existing

access and usage rights of local natural resources—grazing areas, collection of firewood in the forest, management of water sources, etc.

As part of Component 2, the project will invest in supporting local communities to take up climate-resilient and sustainable practices of agriculture, livestock and grazing management, forestry and water resources management. While forest cover is still high in the project area, localized forest degradation is taking place due to encroachment, overgrazing, excessive collection of forest resources, and forest fires. Forest is also expected to be affected by haphazard development of rural roads, which is starting to take place in the recent years. The natural resources in the watershed will be under additional pressure with a large population of migrant workers having returned home due to the Covid-19 pandemic. Understanding the relative power of these migrant workers will be important during consultations.

The project will thus support community forest users' group and leasehold forest groups, contributing to improved livelihoods whilst also addressing forest degradation, which exacerbate climate hazards and disasters such as landslides, soil erosion, floods and forest fires. It will also support Nature-based-Solutions interventions to arrest land degradation and mitigate climate disaster risks in areas/ sites that are most vulnerable.

Activities under this component will seek to achieve two outcomes: (i) increased adaptive capacity of vulnerable households in the Marin Watershed to climate induced disasters such as landslides, floods and droughts; and (ii) nature-based solutions (NbS) reduce climate induced vulnerabilities of community livelihood assets. The following adverse impacts may result from each output.

(a) Activities under Output 2.1.1: Climate-adaptive technologies and practices for agriculture, livestock management and water management introduced and demonstrated

This Output is part of Outcome 2.1: Increased adaptive capacity of vulnerable households in the Marin Watershed to climate-induced disasters such as landslides, floods, droughts, and forest fire.

Activities under this output will “support local farm households to adopt climate-adaptive technology and practices relating to agriculture, livestock management and water management through training and extension as well as material and equipment support.” Among these, activities that may trigger adverse environmental or social impacts include:

Activity 2.1.1.1: Support for climate-adaptive and sustainable agriculture by means of: <ul style="list-style-type: none">• Introduction of high value crops and climate-resilient varieties of seeds and seedlings;
Activity 2.1.1.2: Support for sustainable livestock management by means of: <ul style="list-style-type: none">• fodder plantation;• promotion of improved local breeds and their management;• upgradation of animal sheds for improved management of farmyard manure and stall feeding;• fishery development.
Activity 2.1.1.3: Support for water-efficient and farmer-managed irrigation systems including: <ul style="list-style-type: none">• renovation/ upgradation of existing irrigation canals/ channels for enhanced climate resilience and water efficiency;• restoration and protection of water sources/ springs for irrigation and domestic purposes; and

- sub-surface water harvesting.

Climate-adaptive technology within the project context would include water-efficient and farmer-managed irrigation technology and practices, use of high-value crops and climate-resilient varieties of seeds and seedlings, tunnel/ greenhouse vegetable farming, sloping agriculture land technology (SALT), agroforestry, use of higher productivity/low impact small hand-tools and technologies that are labour- and energy-efficient, and also responsive to the needs of women and poor households. Improved livestock and grazing management will also be promoted through support for fodder plantation.

- (b) Activities under Output 2.2.2: NbS implemented reducing climate disaster risks to vulnerable public livelihood assets and infrastructure in at least “x” number of locations in the project area

This Output is part of Outcome 2.2: Nature-based Solutions (NbS) reduce climate-induced vulnerabilities of community livelihood (resources and) assets.

As part of this, Activity 2.2.1.4 may trigger adverse environmental and social impacts:

Activity 2.2.1.4: Rehabilitate and protect degraded and vulnerable areas in Phulbari khola and Ghagar khola catchments against climate disaster risks through NbS interventions, which will include:

- a) Bamboo plantation;
- b) Stepwise series of checkdams;
- c) Conservation ponds (for erosion control and landslide risk mitigation but will also contribute to improving water management – activity 2.1.1.3);
- d) Protection embankments;
- e) Wire net (reinforced cement concrete/ Shyaborokka) and jute netting.

4.2 Adverse Environmental Impacts and Mitigation Measures

The adverse environmental impacts of activities envisioned as part of Outputs 2.1.1 and 2.2.2 include adverse impacts on agricultural and forest land, water sources, livestock, vegetation, and grazing areas. Such adverse impacts may include:

- Construction related impacts (e.g., pollution, dust, noise, waste, etc.) arising from civil works—excavation, waste and material management at site during construction or rehabilitation activities.
- Inappropriate usage of new seed varieties that may cause degradation of soil and damage to the local vegetation, reduce soil fertility, etc.
- Improper introduction of new seeds may affect the endemic seeds of the local areas and may affect the gene pool of such seeds. Such new seeds may be invasive and may have adverse effects in the local ecosystem.

- Inappropriate usage of pesticides and fertilizers that may degrade the soil, cause damage to the local vegetation and untargeted species, produce waste, and may lead to eutrophication of downstream water bodies. This may include misuse of agrochemicals by farmers due limited knowledge on safe use and handling of pesticides.
- Contamination of water sources.
- Contamination of agricultural lands: Earth excavated (Spoil mass) from small civil works, if not properly disposed will contaminate the nearby agricultural land.
- Disturbance of natural habitats, which may result in the loss of bio-diversity or loss of protected species.
- Cutting down of trees and plants may negatively affect the ecosystem (e.g., grazing areas are diminished)

A detailed overview of these impacts, potential mitigation measures, and responsible authorities is provided in Table 1 below.

Table 1. Anticipated Environmental Impacts and Mitigation Measures

Potential impact	Impact scale	Proposed mitigation measures	Responsible party
Adverse impacts from usage of climate-adaptive technologies activities (Output 2.2.1)			
Introduction of new seed varieties cause degradation of soil and damage to the local vegetation, reduce soil fertility, etc.	Long term	<ul style="list-style-type: none"> Assess appropriateness of seeds in terms of biodiversity, water efficiency, local needs, survival, etc. Ensure that only compatible and non-invasive seeds are planted 	PFO Coordinators GESI and Safeguards Coordinator Selected contractors
Pesticides and fertilizers might be inappropriately treated as part of the Nature-based Solutions and degrade the soil, cause damage to the local vegetation and untargeted species, produce waste, and may lead to eutrophication of downstream water bodies.	Long term	<ul style="list-style-type: none"> Assess appropriateness of pesticides and fertilizers in the local context. Build the capacity of executing partners to ensure full awareness and knowledge regarding the usage and impacts of selected pesticides and fertilizers. Ensure that no accidental damage is caused to local vegetation or untargeted species. Ensure proper selection of sites as to avoid damaging natural habitat. Comply with FAO's International Code of Conduct on the Distribution and Use of Pesticides and its associated technical guidelines, and procure only pesticides, along with suitable protective and application equipment, that will permit pest management actions to be carried out with well-defined and minimal risk to health, environment, and livelihoods. The project will not fund nor include the promotion or usage of pesticides. 	PFO Coordinators GESI and Safeguards Coordinator Selected contractors

		<ul style="list-style-type: none"> Reduce the amount of chemical fertilizers and pesticides used through strengthening of farmer capacity on the proper use of chemicals/non-chemical alternatives for pest management (e.g. integrated pest management and good agriculture practice). 	
Disturbance of natural habitats	Long term	<ul style="list-style-type: none"> Ensure careful siting, alignment, design of rig sites, and/or timing of works (seasonal) Avoid using heavy machinery Avoid soil excavation and noise disturbance to minimize impact on natural habitats 	PFO Coordinators GESI and Safeguards Coordinator
Cutting down of trees and plants may negatively affect the ecosystem (e.g., grazing areas are diminished)	Long term	<ul style="list-style-type: none"> Ensure that no accidental damage is caused to local vegetation—major trees that are supposed to be cut shall be clearly marked, and only marked trees will be cut; Removal of trees and plants needs to be done in an environmentally sustainable way (e.g., removal of branches); Alternative grazing areas shall be identified; Burning of trees and other plants should be avoided. 	PFO Coordinators GESI and Safeguards Coordinator Selected contractors
Adverse impacts from construction and rehabilitation activities (Output 2.2.2)			
Noise disturbance: Possible noise disturbance as a result of outdoor equipment usage and transportation vehicles	Short term	Pre-construction: requirements to limit noise pollution should be included in the bidding documents, as a precondition for the contractor’s selection During construction:	PFO Coordinators

driving around the construction site		<ul style="list-style-type: none"> • Noise level control should be performed before the start up of construction activities; • The equipment should be fitted with appropriate noise devices that will reduce sound level; • The construction work should not be permitted during the nights, the operations on site shall be restricted to the hours 7am—7pm; • Vehicles that are excessively noisy shall not be operated until corrective measures have been taken; 	<p>GESI and Safeguards Coordinator</p> <p>Selected contractors</p>
<p>Air quality: dust as a result of construction works and possible emissions from transportation vehicles</p>	Short term	<p>Pre-construction: requirements to limit emissions should be included in the bidding documents, as a precondition for the contractor’s selection</p> <p>During construction:</p> <ul style="list-style-type: none"> • Construction site, transportation routes and materials handling sites should be water-sprayed on dry and windy days; • Construction materials should be stored in appropriate and covered places to minimize dust; • Before allowing vehicles on site, fitness and emission test of the vehicle shall be performed; • Vehicle loads likely to emit dust need to be covered; • Workers should wear protective masks if dust appears; • Vehicle speed should be restricted within the construction site; • Regular maintenance of the vehicles and construction machinery should be performed in order to reduce any leakages of motor oils, emissions and dispersion of pollution; • Burning of debris from ground clearance shall be prohibited. 	<p>PFO Coordinators</p> <p>GESI and Safeguards Coordinator</p> <p>Selected contractors</p>

<p>Waste: generation of waste as a result of construction activities. This may also include the Contamination of agricultural lands: Earth excavated (Spoil mass) from small civil works, if not properly disposed will contaminate the nearby agricultural land</p>	<p>Short term</p>	<p>Pre-construction: requirements for appropriate waste management should be included in the bidding documents, as a precondition for the contractor's selection</p> <p>During construction:</p> <ul style="list-style-type: none"> • Identification of the different waste types at the project site (soil, asphalt, food, etc.); • Ensure that camps are located away from existing stream, river, or water sources, and that no discharge from camps is made into nearby water bodies; • Proper containers/waste bins should be provided at the project site; • Dumping of waste on the sides of the road, on private land, or in other non-designated places should be prohibited; • Dumping waste shall be prohibited on fragile slopes, forests, religious or other culturally sensitive areas or areas where livelihood is derived; • Collection, transportation and final disposal of all waste should be undertaken regularly (weekly) • Possible hazardous waste (motor oils, vehicle fuels, etc.) should be collected separately and authorized collector and transporter should be sub-contracted to transport and finally dispose; • All construction materials should be covered during the transportation to avoid waste dispersion; • The options for reuse/recycling of the generated waste streams should be taking into consideration (e.g. excavated soil, etc.); • Burning of construction waste should be prohibited. • An environment-friendly toilet (e.g., pit toilet) should be made available for project workers, built with locally available materials 	<p>PFO Coordinators</p> <p>GESI and Safeguards Coordinator</p> <p>Selected contractors</p>
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		<p>After construction:</p> <ul style="list-style-type: none"> All waste shall be removed from the project site and the camp site shall be reclaimed to the previous existing condition 	
<p>Water quality: contamination of local water sources may occur due to wastewater and sewage from construction sites</p>	Short term	<p>Pre-construction: requirements for appropriate measures to prevent water contamination should be included in the bidding documents, as a precondition for the contractor's selection.</p> <p>During construction:</p> <ul style="list-style-type: none"> An environment-friendly toilet (e.g., pit toilet) and washing facilities should be made available, built with locally available materials Open defecation in the vicinity of project sites should be prohibited Throwing waste in water sources should be prohibited Possible hazardous waste (motor oils, vehicle fuels, lubricants) should be collected separately and authorized entity should be transporting and disposing the hazardous waste; <p>After construction:</p> <ul style="list-style-type: none"> Pit toilets are dismantled and pits are covered All waste is removed from the project site 	<p>PFO Coordinators</p> <p>GESI and Safeguards Coordinator</p> <p>Selected contractors</p>
<p>Cutting down of vegetation: cutting down of trees and other vegetation for construction purposes</p>	Long term	<p>Pre-construction: Design the construction in a way that minimizes the need to cut down trees (by selecting proper activity sites and ensuring that damage to vegetation is minimized on each selected site)</p> <p>During construction: Ensure that no accidental damage is caused to local vegetation</p>	<p>PFO Coordinators</p> <p>GESI and Safeguards Coordinator</p>

		Major trees that are supposed to be cut shall be clearly marked, and only marked trees will be cut; After construction: Replant trees after construction in the ratio of 1:25 in line with the Forest Act (2019) of Nepal	Selected contractors

4.3 Adverse Social Impacts and Mitigation Measures

While project activities aim to strengthen the climate resilience of local communities and enhance their livelihood opportunities, they may also result in some adverse social impacts.

Specifically, adverse social impacts may result from **Activity 1.1.2.4 Support formulation or revision of plans and policies at the municipality/ provincial level in accordance with the CCA-integration guidelines in agriculture, livestock, forestry, and water sectors at the municipality level.** These may include temporary or permanent restrictions related to access to natural resources (such as the collection of firewood, grazing areas, and watersheds), social conflicts related to beneficiary selection (e.g., selection criteria on who may benefit from project activities), occupational health and safety of workers employed by the project, community health and safety, and potential conflicts with temporary workers over the usage of local resources, as well as safety issues.

Adverse impacts may result from **activities under Output 2.1.1 and 2.2.2, which are related to construction and other types of civil works** (see details below).

No project activities will be implemented on privately owned land and any form of private land acquisition will be avoided.

(a) Restrictions of Access to Livelihoods

These would primarily include access to grazing land, access to firewood (for cooking), access to water sources, and access to sacred sites

- (a) **Access to grazing land:** Animal Husbandry is a major source of income in the Marin Sub-Watershed. Households depend on grass and fodder from the nearby forest, as well as on grazing land for rearing the livestock. Grazing management program that will be developed are expected to restrict open and uncontrolled grazing of livestock, thus affecting the livelihoods of local communities.
- (b) **Access to firewood for cooking:** Major households in Marin Sub-Watershed still rely on traditional cooking practices i.e. based on firewood. Locals fetch the firewood from the nearby community or national forest for daily use. Project activities are expected to restrict collection of firewood from the nearby forest by local communities.
- (c) **Access to rivers and water sources** may be disrupted as the project is going to implement various NbS interventions, including plantations and green embankments along riverbanks, bioengineering on slopes with landslide risk, and enrichment planting and vegetative fencing of water sources.

Further, by enhancing the livelihoods of local people, project activities may pose threats to traditional knowledge and practices. For example, the introduction of “effective water management practices” may pose threat to traditional water mills (ghatto) in that area.

Mitigation measures. If any of the activities implemented under Outputs 2.1.1 and 2.2.2 negatively impact sources of economic income or other types of livelihoods of affected communities, full and timely compensation shall be provided to all affected individuals, irrespective of their formal land title, in accordance with the Process Framework (see section 4.4 below). Compensation shall be calculated based on the replacement value of these livelihoods (market value plus any replacement costs) by PFO Field Coordinators in coordination with the people whose livelihoods are being affected.

Project activities that affect traditional economic livelihoods and practices should only be undertaken upon consultation with all affected individuals—representatives of local communities, local authorities and other actors who are affected or have a stake in the usage of relevant land plots. If such negative impacts are unavoidable, the procedures outlined in the Process Framework shall be followed.

(b) Social Conflicts related to Land Usage and Beneficiary Selection

The introduction of climate-adaptive technologies, along with restoration and rehabilitation activities supported by the project, will have positive long-term impacts on the livelihoods of local communities and sustainable management of natural resources. However, these activities may result for the short-term in land use conflicts among different communities or among members of the same community. This is particularly worrisome given that local communities are already deeply affected by degraded forests and lack of access to fertile grazing lands.

Social conflicts may arise regarding the criteria for the selection of local households that would benefit from project activities. As these activities will include specific livelihood support measures, some community members may greatly benefit from them while others may be left behind. Vulnerable community members may thus be further marginalized.

Mitigation measures:

- Project activities that may trigger conflicts and tensions among communities should only be undertaken upon consultation with all affected individuals—representatives of local communities, local authorities and other actors who are affected or have a stake in the usage of relevant land plots.
- Plan for the implementation of NbS interventions to mitigate climate disaster risks to the identified public assets shall be developed in a participatory, inclusive, and consultative manner to ensure that access rights and benefits are agreed upon among community members. It is particularly important to engage vulnerable community members (e.g., women, youth, disabled, etc.) and IP groups in these consultations.

PFO Field Coordinators, in coordination with the GESI and Safeguards Coordinator and the communities themselves, shall develop criteria for beneficiary selection in an inclusive manner, putting special emphasis on the engagement of vulnerable community members (e.g., women, youth, disabled, members of single-headed households, etc.). Special attention should also be paid to the engagement of IP groups. The criteria for beneficiary selection should then be clearly outlined and widely publicized among community members. As CFUGs already have criteria for identifying the most vulnerable members of their community, it will be necessary to review this guidance and see if meets the requirements and needs of this project, where it could be used.

(c) Occupational and Community Health and Safety

The project is likely to engage temporary workers for construction, rehabilitation, and restoration activities, and such activities will be carried out in the vicinity of local communities.

It will be necessary to ensure that appropriate occupational health and safety (OHS) measures are in place and fully complied with by local contractors.

With regards to community health and safety, project activities may adversely affect the health and safety of the affected community, and put pressure on—already scarce—community resources. For instance, the quality and supply of water to local communities may be degraded,

and safety risks may arise from construction activities and from the potential usage of hazardous materials.

Both workers' and community health may also be at risk due to increased exposure to COVID-19 as a result of participation in project activities (for the workers) or residence in the vicinity of these activities (for the community).

Mitigation measures:

With regards to occupational health and safety, PFO Field Coordinators and the implementing contractors shall provide a safe and healthy work environment, taking into account physical, psychological, chemical or biological risks that may be inherent in project activities, and specific threats to women. They shall also take steps to prevent accidents, injury, and disease arising from, associated with, or occurring in the course of work by minimizing, as far as reasonably practicable, the causes of hazards. In a manner consistent with good international industry practice, the implementing contractor shall (i) identify potential hazards to workers, particularly those that may be life-threatening; (ii) provide preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances; (iii) train workers as necessary; (iv) document and report occupational accidents, diseases, and incidents; and (v) undertake emergency prevention, preparedness, and response arrangements. Specific mitigation measures are outlined in Table 2 below.

With regards to community health and safety, PFO Field Coordinators and the implementing contractors shall evaluate the risks and impacts to the health and safety of the affected community during the implementation of project activities, and shall establish preventive measures to address them in a manner commensurate with the identified risks and impacts. Project activities shall prevent adverse impact on the quality and supply of water to local communities, ensure the safety of construction infrastructure and equipment, introduce protective mechanisms for the use of hazardous materials; and undertake all necessary emergency preparedness and response measures. Specific measures are outlined in Table 2.

(d) Conflicts between migrant workers and community members

The influx of temporary workers in project sites may generate conflicts with local communities. First, temporary workers may place an additional strain on the local natural resources in case of using forest resources for cooking, or water resources for drinking, cleaning, and washing. Second, the presence and influx of temporary workers may also result in increased safety risks for local communities and gender-based violence risks.

Mitigation measures. It will be ensured that temporary workers are made aware of local culture and traditions, as well as the legal consequences of harassment and intimidation, especially with regards to sexual harassment and gender-based violence. Local communities shall be made aware of the engagement of temporary workers in project sites. Strict monitoring shall be carried out to ensure conflicts are minimized.

(e) Restriction of Access to Sacred Sites

The Marin Sub-watershed is predominantly inhabited by Tamang and Magar communities, who access various local sites and resources (such as sacred groves, graves, water sprouts and springs or parts of forests) as per their cultural faith and beliefs, without legal title over these sites. Access to these sites and resources may have to be temporarily restricted as a result of project activities.

Mitigation measures. Temporary restrictions related to access to or usage of sacred sites should only be undertaken upon consultation with the indigenous communities, in line with the

guidelines provided in Chapter 5.4 Indigenous Peoples Planning Framework (IPPF). Permanent denial of access will be prohibited and no activities that may result in the denial of access to sacred sites can be approved under the project.

(a) Child labor

There might be risks of child labor in project activities as children from local communities are commonly engaged in labor-related activities supporting their parents. Given that this is a traditional practice, such risk can also arise as part of project activities unless mitigation measures are undertaken. The project team will carry out awareness raising among local farmers to explain the risks of child labor and ensure that children are not engaged in any project-related works.

(c) Summary of Adverse Social Impacts and Mitigation Measures

Table 3. Adverse Social Impacts and Mitigation Measures

Potential impact	Proposed mitigation measures	Responsible party
<p>1. Changes in the current access and usage rights of natural resources in project sites (access to grazing areas, collection of firewood, access to water sources)</p>	<p>Full and timely compensation shall be provided to all affected individuals, irrespective of their formal land title, in accordance with the Process Framework (see section 4.4 below). Compensation shall be calculated based on the replacement value of these livelihoods (market value plus any replacement costs) in coordination with the affected people or communities.</p>	<p>GESI and Safeguards Coordinator, PFO Coordinators</p>
<p>2. Social tensions resulting from changes in land usage rights and selection criteria of local households that would benefit from project activities. Vulnerable community members may thus be further marginalized.</p>	<p>Project activities that may trigger conflicts and tensions among communities should only be undertaken upon through community consultations that will be organized by professional facilitators. Special efforts will be undertaken to proactively engaged the most vulnerable community members.</p> <p>The Plan for the implementation of NbS interventions to mitigate climate disaster risks to the identified public assets shall be developed in a participatory, inclusive, and consultative manner to ensure that access rights and benefits are agreed upon among community members.</p> <p>Clear and transparent criteria for beneficiary selection shall be developed in an inclusive manner with communities, putting special emphasis on the engagement of vulnerable community members (e.g., women, youth, disabled, members of single-headed households, etc.). Special attention should also be paid to the engagement of IP groups. The criteria for beneficiary selection should then be clearly outlined and widely publicized among community members.</p>	<p>PFO Coordinators, GESI and Safeguards Coordinator & Forest User Groups</p>
<p>3. Occupational health and safety as a result of occupational hazards during construction works and due to increased exposure to COVID-19.</p>	<p>Project technicians and the implementing contractors shall provide a safe and healthy work environment, taking into account physical, chemical or biological risks that may be inherent in project activities. They shall also take steps to prevent accidents, injury, and disease arising from, associated with, or occurring in the course of work by</p>	<p>PFO Coordinators Selected contractors</p>

minimizing, as far as reasonably practicable, the causes of hazards. In a manner consistent with good international industry practice, the implementing contractor shall (i) identify potential hazards to workers, particularly those that may be life-threatening; (ii) provide preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances; (iii) train workers as necessary; (iv) document and report occupational accidents, diseases, and incidents; and (v) undertake emergency prevention, preparedness, and response arrangements.

- Ensure regular health screening for the workers pre and during construction activities
- Ensure that no underage workers, or children are engaged
- Ensure that there is no forced labor or trafficked people engaged in labor
- Ensure decent work conditions, including an appropriate salary, working hours, accommodation and food for workers shall be provided to all workers
- Ensure that workers are employed on the principle of equal opportunity and fair treatment, and there is no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, and disciplinary practices
- Implement a grievance mechanism for workers (and their organizations, where they exist) to raise workplace concerns

With regards to COVID-19, advisories on precautionary, exigency, and emergency measures by WHO and the government health authority will be heeded and complied with. These will be brought to the attention of all project personnel and anyone doing personal transaction with any project staff for the purpose of having a common understanding and as much as possible mutual agreement of the need for and benefits of compliance.

<p>4. Local community's health and safety as a result of occupational hazards during the construction activities and due to increased exposure to COVID-19.</p>	<p>Project and the implementing contractors shall evaluate the risks and impacts to the health and safety of the affected community during the implementation of project activities, and shall establish preventive measures to address them in a manner commensurate with the identified risks and impacts.</p> <p>Project activities shall prevent adverse impact on the quality and supply of water to local communities, ensure the safety of construction infrastructure and equipment, introduce protective mechanisms for the use of hazardous materials; and undertake all necessary emergency preparedness and response measures.</p> <p>Specific measures include the following:</p> <ul style="list-style-type: none"> • Ensure the safety of all project-related equipment, in line with the requirements above; • Minimize the use of hazardous materials, and ensure that community members are not exposed to them. In case that the use of such materials is necessary, provide sufficient notice to local community members and inform them on safety and protection measures; • Avoid dumping any waste or otherwise contaminating community sources of water supply and water quality; • Provide information to local communities on construction activities and plans. <p>With regards to COVID-19, advisories on precautionary, exigency, and emergency measures by WHO and the government health authority will be heeded and complied with. These will be brought to the attention of all project personnel and anyone doing personal transaction with any project staff for the purpose of having a common understanding and as much as possible mutual agreement of the need for and benefits of compliance.</p>	<p>PFO Coordinators Selected contractors</p>
<p>5. Conflicts between migrant workers and community members over local resource usage (firewood for</p>	<ul style="list-style-type: none"> • Workers shall be made aware of local culture and traditions, as well as the legal consequences of harassment and intimidation, especially with regards to sexual harassment and gender-based violence. 	<p>PFO Coordinators, GESI and Safeguards</p>

<p>cooking, water for drinking and washing), safety and GBV</p>	<ul style="list-style-type: none"> • Local communities shall be made aware of the engagement of temporary workers in project sites. • Strict monitoring shall be carried out to ensure conflicts are minimized • Workers will be provided training on gender based violence and the legal consequences 	<p>Coordinator & Forest User Groups</p>
<p>6. Access to cultural sites and resources may be temporarily restricted as a result of project activities.</p>	<p>Temporary restrictions related to access to or usage of sacred sites should only be undertaken upon consultation with the indigenous communities, in line with the guidelines provided in Chapter 5.4 Indigenous Peoples Planning Framework (IPPF). Permanent denial of access will be prohibited and no activities that may result in the denial of access to sacred sites can be approved under the project.</p>	<p>PFO Coordinators, GESI and Safeguards Coordinator & Forest User Groups</p>
<p>7. Child labor: it is a cultural norm that children help their parents with farming activities.</p>	<p>The project team will carry out awareness raising among local farmers to explain the risks of child labor, and ensure that children are not engaged in any project-related works.</p>	<p>PFO Coordinators Selected contractors</p>

4.4 Process Framework: Livelihood Restoration Measures

Project activities under Outputs 2.1.1 and 2.2.2 may result in restrictions of access to livelihoods and natural resources for local communities. Any change related to land use, access to water sources, grazing areas, or access to firewood shall be based on free, prior informed consent of the affected communities and relevant authorities, which must be conducted prior to finalizing any of the changes.

If such a change negatively impacts sources of economic income or other types of livelihoods of affected communities, full and timely compensation shall be provided to all affected individuals, irrespective of their formal land title. All affected communities and households around the project-supported areas will be provided with opportunities to restore their livelihoods to at least pre-project levels, and will be part of the decision-making process of what this restoration includes.

Livelihoods-related support during project implementation will be provided to the households (HH) of all communities within the targeted areas. This process will be organized in the following manner:

- Screening

The PFO Field Coordinators, with technical inputs from the GESI and Safeguards Coordinator, will undertake screening of all planned activities for likely access restrictions to local communities. This will include both communities that reside in project-affected areas, including those with and without land title, as well as communities whose customary practices include use of natural resources in the project area, but may not reside there full time.

- Social assessment and any community members that may lack land title.

If the screening confirms and identifies HHs affected due to access restriction to natural resources, a social assessment (SA) process based on participatory consultations with affected peoples will be carried out. The SA will generate the necessary baseline information on demographics, social, cultural, and economic characteristics of affected communities, as well as the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend. The SA will assess potential impacts and the extent of restriction of access to resources along with suitable mitigation and enhancement measures including options for alternative access to similar resources.

- Livelihood Restoration Plans

Based on the findings of the screening and social assessment, an action plan usually known as Livelihood Restoration Plans (LRP) will be prepared after holding further meaningful consultations with affected peoples and stakeholders which will provide tailored livelihood support and benefit sharing for affected persons, groups and communities based on feedback from the consultations.

The LRPs will be site-specific and include the following issues: (1) identifying and ranking of site-specific impacts; (2) setting out criteria and eligibility for livelihood assistance; (3) outlining the rights of persons who have been either customarily or legally/illegally using forest, water, or land resources for subsistence to be respected; (4) describing and identifying available mitigation measures alternatives, taking into account the provisions of applicable local legislation, and the available measures for mitigation promoted via project activities and considering any additional sound alternatives, if proposed by the affected persons; (5) outlining specific procedures on how compensation can be obtained.

- Mitigation measures as part of the LRPs

Participatory and inclusive consultations should be carried out with affected communities, individuals, and stakeholders to agree on the allocation of alternative livelihood. These consultations must ensure that the most vulnerable people are included in these consultations and that their concerns and needs are integrated into the decision-making. Eligibility criteria should be established according to guidelines provided in Chapter 5.5 Process Framework.

Alternative livelihood schemes should be discussed, agreed upon and provided for affected persons/ groups. The livelihood options to be built on and be based upon the traditional skills, knowledge, practices and the culture/world view of the affected peoples/groups and persons.

Affected persons should be provided project-related livelihood support and other opportunities as part of the planned project activities. These may include activities implemented as part of

Output 2.1.1: "Support local farm households to adopt climate-adaptive technology and practices relating to agriculture, livestock management and water management through training and extension as well as material and equipment support."

An accessible and efficient grievance redress mechanism should be established and made functional (see Chapter 5.9 of this ESMF/PF/IPPF).

Special attention should be made to tailoring these mitigation measures to the needs of IP groups, in line with the guidelines provided in Chapter 5.4 of this ESMF/PF/IPPF. While some of them may be interested in the mitigation measures outlined above, others may necessitate an alternative approach (e.g., allocation of alternative grazing areas or preserving access to NTFP). Any proposed measures should be closely coordinated with PAPs to ensure that they fully reflect their needs and priorities.

- Compensation

In case that compensation is awarded, it shall be calculated based on the replacement value of these livelihoods (economic market value plus any replacement costs) by the PFO Field Coordinators, in collaboration with the GESI and Safeguards Coordinator and the affected communities or individuals. In cases where compensation will consist of the allocation of alternative resources (e.g., alternative grazing areas), measures will include identification of these resources with the active involvement of the affected persons/ communities and assistance to access these resources. For instance, alternative grazing areas could be allocated to local communities in coordination with CFUGs and local governments, or grass/fodder farming on barren/non-irrigated (pakha-bari) lands could be supported.

Detailed procedures on how compensation should be calculated and awarded should be provided in each site-specific LRP based on local conditions.

5. IMPLEMENTATION ARRANGEMENTS

5.1. Procedures for the Identification and Management of Environmental and Social Impacts

The following activities will not be financed by the MaWRiN project:

1. Activities that involve procurement or use of any pesticides categorized IA, IB, or II by the World Health Organization (See Annex ***);
2. Activities that require private land acquisition;
3. Activities that require physical displacement of persons from their homes or legal businesses, irrespective of ownership;
4. Activities that involve felling of trees in core zones and in critical watershed areas;
5. Activities that involve quarrying and mining;
6. Activities that involve commercial logging.

In advance of the initiation of any project activity, the PMU should fill in detailed information regarding the nature of the activity and its specific location in the Safeguards Eligibility and Impacts Screening form (Annex 3). Part 1 of this form comprises of basic information regarding the activity; Part 2 contains basic “pre-screening” questions. If the response to any of the questions in these two parts is “Yes”, the activity will be deemed ineligible for funding under MaWRiN. The executing partners will thus be required to change the nature or location of the proposed activity so that it complies with all safeguards requirements and all responses at the Safeguards Eligibility and Impacts Screening form are negative.

If the activity is deemed eligible according to Part 2, an environmental and social screening procedure will be carried out in accordance with Part 3 of Safeguard Eligibility and Impacts Screening format, which is based on the WWF’s SIPP and applicable Nepal laws and regulations. The executing partners shall respond to the specific questions in Part 3 of the form, provide general conclusions regarding the main environmental and social impacts of each proposed activity, outline the required permits or clearances, and specify whether any additional assessments or safeguard documents (e.g., ESMP) should be prepared.

Issues that are considered as part of this environmental and social screening include the following:

- a. Need for government-land acquisition;
- b. Environmental impacts (e.g., dust, noise, smoke, ground vibration, pollution, flooding, etc.) and loss or damage to natural habitat;
- c. Social impacts: identification of vulnerable groups, impacts on community resources, impacts on livelihoods and socio-economic opportunities, restrictions of access to natural resources, land usage conflicts, etc.; and
- d. Health and safety issues (both for workers and for local communities).

The screening of each activity should be undertaken by the GESI and Safeguards Coordinator. If the screening process indicates that additional assessments or safeguards documents shall be prepared, these should be carried out by the executing partners prior to the start of activities.

If the screening reveals adverse environmental or social impacts that may arise from the planned activity, an ESMP should be prepared. The ESMP should be prepared by the GESI and Safeguards Coordinator, in collaboration with other Field Coordinators at the PFO, as needed.

5.2. Guidelines for ESMP Development

In case that the Environmental and Social screening process identifies any adverse environmental or social impacts as a result of specific project activities, the GESI and Safeguards Coordinator in collaboration with the PFO Field Coordinators should develop a site- and activity-specific ESMP. The ESMP should be prepared before the initiation of the project activity and closely follow the guidance provided in this ESMF.

The ESMP should describe adverse environmental and social impacts that are expected to occur as a result of the specific project activity, outline concrete measures that should be undertaken to avoid or mitigate these impacts, and specify the implementation arrangements for administering these measures (including institutional structures, roles, communication, consultations, and reporting procedures).

The structure of the ESMP should be as follows:

- (i)* **A concise introduction:** explaining the context and objectives of the ESMP, the connection of the proposed activity to the project, and the findings of the screening process.
- (ii)* **Project description:** Objective and description of activities, nature and scope of the project (location with map, construction and/or operation processes, equipment to be used, site facilities and workers and their camps; bill of quantities if civil works are involved, activity schedule).
- (iii)* **Baseline environmental and social data:** Key environmental information or measurements such as topography, land use and water uses, soil types, flow of water, and water quality/pollution; and data on socioeconomic conditions of the local population. Photos showing the existing conditions of the project sites should also be included.
- (iv)* **Expected impacts and mitigation measures:** Description of specific environmental and social impacts of the activity and corresponding mitigation measures. In case of restrictions of access to livelihoods, this section should also integrate measures that are prescribed by the LRP (see section 7.2 for details).
- (v)* **ESMP implementation arrangements:** Responsibilities for design, bidding and contracts where relevant, monitoring, reporting, recording and auditing.
- (vi)* **Capacity Need and Budget:** Capacity needed for the implementation of the ESMP and cost estimates for implementation of the ESMP.
- (vii)* **Consultation and Disclosure Mechanisms:** Timeline and format of disclosure.
- (viii)* **Monitoring:** Environmental and social compliance monitoring with responsibilities.
- (ix)* **Grievance Mechanism:** Provide information about the grievance mechanism, how PAPs can access it, and the grievance redress process.
- (x)* **A site-specific community and stakeholder engagement plan:** In order to ensure that local communities and other relevant stakeholders are fully involved in the implementation of the ESMP, a stakeholder engagement plan should be included in

the ESMP. Specific guidelines on community engagement are provided in Part 11.2 below.

5.3. Stakeholders' Role & Responsibilities in the ESMF Implementation

(a) General

The Ministry of Forests and Environment (MoFE) will be the principal government agency for project execution. MoFE will have the overall supervision and coordination responsibility for project implementation, with WWF providing programmatic guidance and quality assurance in its capacity as the GEF implementing agency for the project.

Project governing bodies

Within the MoFE, a **Project Management Unit (PMU)** will be established at the Climate Change Management Division/ Forest and Watershed Division/ Planning, Monitoring and Coordination Division. The PMU will be responsible for project oversight and coordination for implementation of the activities planned for the delivery of project results in a timely and effective manner and as per standards set for WWF/GEF projects. Under the overall supervision and guidance of the Head of the Climate Change Management Division/ Forest and Watershed Division/ Planning, Monitoring and Coordination Division as the National Project Director (on deputation).

The PMU will be run by the following dedicated staff: National Project Manager; M&E Officer (including knowledge management) (70% in the PMU and 30% in the field); and Finance & Administration Officer. It will also include a GESI and Safeguards Coordinator (70% in the field and 30% in the PMU).

A Project Steering Committee (PSC), made up of high-level officials from relevant government agencies, NGOs and WWF, will be established to provide executive and strategic guidance and to facilitate and enable effective implementation in keeping with national and GEF requirements and standards.

A Project Technical Committee (PTC) will be established to ensure technical coordination, provide technical guidance and review annual project plans and budgets, and periodic progress reports. The PTC will be made up of executives from the local governments and technical officials from key sector agencies.

The PSC, PTC and PMU will constitute the overall governing bodies for the project.

Field level management

At the field level, a project field office will be established for day-to-day coordination and support for project implementation. The main project implementing agencies in the field will be the municipal and ward offices, divisional and sub-divisional forest offices, and the community forest users' groups and leasehold forest groups.

The PFO will include the following staff:

- Field Project Coordinator for overall management and coordination of project activities in the field
- Assistant Field Coordinator (Climate-resilient agriculture and livestock management)
- Assistant Field Coordinator (Community and leasehold forest management)
- Assistant Field Coordinator (Nature-based solutions for climate disaster risk management)

- GESI and Safeguards Coordinator (70% in the field and 30% in the PMU)
- Finance and Administration Assistant
- Outsourced support staff (driver, receptionist, messenger)

(b) Safeguards Implementation

Specific arrangements and responsibilities related to the implementation of environmental and social safeguards requirements, as stated in this ESMF/PF are as follows:

Project Technical Committee:

- Overall oversight and monitoring of compliance with safeguards commitments.
- Support and specific recommendations on specific safeguard issues if needed.

WWF GEF Agency:

- Overall oversight and monitoring of compliance with safeguards commitments.
- Support and specific recommendations on specific safeguard issues if needed.

GESI and Safeguards Coordinator (70% in the field and 30% in the PMU)

- Overall responsibility for compliance with ESMF Safeguards and other annexed documents of this report;
- Ensuring that bidding documents and contracts include any relevant particular clauses or conditions relevant to environmental and social safeguards as set out in this ESMF. It is particularly important to include in bidding documents requirements related to occupational health and safety.
- Reporting on safeguards implementation and compliance to the PSC and WWF GEF Agency.
- Screening all project activities to identify social and environmental impacts;
- Reviewing annual work plans and budgets and analyze planned community/individual sub-projects and their environment/social impacts, in order to identify safeguards risks and initiate screenings of activities;
- Preparing site-specific ESMPs as needed;
- Monitoring contractors' compliance with safeguards requirements;
- Conducting consultation meetings with local stakeholders as required, informing them, updating them on the latest project development activities; Ensuring that consultations with local communities are carried out in an inclusive and participatory manner, and those with Indigenous Peoples are carried out using FPIC principles, and that all consultations are well documented;
- Carrying out field visits as necessary to monitor the implementation of project activities and their compliance with safeguard requirements;
- Disclosure of safeguards documents;
- Monitoring the state of safeguards implementation, and ensure that sub-projects are implemented in accordance with best practices and guidelines set out in the ESMF;

- Identifying and liaising with all the stakeholders involved in environment and social related issues in the Project;
- Operate the project's Grievance Redress Mechanism (GRM), including compiling and reporting on project-related grievances, monitoring grievance resolution, and closing the feedback loop with the complainant.
- Providing capacity support to the PMU and other project-related stakeholders on environmental and social issues;
- Providing execution assistance and advise the National Project Manager as necessary on safeguards related issues including adaptive management.
- Reporting on overall safeguards performance to the Project Steering Committee, WWF GEF Agency and other stakeholders as necessary.

Field Project Coordinator

- Supporting the GESI and Safeguards Coordinator as necessary in the preparation of safeguards documents; convening consultations with local communities; carrying out field visits; monitoring contractors' activities; and operationalizing the GRM.

5.4. Indigenous People Planning Framework (IPPF)

(a) IP Population of Project Sites

The ethnic composition of settlements within the Marin Sub-watershed is highly diverse with around 45 castes and ethnicities but dominated largely by Tamang along with Magar, Brahmin, Chhettri, Newar, Majhi and Dalits making up around 90% of the population. The major indigenous communities within the watershed are Tamang (55%), Magar (9%), Newar (5%), Majhi (5%) with a small population of Gurung, Sunuwar, Dunuwar, Pahari, Mushahar, Thami, Ghale, Gharti/Bhujel, Hayu, Rai, Limbu, Dhanuk, Sherpa, Kumal, Rajbanshi, Chepang, Santhal/Sattar, Jhangad, Dhimal, Bote, Yakkha, Darai, Thakali, Chhantyal, Bote, Jirel, Dura, Meche, Rajhi, and Byanshi. Nepali, Tamang, Majhi, Newari, Magar are the most widely spoken languages in the watershed. Nepali is generally the language of communication across all castes and ethnicities whereas other languages are usually limited to specific ethnicities. An estimated 90% of the population follows Buddhism in the watershed whereas the remaining follow Hindu, Prakriti (nature), Christianity, Islam and Kirat.

The marginalized IP group Tamang is particularly dominant in the area (43.47% of the Marin Valley's inhabitants according to the 2011 census), as well as the highly Marginalized Majhi Community and endangered Hayu Community who reside along the Ghagar Khola and Fulbari Khola sub-watersheds. Members of the Dalit community, which is not indigenous yet social marginalized, are present in the area. The IP groups (Tamang, Majhi, Hayu etc) depend upon agriculture, animal husbandry and utilize traditional skills. The Majhi Community depends upon fishing and Hayu community is employed in bamboo carpets making (mandro) for their livelihood. In general, 43% of the IPs residing in the area are below the poverty line (according to Census 2011).

(b) Project Impacts on IP Groups

The presence of IPs in the project sites require a social assessment to generate the necessary baseline information on demographics, social, cultural, and political characteristics of affected IP communities as well as the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend. A social assessment process was carried out as part of the preparation of safeguard documentation, drawing on desk review and field visits and consultations.

As IP groups constitute the main population group in the project area, they will both take advantage of the project's positive effects and its potentially adverse impacts. Based on stakeholder consultations, no group among the IP population seems to be disadvantaged vis-à-vis other IP groups.

The introduction of climate-adaptive technologies, along with restoration and rehabilitation activities supported by the project, will have positive long-term impacts on the livelihoods of local IP communities and sustainable management of natural resources. In fact, IP communities will be able to take advantage of all project activities and opportunities.

There are expected to be no distinct adverse impacts as a result of project activities on one IP group or the other. The potential negative impacts and associated mitigation measures that are listed in Section 4 may thus apply to all IP groups.

(c) Mitigation Planning

The following steps should be followed to screen and assess the project's potential social and environmental risks including project restriction of access to resources & livelihood, and to prepare the required management plans for avoiding, and where avoidance is not possible, reducing, mitigating and managing potential adverse impacts. The screening, social assessment, planning and implementation of the management plans (IPPs and LRPs) and their monitoring and evaluation will be the responsibilities of PMU using project budget allocated for project activities.

The mitigation planning steps are as follows:

1. Identification of the project site and of specific activities under component 2 (PMU & PFO)
2. Screening of the activity using the Screening Tool (attached in Annex 1) and questions in Box 1 below (GESI and Safeguards Coordinator, with support from PFO Coordinator).
3. Outcomes of the screening exercise would be:
 - a) Scenario 1: If screening indicates Project restriction of access to resources and sources of livelihood and other impacts on IPs/marginalized groups and also confirms FPIC requirement (using the Box 1 template), conduct social assessment of the activity.
 - b) Scenario 2: If Screening conforms no impacts on IPs, prepare an action plan to continue consultations with IPs and consider their feedback while designing and implementing the activities.
4. If FPIC required => Start process of seeking FPIC with the affected IPs and Tribal communities for the activity/subproject that required FPIC (See box 2 for steps and process;

If FPIC is NOT required => Initiate process for preparation of IPP for the activity impacting IPs

If IPs' livelihoods are affected, initiate process for designing LRP with communities (See Section 5.4) to restore livelihood and ensure access to common resources where access to

common resources and sources of livelihood of local communities are restricted by execution of the specific activity.

5. Implement IPP; FPIC agreed action plan/IPP and LRPs. If consent is not given for specific project activities, then those activities cannot proceed and must be adjusted based on the Indigenous communities' feedback or removed from the project.

(d) Steps for Formulating an IPP

WWF's Policy on Indigenous People requires that, regardless of whether Project affected Indigenous Peoples are affected adversely or positively, an IPP needs to be prepared with care and with the participation of affected communities.

The requirements include screening to confirm and identify affected IP groups in the project areas, social analysis to improve the understanding of the local context and affected communities; a process of free, prior, and informed consent with the affected Indigenous Peoples' communities in order to fully identify their views and to obtain their broad community support to the project; and development of project-specific measures to avoid adverse impacts and enhance culturally appropriate benefits.

Minimum requirements for project working in areas with Indigenous/tribal Peoples are:

- Identification of Indigenous/tribal Peoples through screening;
- Assessment of project impacts;
- Consultations with affected IP communities following FPIC and seek their broad community support;
- Development of sites specific indigenous peoples plan (IPP) to avoid adverse impacts, ensure their participation in decision-making and provide culturally appropriate benefits decided on by communities themselves; and
- In activities with no impacts, the requirements could be limited to consultations during implementation to keep local communities informed about project activities and documentation of all consultations held.

(e) Social Assessments

WWF's Policy on Indigenous People requires screening for indigenous peoples to assess risks and opportunities and to improve the understanding of the local context and affected communities.

As mentioned in Section 4, the following activities may result in adverse impacts on local communities, which primarily consist of IPs:

- Activity 1.1.2.4 to "support formulation or revision of plans and policies at the municipality/ provincial level in accordance with the CCA-integration guidelines in agriculture, livestock, forestry, and water sectors at the municipality level"
- Activities under Output 2.1.1: Climate-adaptive technologies and practices for agriculture, livestock management and water management introduced and demonstrated;
- Activities under Output 2.2.2: NbS implemented reducing climate disaster risks to vulnerable public livelihood assets and infrastructure in at least "x" number of locations in the project area.

These activities may require site-specific Indigenous Peoples Plans (IPPs) to ensure equitable project benefits sharing and joint decision-making with indigenous communities present at the

project sites. For this purpose, screening and a social assessment (SA) will be conducted in consultation with the IP communities to identify project-affected IPs, potential impacts, and severity of impact among the different IP groups affected by each activity and ensure that the proposed mitigation are appropriate to their needs and based on their negotiations with project staff.

The social assessment should gather the following information about IP individuals affected for each project activity: overview of the indigenous communities affected by the project, project activities as they relate to the local communities, how project implementation will address the particular circumstances of Indigenous Peoples, and how they will participate in decisions affecting them during implementation.

(f) Development of Indigenous Peoples' Plans

Based on the results of the social assessments, an Indigenous Peoples' Plan shall be developed for each project site.

The contents of the IPP will depend on the specific project activities identified and the impacts these activities may have on Indigenous Peoples in the project area. As a minimum, the IPP should include the following information:

- ✓ Description of the Indigenous Peoples affected by the proposed activity;
- ✓ Summary of the proposed activity;
- ✓ Detailed description of IPs' participation in decision-making and consultation process during implementation;
- ✓ Description of how the project will ensure culturally appropriate benefits determined in partnership with the communities and avoid or mitigate adverse impacts;
- ✓ Budget;
- ✓ Mechanism for complaints and conflict resolution; and
- ✓ Monitoring and evaluation system that includes monitoring of particular issues and measures concerning indigenous communities.

For project activities that may result in changes in IPs' access to livelihoods (these primarily constitute access to grazing areas, firewood collection, and access to water resources and rivers), the provisions of the Process Framework (Section 4.4) should also be followed.

(g) Free, Prior and Informed Consent Framework

Free, Prior and Informed Consent (FPIC) is an approach for ensuring that the rights of indigenous/tribal peoples are guaranteed in any decision that may affect their lands, territories or livelihoods. It ensures that they have the right to give or withhold their consent to these activities without fear of reprisal or coercion, in a timeframe suited to their own culture, and with the resources to make informed decisions.

FPIC is composed of four separate components:

- Free—Without coercion, intimidation, manipulation, threat or bribery.
- Prior—indicates that consent has been sought sufficiently in advance, before any project activities have been authorized or commenced, and that the time requirements of the indigenous/tribal community's consultation/consensus processes have been respected.
- Informed—Information is provided in a language and form that are easily understood by the community, covering the nature, scope, purpose, duration and locality of the project or activity as well as information about areas that will be affected; economic, social,

cultural and environmental impacts, all involved actors, and the procedures that the project or activity may entail.

- Consent—The right of indigenous/tribal peoples to give or withhold their consent to any decision that will impact their lands, territories, resources, and livelihoods.

The processes of consultation and seeking FPIC will be applied to all the aspects of the project (financed under WWF) that affect the rights of the IPs and tribal communities. FPIC will be required on any matters that may affect the rights and interests, lands, resources, territories (whether titled or untitled to the people in question) and traditional livelihoods of the indigenous peoples concerned.

Thus, FPIC is integral to the execution of the proposed project, as the project areas includes diverse indigenous/tribal stakeholder communities. WWF recognizes the strong cultural and spiritual ties many indigenous/tribal peoples have to their lands and territories and committed to strengthen these ties in all WWF/GEF funded projects. FPIC gives indigenous/tribal peoples the freedom to determine their own development path promoting conservation sustainably. The following checklist (Box 1) may assist in helping to determine whether some Project activities may require an FPIC process

Box 1. Checklist for appraising whether an activity may require an FPIC Process

1. Will the activity adopt or implement any legislative or administrative measures that could affect the rights, lands, territories and/or resources of indigenous peoples (e.g. in connection with the development, utilization or exploitation of mineral, water or other resources; land reform; legal reforms that may discriminate de jure or de facto against indigenous peoples, etc.)?
2. Will the activity involve natural resource extraction such as logging or mining or agricultural development on the lands/territories of indigenous peoples?
3. Will the activity involve any decisions that will affect the status of indigenous peoples' rights to their lands/territories, resources or livelihoods?
4. Will the activity involve the accessing of traditional knowledge, innovations and practices of indigenous and local communities?
5. Will the activity affect indigenous peoples' political, legal, economic, social, or cultural institutions and/or practices?
6. Will the activity involve making commercial use of natural and/or cultural resources on lands subject to traditional ownership and/or under customary use by indigenous peoples?
7. Will the activity involve decisions regarding benefit-sharing arrangements, when benefits are derived from the lands/territories/resources of indigenous peoples (e.g. natural resource management or extractive industries)?
8. Will the activity have an impact on the continuance of the relationship of the indigenous peoples with their land or their culture?
9. Will the interventions/activities restrict on access to NTFPs, timber, lands, etc. and other sources of livelihoods and community resources?

If the answer is 'Yes' to any of these questions in Box 1, it is likely that FPIC will be required of the potentially affected peoples for the specific activity that may result in the impacts identified in the questions. When an FPIC process is required, a stakeholder consultation process will need to be initiated to define and agree on an FPIC process. The indigenous peoples who may be affected by the Project will have a central role in defining the FPIC process. The consultation process should be launched as early as possible to ensure full, effective and meaningful participation of Indigenous Peoples.

All consultations with indigenous peoples should be carried out in good faith with the objective of achieving agreement on the way forward. Consultation and consent is about indigenous peoples' right to meaningfully and effectively participate in decision-making on matters that may affect them. Consultations and information disclosure are integral parts of FPIC process and any development support planning for IPs to ensure that the priorities, preferences, and needs of the indigenous/tribal groups are taken into consideration and adequately incorporated into the project. With that objective in view, a strategy for consultation with IPs has been proposed so that all consultations are conducted in a manner to ensure full and effective participation. The approach of full and effective participation is primarily based upon transparent, good faith interactions, so that everyone in the community is empowered to join fully in the decision-making process. It includes providing information in a language and manner the community understands and, in a timeframe, compatible with the community's cultural norms.

The affected IPs will be actively engaged in all stages of the project cycle, including project preparation, and feedback of consultations with the Ips will be reflected in the project design, followed by disclosure. Their participation in project preparation and planning has informed project design and will continue to actively participate in the project execution. Once the IPP or LRP is prepared, it will be translated into local languages and made available to them before implementation.

The PMU shall ensure adequate flow of funds for consultation and facilitation of planned activities within IPP. Project brochures and pamphlet with infographic containing basic information such as sub-project location, impact estimates, and mitigation measures proposed, and implementation schedule will be prepared, translated into a language understandable to the different IPs groups- especially women and other marginalized groups, and distributed among them.

A range of consultative methods will be adopted to carry out consultation including, but not limited to: focus group discussions (FGDs), public meetings, community discussions, gender-specific focus groups, and in-depth and key informant interviews; in addition to the censuses and socioeconomic surveys.

The key stakeholders to be consulted during screening, impact assessment; design and implementation of IPP, LRP and Process Framework (PF) include:

- All affected persons belonging to IPs/marginalized groups;
- MoFE, National Foundation for Development of Indigenous Nationalities (NEFIN), Ministry of Industry, Tourism, Forest and Environment, Divisional Forest Office, Agriculture Knowledge Centre, IPLC
- Local government representatives
- Community Forest Users Groups; Drinking Water Users Groups.

The project will ensure adequate representation of each group of stakeholders mentioned above while conducting consultations using various tools and approaches.

The views of IP communities are to be incorporated into the project design and execution of project activities, while respecting their current practices, beliefs and cultural preferences. The outcome of the consultations will be documented into the periodical reports and included in project's trimester progress reports. The PMU with support of the GESI & Safeguards Coordinator will also ensure that affected persons are consulted and informed about the outcome of the decision-making process and will confirm how their views were incorporated.

Procedures to obtain FPIC

Project interventions and activities affecting the indigenous peoples, whether adversely or positively, therefore, need to follow a process of free, prior, and informed consent, with the

affected indigenous peoples in order to fully identify their views and to seek their broad community support to the project; and development of project-specific measures to avoid adverse impacts and enhance culturally appropriate benefits.

Community involvement is a critical component of FPIC, as FPIC is a collective process, rather than an individual decision. In practice, FPIC is implemented through a participatory process involving all affected groups that is carried out prior to the finalization or implementation of any project activities, decisions or development plans. FPIC is established through good faith negotiation between the project and affected IPs. A facilitator should support this process, a person who will be available throughout the Project, who speaks the necessary languages and is aware of the project context. This facilitator should be selected in partnership with the communities to ensure they have the trust and support to facilitate these conversations effectively.

Box 2 below outlines some generic steps to be followed for FPIC with affected Indigenous/tribal Peoples in order to seek their broad community support.

Box 2. Steps for Seeking FPIC from Project Affected Indigenous Peoples

1. Identify communities, sub-groups within communities, and other stakeholders with potential interests/rights (both customary and legal) on the land or other natural resources that are proposed to be developed, managed, utilized, or impacted by the proposed project activity.
2. Identify (and confirm with communities) any rights (customary and legal) or claims of these communities to land or resources (e.g., water rights, water access points, or rights to hunt or extract forest products) that overlap or are adjacent to the site(s) or area(s) of the proposed project activity;
3. Identify whether the proposed project activity may diminish the rights, claims, or interests identified in Step 2 above and also identify natural resources that may be impacted by this project and the legal and customary laws that govern these resources;
4. Provide the details of proposed project activities to be implemented along with their likely impacts on IPs either positively or negatively, in a language or means of communication understandable by the affected indigenous peoples;
5. Provide the project's initial assessment of corresponding proposed mitigation measures so that the communities can come prepared to negotiate their terms and proposed avoidance or mitigation measures;
6. All project information provided to IPs should be in a form appropriate to local needs. Local languages should usually be used and efforts should be made to include all community members, including women and members of different generations and social groups (e.g. clans and socioeconomic background);
7. Selection of facilitator, who will be available throughout the Project, who speaks the necessary languages and is aware of the project context, and is culturally and gender-sensitive. The facilitator should be trustworthy to affected indigenous peoples. It will also be helpful to involve any actors which are likely to be involved in implementing the project activities that will result from the FPIC process, such as local or national authorities
8. If the IP tribal communities are organized in community associations or umbrella organizations, these should usually be consulted.
9. Provide sufficient time for IPs' decision-making processes (it means allocate sufficient time for internal decision-making processes to reach conclusions that are considered legitimate by the majority of the concerned participants)
10. Support a process to create a mutually respected decision-making structure in cases where two or more communities claim rights over a project site.
11. If FPIC is not familiar to the community, engage in a dialogue to identify existing decision-making structures that support the principles underlying FPIC.

12. Ask the community to identify their self-selected representative(s) or “focal people” for decision making purpose-- identification of the decisionmakers and parties to the negotiation. Note that in some communities, it may be more or less collective, and there may not be one focal point available;
13. Agree on the decisionmakers or signatory parties and/or customary binding practice that will be used to conclude the agreement, introducing the chosen representatives, their role in the community, how they were chosen, their responsibility and role as representatives;
14. Document IPs’ needs that are to be included into the project, and agree on a feedback and a project grievance redress mechanism. Agreements reached must be mutual and recognized by all parties, taking into consideration customary modes of decision-making and consensus-seeking. These may include votes, a show of hands, the signing of a document witnessed by a third party, performing a ritual ceremony that makes the agreement binding, and so forth;
15. When seeking “broad community consent/support” for the project, it should be ensured that all relevant social groups of the community have been adequately consulted. This may take extra effort on the side of the project team in cases where equitable decision making is not present in communities- for example, if women are customarily left out these processes. When this is the case and the “broad” majority is overall positive about the project, it would be appropriate to conclude that broad community support/consent has been achieved. Consensus building approaches are often the norm, but “broad community consent/support” does not mean that everyone has to agree to a given project;
16. When and if the community agrees on the project, document the agreement process and outcomes including benefits, compensation, or mitigation to the community, commensurate with the loss of use of land or resources in forms and languages accessible and made publicly available to all members of the community, providing for stakeholder review and authentication;
17. The agreements or special design features providing the basis for broad community support should be described in the Indigenous Peoples Plan; any disagreements should also be documented; and
18. Agree on jointly defined modes of monitoring and verifying agreements as well as their related procedures: how these tasks will be carried out during project implementation, and the commission of independent periodic reviews (if considered) at intervals satisfactory to all interest groups.

(h) Disclosure

The final IPPF and PF and site specific IPPs and LRP will be disclosed on the website of the executing agency and the website of WWF and made available to affected IPs; information dissemination and consultation will continue throughout project execution. Summaries of IPPs and mitigation measures proposed in IPPs will be translated into the local languages and paper copies will be made available to the affected persons in the office of relevant local authorities.

(i) Institutional and monitoring arrangements

The GESI & Safeguards Coordinator will be responsible for the development and implementation of the IPPF and IPP, with support from the PFO Coordinator on logistical matters (e.g., conducting field visits, reaching out to IP communities, convening meetings, etc.).

The GESI & Safeguards Coordinator will periodically report on the implementation of the IPPF/IPP to the PMU’s National Project Manager, PTC, PSC, and WWF US. Monitoring and reporting will be undertaken together with reporting on the other ESMF commitments (as indicated in Section 5.6).

5.5 Community Engagement

Public consultation and participation in the process of implementing project activities are essential because they provide local IP communities with an opportunity to participate in both the design and the implementation of activities.

WWF's requirements include an environmental and social impact study with the participation of Indigenous Peoples to assess risks and opportunities and improve understanding of the local context and affected communities; a process of consultation with affected indigenous communities to fully identify their views and obtain their free, prior and informed consent to project activities that affect them; and developing and including elements of a project-specific Indigenous Peoples Plan (IPP), with measures to avoid negative impacts and enhance culturally appropriate benefits in each project.

Consultations during project preparation. Extensive stakeholder consultations were held to derive detailed understanding of the project situation and formulate the project execution strategy in detail. Major stakeholder consultation activities included:

- A series of three national-level workshops that engaged the Joint Secretary, MoFE, and participated by 19 officials from relevant government agencies including the provincial forest department, NGOs and international development agencies.
- Key informant interviews and focus group discussions were conducted from 3rd to 9th September, 2021, for GESI analysis. A total of 62 people were consulted during the GESI assessment in the project area. This included 52 women (83.8% of the total respondents), 47 indigenous people (75.8%), and eight Dalits (12.9%).

Consultations as part of ESMF preparation. 7 Focal Group Discussions (FGDs) were carried out with Indigenous Peoples, Marginalized Groups (like Dalits, minor ethnicities like Hayu), and Women. Key Informant Interview (KII) were held with elected representative of local government, representative from Community Forest Users Group (CFUG), Drinking Water Users Group, local level indigenous organization (Hayu Leader) and representative from schools. Overall, 79 IPs participated in consultations, 49% of whom were women.

S.N	Tools Used	Total Number	Total Female	Total Male	Dalit	Indigenous People
1	FGD	7	37	43	17	72
2	KII	9	2	7	0	7

Inputs and feedback provided by consultations participants were integrated into the project documents and into this ESMF.

Consultations during project implementation

During project implementation, local communities in the project area will be regularly consulted on the following subjects:

- ✓ Choice of sites for carrying out specific activities;
- ✓ Choice of CCA technologies, practices and NbS that will be provided to local communities;
- ✓ Choice of the workforce to be recruited;
- ✓ Choice of selection criteria to determine the beneficiaries of project activities (given that benefits have to be allocated equally);
- ✓ Choice of IPs' representatives in the various decision-making structures.

A range of consultative methods will be adopted to carry out consultation including, but not limited to: focus group discussions (FGDs), public meetings, community discussions, and in-depth and key informant interviews; in addition to the censuses and socioeconomic surveys.

The GESI & Safeguards Coordinator will be responsible for convening and leading the meetings, with support from the PFO Coordinator. All meeting will be documents, and their minutes will be provided to the PMU.

FPIC Consultations are discussed in Section 5.4(i).

5.6. Monitoring

The compliance of MaWRiN activities with the ESMF will be thoroughly monitored by various entities at different stages of preparation and implementation.

- **Monitoring at the project level**

The overall responsibility for implementing the ESMF and for monitoring compliance with the Project's environmental safeguard activities lies with the PMU. The GESI and Safeguards Coordinator at the PFO shall oversee the implementation of all field activities and ensure their compliance with the ESMF. The GESI and Safeguards Coordinator shall also provide the PFO staff with technical support in carrying out environmental and social screenings and preparing ESMPs and any other necessary documentation. The GESI and Safeguards Coordinator shall also monitor the project's grievance redress mechanism (GRM) and assess its effectiveness (i.e., to what extent grievances are resolved in an expeditious and satisfactory manner).

The GESI and Safeguards Coordinator will also be responsible for reporting on overall safeguards compliance to the PMU's National Project Manager Director and M&E Officer, the Project Steering Committee, and WWF GEF Agency.

It is also recommended to engage an international environmental and social safeguards (ESS) consultant, who would monitor the compliance of all MaWRiN activities with the ESMF on an annual basis. The consultant would closely collaborate with the PMU and report directly to the PSC and WWF GEF Agency.

- **Monitoring at the field activity level**

The GESI and Safeguards Coordinator shall closely monitor all field activities, and ensure that they fully comply with the ESMF and with the terms and conditions included in the environment clearances issued by the Nepali national authorities. The Coordinator is also fully responsible for the compliance of all external contractors and service providers employed as part of the project with the safeguards requirements outlined in the ESMF/PF/IPPF and ESMP (as applicable). The GESI and Safeguards Coordinator will provide the M&E Officer at the PMU with monthly monitoring reports. **Disbursement of project funds will be contingent upon their full compliance with the safeguards requirements.**

- **Monitoring at the GEF implementing and implementing agency level**

The WWF as the project's implementing agencies, and MoFE as the executing agency and chair of the Project Steering Committee, are responsible to oversee compliance with the ESMF.

In order to facilitate compliance monitoring, the PMU will include information on the status of ESMF implementation in the six-monthly Project Progress Reports (PPRs) and the annual Project Implementation Review (PIR) reports.

5.7. Communications and Disclosure

All affected communities and relevant stakeholders shall be informed about the ESMF requirements and commitments. The executive summary of the ESMF will be translated into the Nepali language and made available along with the ESMF and SEP on the websites of the MoFE, as well as the websites of the WWF GEF Agency. Hard copies of the ESMF will be placed in appropriate public locations and in the PFO. PFO Field Coordinators will be responsible to raise community awareness regarding the requirements of the ESMF, and will also ensure that all external contractors and service providers are fully familiar and comply with the ESMF and other safeguards documents.

During the implementation of MaWRiN, activity-specific ESMPs shall be prepared in consultation with affected communities and disclosed to all stakeholders prior to project concept finalization. All draft ESMPs shall be reviewed and approved by the PMU in consultation with the PSC and WWF GEF Agency in advance of their public disclosure. The MaWRiN PMU must also disclose to all affected parties any action plans prepared during project implementation, including gender mainstreaming and action plans.

Disclosure should be carried out in a manner that is meaningful and understandable to the affected people. For this purpose, the executive summary of ESMPs or the terms and conditions in environment clearances should be disclosed on MoFE and WWF websites.

The disclosure requirements are summarized in Table 4 below.

Table 4: Disclosure framework for ESMF related documents

Documents to be disclosed	Frequency	Where
Environment and Social Management Framework	Once in the entire project cycle. Must remain on the website and other public locations throughout the project period.	On the website of MoFE and WWF. Copies should be available at the PFO and the PMU Office
Environmental and Social Management Plan/s	Once in the entire project cycle for every activity that requires ESMP. Must remain on the website and other disclosure locations throughout the project period.	On the website of MoFE and WWF. Copies should be available at the PFO and the PMU Office
Safeguards Monthly Progress Report	Monthly	PMU
Minutes of Formal Public Consultation Meetings	Within two weeks of meeting	On the website of the MoFE. Copies should be available at the PFO and the PMU Office
Grievance redress process	Shared during every stakeholder engagement activity, regardless of the stakeholder	On the website of the MoFE. Copies should be available at the PFO and the PMU Office. Physical copies should be shared with community members in a language they understand and shared verbally for those who may be illiterate.

5.8. Capacity Building and Technical Assistance

It is highly recommended to carry out capacity building activities of project implementing entities to comply with the requirements of this ESMF/PF/IPPF, as well as deliver trainings to affected communities' representatives, leaders, and members to enhance their capacity to take a meaningful part in project related activities and consultations

5.9. Grievance Mechanisms

The MaWRiN project will have a direct and tangible effect on a large number of communities and individuals residing within or in the vicinity of project sites. There is thus a need for an efficient and effective Grievance Redress Mechanism (GRM) that collects and responds to stakeholders' inquiries, suggestions, concerns, and complaints. The GRM shall constitute an integral part of MaWRiN and assist the PMU and PFO in identifying and addressing the needs of local communities. The GRM should be constituted as a permanent and accessible institutional arrangement for addressing any grievances arising from the implementation of project activities.

It is in the interest of the MaWRiN project to ensure that all grievances or conflicts that are related to MaWRiN activities are appropriately resolved at the lowest appropriate level, without escalation to higher authorities or the initiation of court procedures unless the grievance is severe enough to warrant that or the complainant feels it is in their own best interest. Project affected communities will therefore be encouraged to approach the project's GRM if they feel it is the appropriate level to safely address their grievance.

The GRM will operate based on the following principles:

1. **Fairness:** Grievances are assessed impartially, and handled transparently.
2. **Objectiveness and independence:** The GRM operates independently of all interested parties in order to guarantee fair, objective, and impartial treatment to each case.
3. **Simplicity and accessibility:** Procedures to file grievances and seek action are simple enough that project beneficiaries can easily understand them and in a language that is accessible to everyone within a given community, especially those who are most vulnerable.
4. **Responsiveness and efficiency:** The GRM is designed to be responsive to the needs of all complainants. Accordingly, officials handling grievances must be trained to take effective action upon, and respond quickly to, grievances and suggestions.
5. **Speed and proportionality:** All grievances, simple or complex, are addressed and resolved as quickly as possible. The action taken on the grievance or suggestion is swift, decisive, and constructive.
6. **Participation and inclusiveness:** A wide range of affected people—communities and vulnerable groups—are encouraged to bring grievances and comments to the attention of the project implementers. Special attention is given to ensure that poor people and marginalized groups, including those with special needs, are able to access the GRM.
7. **Accountability and closing the feedback loop:** All grievances are recorded and monitored, and no grievance remains unresolved. Complainants are always notified and get explanations regarding the results of their complaint. An appeal option shall always be available.

8. **Complainants' safety and protection:** It should be ensured that complainants suffer no repercussions as a result of their complaints and their safety shall be guaranteed.

Complaints may include, but not be limited to, the following issues:

- (i) Allegations of fraud, malpractices or corruption by staff or other stakeholders as part of any project or activity financed or implemented by the project;
- (ii) Environmental and/or social damages/harms caused by projects financed or implemented (including those in progress) by the project;
- (iii) Complaints and grievances by permanent or temporary workers engaged in project activities.

Complaints could relate to pollution prevention and resource efficiency; negative impacts on public health, environment or culture; destruction of natural habitats; disproportionate impact on marginalized and vulnerable groups; discrimination or harassment; violation of applicable laws and regulations; destruction of physical and cultural heritage; or any other issues which adversely impact communities or individuals in project areas. The grievance redress mechanism will be implemented in a culturally sensitive manner and facilitate access to vulnerable populations.

MaWRiN's GRM will be administered by the PMU in coordination with the PFO. The GESI and Safeguards Coordinator will be in charge of the operation of the GRM at the PFO, and will be responsible for collecting and processing grievances. No external entities (e.g., local government officials) would be allowed access to the complaints' log book.

The GRM will operate according to the following guidelines.

- (1) Submitting complaints:** Project affected people, workers, or interested stakeholders can submit grievances, complaints, questions, or suggestions either to the PFO or directly to the national PMU through a variety of communication channels, including phone, regular mail, email, text messaging/SMS, or in-person, by visiting the local PFO. It is important to enable to separate channels for complaint submissions (one through the PFO and the other directly to the PMU) in order to ensure that project affected people have sufficient opportunities to lodge their complaints to impartial and neutral authorities of their choice.
- (2) Processing complaints:** All grievances submitted to the PFO and PMU shall be registered and considered. A tracking registration number should be provided to all complainants. To facilitate investigation, complaints will be categorized into four types: (a) comments, suggestions, or queries; (b) complaints relating to nonperformance of MaWRiN obligations and safeguards-related complaints; (c) complaints referring to violations of law and/or corruption while implementing project activities; (d) complaints against authorities, officials or community members involved in the MaWRiN project management; and (e) any complaints/issues not falling in the above categories.
- (3) Acknowledging the receipt of complaints:** Once a grievance is submitted, the GESI and Safeguards Coordinator shall acknowledge its receipt, brief the complainant on the grievance resolution process, provide the contact details of the person in charge of handling the grievance, and provide a registration number that would enable the complainant to track the status of the complaint.
- (4) Investigating complaints:** The GESI and Safeguards Coordinator will assign the complaint for the investigation of relevant authorities. For instance, complaints on land issues would be directed for investigation at the local Village Land Council or the local village leaders. The PFO should ensure that the investigators are neutral and do not have

any stake in the outcome of the investigation. A written response to all grievances will be provided to the complainant within 10 working days. If further investigation is required, the complainant will be informed accordingly and a final response will be provided after an additional period of 10 working days. Grievances that cannot be resolved by grievance receiving authorities/office at their level should be referred to a higher level for verification and further investigation.

(5) Appeal: In the event that the parties are unsatisfied with the response provided by the GRM, he/she will be able to submit an appeal to the MoFE within 10 days from the date of decision. This appeal process will follow the same guidelines, but an additional PMU staff member may be brought in to review the appeal, pending the complainant's approval. In the event that the parties are unsatisfied with the decision of the appeal committee, the parties can submit their grievances to the WWF GEF Agency Grievance Mechanism, the GEF Secretariat, or Court of Law for further adjudication.

(6) Monitoring and evaluation: the GESI and Safeguards Coordinator shall submit a quarterly report with full information on the grievances they received to the M&E Officer at the PMU. The report shall contain a description of the grievances and their investigation status. A similar report should be prepared by the M&E Officer with regards to grievances that were submitted directly to the PMU's National Project Manager. Summarized GRM reports shall constitute part of the regular MaWRiN progress reporting, and shall be submitted to the PSC and WWF GEF Agency. These reports should also be available on the websites of MoFE and WWF GEF Agency.

Information about channels available for grievance redress shall be widely communicated in all project affected communities and to all relevant stakeholders. The contact details (name, phone number, mail and email address, etc.) of the PFO and PMU shall be disseminated as part of all public hearings and consultations, in the PFO, in the local media, in all public areas in affected communities, and on large billboards in the vicinity of project activity sites and workers' camps.

The GRM seeks complement, rather than substitute, the judicial system and other dispute resolution mechanisms. All complainants may therefore file their grievance in local courts or approach mediators or arbitrators, in accordance with the legislation of the URT. In addition to the project-specific GRM, a complainant can submit a grievance to the WWF GEF Agency. A grievance can also be filed with the Project Complaints Officer (PCO), a WWF staff member fully independent from the Project Team, who is responsible for the WWF Accountability and Grievance Mechanism and who can be reached at:

Email: SafeguardsComplaint@wwfus.org

Mailing address:

Project Complaints Officer
Safeguards Complaints,
World Wildlife Fund
1250 24th Street NW
Washington, DC 20037

Stakeholders may also submit a complaint online through an independent third-party platform at <https://report.whistleb.com/sw/wwf>.

5.10. Budget

The EMSF implementation costs, including all costs related to compensation to project affected people, will be fully covered from the MaWRiN budget. It will be the responsibility of the PFO and the PMU to ensure that sufficient budget is available for all activity-specific mitigation measures that may be required in compliance with the EMSF.

A permanent GESI and Safeguards Coordinator will be employed by the PMU (30%) and PFO (70%) for the full project period. It is also recommended to recruit an international safeguards consultant who will monitor the overall implementation of safeguards requirements on an annual basis.

Budget for travel costs and workshops and meetings for safeguards monitoring (including travel, workshops and meetings) will be included in the overall monitoring and evaluation budget under Component 3 of MaWRiN.

Annex 1. Safeguard Eligibility and Impacts Screening

This screening tool needs to be filled out for each activity or category of activities included in the annual work plan and budget. In addition, the screening tool needs to be completed whenever management measures or management plans are developed and/or when project intervention areas are determined.

The tool will be filled out by the GESI and Safeguards Coordinator and reviewed by the Safeguards Specialist. The decision on whether a Site-Specific Environmental and Social Management Plan (ESMP) and/or Livelihood Restoration Plan (LRP) are required shall be made by the GESI and Safeguards Coordinator in consultation with the WWF GEF Agency Safeguards Specialists and PFO Coordinators, based on the information provided in this screening form, as well as interviews with PMU staff, PFO Coordinators, local communities, and any other relevant stakeholders.

Part 1: Basic Information

1	Activity Name	
	Description of Activity (“sub-activities”)	
2	Type of Activity:	New activity <input type="checkbox"/> Continuation of activity <input type="checkbox"/>
3	Activity location:	
4	Total size of site area	
5	Activity implementation dates	
6	Total cost	

(Move to Part 2 after filling in all information in the table above)

Part 2: Eligibility Screening

No.	Screening Questions: Would the project activity	Yes	No	Comments/ Explanation
1	Lead to land management practices that cause degradation (biological or physical) of the soil and water?			
2	Negatively affect areas of critical natural habitats or breeding ground of known rare/endangered species?			

No.	Screening Questions: Would the project activity	Yes	No	Comments/ Explanation
3	Significantly increase GHG emissions?			
4	Use genetically modified organisms or modern biotechnologies or their products?			
5	Introduce crops and varieties that previously did not grow in the implementation areas?			
6	Develop forest plantations?			
7	Result in the loss of biodiversity, alteration of the functioning of ecosystems, and introduction of new invasive alien species?			
8	Procure or supply pesticides or result in an increase in the use of pesticides?			
9	Lead to physical displacement and voluntary or involuntary relocation of people, including non-titled and migrant people?			
10	Contribute to exacerbating any inequality or gender gap that may exist?			
11	Involve child labour?			
12	Adversely affect indigenous peoples' rights, lands, natural resources, territories, livelihoods, knowledge, social fabric, traditions, governance systems, and culture or heritage (physical and non-physical or intangible) inside and/or outside the project area?			
13	Negatively impact areas with cultural, historical or transcendent values for individuals and communities?			

No.	Screening Questions: Would the project activity	Yes	No	Comments/ Explanation
Please provide any further information that can be relevant:				

If all answers are “No”, project activity is eligible and move to Part 3

If at least one question answered as “yes”, the project activity is ineligible and the proponent can reselect the site of project activity and do screening again.

Part 3: Impacts screening

Answer the questions below and follow the guidance to provide basic information regarding the suggested activity and describe its potential impacts.

No.	Would the project activity:	Yes/No	Provide explanation and supporting documents if needed
Environmental Impacts			
1	Result in permanent or temporary change in land use, land cover or topography.		
2	Involve clearance of existing land vegetation		If yes, number of trees to be cut down: Species of trees: Are the trees protected: Total land area of vegetation cover removed: Estimated economic value of the trees, crops and vegetation to be cut down / removed and any replacement costs (e.g., fees, registration, taxes): Provide additional details:
3	Result in environmental pollution		
4	Trigger land disturbance, erosion, subsidence and instability		
5	Result in significant use of water, such as for construction		

6	Produce dust during construction and operation		
7	Generate significant ambient noise		
8	Increase the sediment load in the local water bodies		
9	Change on-site or downstream water flows		
10	Negatively affect water dynamics, river connectivity or the hydrological cycle in ways other than direct changes of water flows (e.g. water filtration and aquifer recharge, sedimentation)		
11	Result in negative impacts to any endemic, rare or threatened species; species that have been identified as significant through global, regional, national, or local laws		
12	Negatively affect forest lands		
13	Potentially increase the vulnerability of local communities to climate variability and changes (e.g., through risks and events such as landslides, erosion, flooding or droughts)		
Socio-Economic Impacts			
14	Negatively impact existing tenure rights (formal and informal) of individuals, communities or others to land, fishery and forest resources		
15	Restrict access to natural resources (e.g., watersheds or rivers, grazing areas, forestry, non-timber forest products) or restrict the way natural resources are used, in ways that will impact livelihoods		
16	Restrict access to sacred sites of local communities (including ethnic minorities) and/or places relevant for women's or men's religious or cultural practices		
17	Undermine the customary rights of local communities to participate in consultations in a free, prior, and informed manner to address interventions directly affecting their lands, territories or resources		
Indigenous and Vulnerable Groups			
18	Negatively affect vulnerable groups (such as ethnic minorities, poorer households, migrants, and assistant herders) in terms of impact on their economic or social life		

	conditions or contribute to their discrimination or marginalization		
19	Negatively affect the livelihoods and/or customs and/or traditional practices of indigenous groups		
20	Stir or exacerbate conflicts among communities, groups, within families or individuals? Also considering dynamics of recent or expected migration including displaced people		
Occupational and Community Health and Safety			
19	Involve any risks related to the usage of construction materials, working high above the ground or in canals where slopes are unstable		
20	Expose local community to risks related to construction works or use of machinery (e.g., loading and unloading of construction materials, excavated areas, fuel storage and usage, electrical use, machinery operations		
21	Generate conflicts or pressure on local resources between temporary workers and local communities		

List of documents to be attached with Screening form:

1	<i>Layout plan of the activity and photos</i>
2	<i>Summary of the activity proposal</i>
3	<i>No objection certificate from various departments and others relevant stakeholders</i>

Screening Tool Completed by:

Signed:

Name: _____

Title: _____

Date: _____

Screening Conclusions [TO BE COMPLETED BY Safeguards Specialist]

i. Main environmental issues are:

ii. Permits/ clearance needed are:.

iii. Main social issues are:

iv. Further assessment/ investigation needed and next step.

a. Need for any special study:.....

b. Preparation of ESMP (main issue to be addressed by the ESMP):.....

c. Preparation of LRP (main issue to be addressed by the LRP):.....

d. Any other requirements/ need/ issue etc:

Screening Tool Reviewed by:

Signed:

Name: _____

Title: _____

Date: _____

Exclusion list

The following practices and activities will not be supported by the project:

1. Land management practices that cause degradation (biological or physical) of the soil and water.
2. Activities that negatively affect areas of critical natural habitats or breeding ground of known rare/ endangered species, in or outside Nature Reserves (NRs).
3. Development of irrigation schemes and construction of reservoirs.
4. Actions that represent significant increase in GHG emissions.
5. Use of genetically modified organisms, or the supply or use of modern biotechnologies or their products in crops.
6. Introduction of crops and varieties that previously did not grow in the implementation areas, including seed import/transfer.
7. Development of forest plantations.
8. Actions resulting in loss of biodiversity, alteration of the functioning of ecosystems, and introduction of new invasive alien species.
9. Procurement of pesticides or activities that result in an increase in the use of pesticides.

10. Activities that would lead to physical displacement and voluntary or involuntary relocation.
11. Activities that do not consider gender aspects or contribute to exacerbating any inequality or gender gap that may exist.
12. Child Labour, forced labor or trafficking in persons.
13. Activities that would adversely affect indigenous peoples' rights, lands, natural resources, territories, livelihoods, knowledge, social fabric, traditions, governance systems, and culture or heritage (physical and non-physical or intangible) inside and/or outside the project area.
14. Activities that would negatively impact areas with cultural, historical or transcendent values for individuals and communities.