Sustainable Management of Peatland Ecosystems in Mekong Countries ("Mekong Peatlands Project")

Environmental and Social Management Plan (ESMP)

Date: 15/04/2019

1. Projects description

The Mekong Peatlands Project supports the governments of Cambodia, Lao PDR and Myanmar, through a range of activities that focus on the sustainable management of peatland ecosystems. The project will achieve this through a combination of assessments, surveys, capacity building and awareness raising, mainstreaming peatlands into policy and planning, and the demonstration of sustainable peatland management practices at targeted peatland ecosystems in each of the three countries.

The project contributes to regional peatland management initiatives, such as the ASEAN Programme on Sustainable Management of Peatland Ecosystems 2014-2020, the ASEAN Agreement on Transboundary Haze Pollution (2013), and the ASEAN Peatland Management Strategy 2006-2020.

The project is comprised of four components:

i) Assessment and documentation of peatlands in targeted countries

ii) Capacity development and policy and legal frameworks

iii) Development and demonstration of sustainable peatland management

iv) Regional cooperation

The project is to be implemented over a period of four years.

2. Risk classification and identified impacts

a. Risk classification

The project has been classified as moderate risk project at ESMS Screening stage and a Social Impact Assessment (SIA) has been undertaken for the sub-projects located in Cambodia and Lao PDR. The findings of the SIA have set some of the concerns at ease as it was verified that traditional land and resource use does not seem to present significant threats for peatland and its resources; hence it is assumed that the measures for improving management practices decided during the project will not require substantial changes. Also, the final project design makes detailed provisions for ensuring inclusive participation of stakeholders when planning the field interventions in the pilot sites under component 3. The project is still considered a moderate risk project, but towards the lower end of the spectrum as mild adverse social risks might be caused by potential access restrictions.

b. Main identified negative impacts

The main identified risk issues are the following (presented by component and respective outputs):

- **Component 2 / Output 2.2:** National strategies and/or action plans for protection and sustainable use of peatland ecosystems prepared and peatlands mainstreamed into national and sub-national policies and regulations

The project seeks to develop and mainstream peatland policies and plans - indirect impacts on local communities are possible when policies and plans are implemented. It is acknowledged that the chain between the project formulating policies and plans and potential impacts on peoples' livelihood is rather long, it still needs to be considered as indirect/induced impact. It is therefore necessary that potential impacts on people is considered when drafting the policies and plans.

- **Component 3:** Demonstrating integrated sustainable management of peatland ecosystems in pilot sites in the three countries

  Output 3.1. Protection and sustainable use of the peatlands in ***Peam Krasop Wildlife Sanctuary*** enhanced

  Output 3.2. Protection and sustainable use of the peatlands in the ***Beung Kiat Ngong landscape*** enhanced

While the findings of the Social Impact Assessment have shown that overall the current resource use appears sustainable, the peatland assessment might identify specific unsustainable use which might require putting in place targeted access or use restrictions. Mitigation measures are discussed in Chapter 3 a.

- **Output 3.3.** Protection and sustainable use of the peatlands in ***Inle Lake Watershed*** enhanced

In the Taung Po Gyi project site the project will promote sustainable use of water resources in order to prevent further subsidence of the peat domes. The main focus will be to explore alternative water supply options and to institutionalize water management by establishing a water management committee and respective water supply and management plans. The water management committee might decide about limits for water extraction, but any regulations will be entirely voluntary and will build on current attempts by the community to manage their mound spring peatland and water supply. Being a community-driven, voluntary decision this would not trigger the Standard. The involvement of community members (women and men, youth) is considered by the project as instrumental in developing this management plans and guidance on water use. However, project management should ensure that any decisions on water restrictions are preceded by an adequate assessment of water needs, disaggregated by social groups, in order to avoid hardship for vulnerable groups when regulating water supply.

3. Reference to plans required by the Standards

a. Standard on Involuntary Resettlement and Access Restrictions

Provisions for the sub-project in Lao PDR

The SIA concluded that based upon preliminary observations in five villages, the current use patterns in and around Beung Paphat appear to be acceptable for peat protection. The ways the villagers use the beung are traditional, and they seem to have little harmful impact on the peat itself, even the custom of digging loumpa (small ponds for fishing) in the peatland. Hence it doesn't seem likely that there will be a need to restrict villagers' access to the beung or their use of peatland resources. Full certainty, however, will only be achieved after carrying out the peatland survey and function assessment during project implementation. In the unlikely event that restrictions are needed, the abbreviated Process Framework (see Annex 1) need to be complied with.

Provisions for the sub-project in Cambodia

Based upon preliminary surveys conducted by a peat expert a large number of peat and potential peat areas have been identified in and around the two pilot sites, Koh Kapik and Boeung Kachhang, as well as in and around the other 11 villages across the Peam Krasop Wildlife Sanctuary (PKWS). A zoning plan and use regulations for the PKWS exists, however, the regulations don't consider peat and respective protection needs. As a consequence, at this stage it is unclear whether or not peat areas are found within those zones where resource use is allowed (Community and

Sustainable Use Zones). Hence, a decision about the need to update the zoning and to apply certain resource restrictions can only be taken once the project has finalized the peat survey and function assessment. Given the small-scale use of peatland resources as has been verified in 2 villages consulted during the SIA, it is assumed that the use in the PKWS is overall considered sustainable and that it is rather unlikely that restrictions will need to be put in place. Nevertheless, the abbreviated Process Framework (see Annex 1) need to be complied with in case restrictions are needed.

Provisions for the sub-project in Myanmar

Not triggered

b. Standard on Indigenous Peoples

Provisions for the sub-project in Lao PDR

The three villages selected as demonstration sites are not indigenous; however, IUCN's Standard on Indigenous Peoples is triggered if project activities go beyond the pilot sites and influence the wider areas around the Beung Kiat Ngong Ramsar site which include villages inhabited by indigenous Brao communities.

Provisions for the sub-project in Cambodia

The SIA has identified Cham families residing in the two pilot villages. It is debateable whether or not to consider Cham communities as indigenous peoples. They are not recognized as "indigenous" by the Cambodian government; and while they are considered a culturally distinct ethnic group, the SIA concluded that the situation of the Cham families living in the two villages does not differ significantly from other poor Khmer families living at the site, and that their distinctive culture is not under threat from the proposed project.

Provisions for the sub-project in Myanmar

The recognition of certain groups living in Myanmar as "indigenous peoples" is unclear in law and contested in practice. The Constitution makes no reference to ethnic minorities or indigenous peoples. It instead uses the term "national races". Myanmar has not ratified ILO Convention 169 but voted in favour of endorsement of the UN Declaration on the Rights of Indigenous Peoples in 2007, but did not take a position of whether there are or are not indigenous peoples in Myanmar.

The social scientist consulted during the PPG phase provided the following advice regarding the different ethnic and linguistic groups living in the project area:

- The Intha people are an ethnic group living around the Inle Lake where the project is located. They are culturally special but not indigenous. They are Burmese speaking, but may have come from Dawei area in south-eastern Myanmar once. One of the pilot villages selected by the project, Taung Po Gyi (northwestern shore of Inle Lake), has been confirmed as being an Intha village.
- The Shan ethnic group are Thai/Lao groups with the same language roots. They are believed to have come to Myanmar around the 11th century. In the Burmese government terminology, the Shan is one of the major "nationalities" or national races in Myanmar. Hence, following IUCN definition and criteria they are not considered indigenous peoples.
- The Taung-yoe ethnic group which has been confirmed as residing in the village tract of Let Maung Kway in the northwestern area of Inle Lake, are considered indigenous to this area as they are told to have lived there for many hundred years; because of this and the fact that they are an ethnic minority group the Standard is potentially triggered.

The activities planned for the village tract of Let Maung Kway involve the promotion of land management and agroforestry practices on selected demonstration plots in upland (hillslope) areas and are expected to reduce erosion and sediment transport to Inle Lake. In addition the practices are expected to provide benefits (increased income) to communities through higher value products and initial consultations with the local villages have indicated a high level of interest in this. Generally, pilot demonstration areas will likely be implemented on land that is under Forest Department jurisdiction. Any pilot established on private or clan-owned land would occur only after consultation with and explicit authorization by the local villagers. Because the adoption of practices is purely voluntary and the impacts of these practices are expected to be highly positive, it has been refrained from developing an Indigenous Peoples Plan. However, as a precautionary measure, the project will carry out consultation meetings with representatives of all different ethnic groups present in the village tract during the project inception phase. Organizing these meetings, it will be important to provide for translation to avoid language being a barrier for certain groups. In these meetings and during further steps taken for fine-tuning the activities, it will be ensured that no unintended discrimination or unjustified preferential treatment of certain ethnic groups (or within ethnic groups) occurs – including ensuring that demonstration plots are selected in a transparent and fair process. Also, as a further precautionary measure the agroforestry measures will be tested before any voluntary adoption by farmers is promoted - to avoid potential loss of short-term income.

In addition, given that the identification of indigenous groups in Myanmar is unclear, all project activities in Myanmar will be preceded by consultations with representatives of all different ethnic groups present in the respective sites in order to understand the socio-economic set-up and cultural differences of each sites. Output 3.3.3 which aims at promoting alternative livelihood strategies has a rapid socio-economic survey built into it first activity. Consultation will be institutionalized through the Inle Lake Peatlands Task Force that includes key stakeholders, including civil society representation and representatives of all ethnic groups present in the site – where all project activities and outcomes will be discussed. The project will also hold targeted stakeholder consultations to build consensus on issues and the necessary actions on regulations and recommendations into existing frameworks including the Long Term Restoration and Conservation Plan for Inle Lake and the Inle Lake Management Plan.

Furthermore, project management will ensure that all benefits and services are provided in a transparent way and that no discrimination or other de facto restrictions or exclusions exist that would prevent certain groups from accessing project benefits.

4. Cost estimates

The mitigation measures are part of existing project activities and as such covered through the existing budget.

5. Description of the executing entities' capacity

The project is executed as a partnership between IUCN and the Governments of Cambodia, Laos and Myanmar, where IUCN provides both technical and project execution support. As such, the project will utilise IUCN's internal safeguard capacities and experience to implement and monitor the ESMP.

6. ESMP Monitoring and Supervision

The ESMP will be monitored to track the progress in implementing the agreed mitigation measures. Monitoring will be performed annually during project supervision missions and be based on the provided ESMP Monitoring template (Annex 2). Monitoring will be led by the assigned IUCN Task Manager from the Implementing Entity (IUCN Asia Regional Office, ARO) in collaboration with the supervision mission team members.

Aside from progress, the effectiveness of the mitigation measures will also be monitored and results entered in the respective column in the ESMP Monitoring template. This will be based on observations and stakeholder consultations (in particular with affected groups) in order to judge the measures' effectiveness.

Annual monitoring will also identify any additional environmental or social risks that may have emerged since the project started, and establish appropriate mitigation measures for any significant new risk. These additional risks and their mitigating measures should be added to the ESMP and reported on as part of annual monitoring.

The annual ESMP Monitoring Table is reviewed during the periodic project supervision missions.

Environmental and Social Management Plan (ESMP)		
ESMS Standards	**Triggered**	**Main issues, how they will be addressed and whether a stand-alone plan is required (e.g. Indigenous Peoples Pan, Process Framework etc.)**
Involuntary Resettlement and Access Restrictions	☐ yes ☐ no ☒ TBD	Lao PDR and Cambodia: Depending on the comprehensive peat survey undertaken by the project there is a small probability that access to limited peatland areas or resources may need to be restricted — this will require compliance with the elements of the Process Framework presented in Annex D of the SIA report. Myanmar: Project activities related to water management in Taung Po Gyi do not trigger the Standard as regulations will be decided by the community. However, it needs to be ensured that decisions on water restrictions are preceded by an adequate assessment of water needs, disaggregated by social groups, in order to avoid hardship for vulnerable groups as a consequence of new water use regulations.
Indigenous Peoples	☒ yes ☐ no ☐ TBD	Lao PDR: not triggered for the three villages selected as demonstration sites, but for selected project activities that influence the wider areas around the Beung Kiat Ngong Ramsar site; no need for an Indigenous Peoples Plan (IPP) as impacts from project activities are expected to be largely positive; impact issues from potential restrictions are covered by the above Standard. Cambodia: not triggered Myanmar: triggered for one of the sites selected for field interventions (Let Maung Kway); as impacts are expected to be positive and due to the consultative approach adopted no need for an IPP.
Cultural Heritage	☐ yes ☒ no ☐ TBD	not triggered as the project will not involve civil works and it is not expected that project will restrict access to sites of cultural importance or develop economic benefits from cultural resources.
Biodiversity Conservation and Sustainable Use Natural Resources	☐ yes ☒ no ☐ TBD	

Category	**Activities to comply with ESMS policy and provisions**	**Costs**	**Implementation Responsibility**	**Schedule**
Disclosure requirements	Disclosure of the project document on IUCN website	n/a part of project activity	IUCN Asia Regional Office (ARO)	Jul 2019
	Disclosure of the project document on local government websites	n/a part of project activity	Regional Coordination Unit (RCU) (Knowledge Management Specialist) in collaboration with country partners	Jul 2019
	Announcements in newspaper and radio	n/a part of project activity	RCU (Knowledge Management Specialist) with support from Country Partners	Jul – Dec 2019

	A knowledge management and communications strategy will be developed for the project to ensure that effective dissemination of project information to all stakeholders takes place	TBD – project budget	RCU (Knowledge Management Specialist) in collaboration with country partners	Sep 2019
Grievance mechanism	Adapt the institution-wide grievance mechanism (available at www.iucn.org/esms) to the socio-cultural context of each pilot site – with clear description of channels available for submitting / discussing grievance and respective escalation steps as well as methods/activities to ensure proactive solutions to grievance (before building up).	TBD – project budget	RCU (Knowledge Management Specialist) in consultation with country partners	From Jul 2019 onwards
	Adapt the generic complaint template to local conditions and make it accessible in the pilot sites (template available at www.iucn.org/esms)	TBD – project budget	RCU (Knowledge Management Specialist) in consultation with country partners	From Jul 2019 onwards
	Present the mechanism in the pilot sites at community meetings	n/a part of project activity	Country Partners	
	Erect sign-posts based on guidance provided by IUCN (available at www.iucn.org/esms)	TBD – project budget	Country Partners in consultation with the RCU	Jul – Dec 2019
Gender Mainstreaming				
Gender analyses / socio-economic assessments to inform gender-responsive design of project activities, their implementation, monitoring and evaluation, including budgeting and staffing	Project activities under Components 2 and 3 will be designed and implemented using stakeholder participatory methods and consultation. A stakeholder engagement plan will be developed for each community, informed through socio-economic assessments and community consultations. The Community Engagement Specialist in each country will take the lead in this assessment process and stakeholder consultations. Where possible, local Women's groups, such as the Lao Women's Union, will be involved in project activities and implementation.	n/a part of project activity	RCU and Country Partners	From Sept 2019 onwards
Activities implemented by the Agency strive to provide equal opportunities for women and men to benefit	Component 3 has gender-based targets where project benefits are to be equally shared between women and men (50:50), these are prescribed in the project results framework.	n/a part of project activity	RCU and Country Partners	Continuous
Women and men are provided equal opportunities in terms of participation and decision-making throughout the identification, design, implementation, monitoring and evaluation of activities implemented by the Agency	As mentioned above, participatory processes will be used to design project activities and the methods of M&E, particularly for Component 3 where livelihood activities are designed and implemented. These outcomes will be documented in detailed livelihood development plans, an M&E plan, and records of all community consultations (disaggregated by gender).	n/a part of project activity	RCU and Country Partners	Continuous
Collection of sex disaggregated data and information on gender, and the use of gender-sensitive indicators, sex-disaggregated targets and results, as relevant,	Project outputs are reported disaggregated by gender as prescribed by the project results framework.	n/a part of project activity	RCU and Country Partners	Continuous

are regularly incorporated in monitoring, evaluation and reporting				
Improve gender mainstreaming through gender- balanced project staffing (incl. consultancy) and by ensuring that project staff and consultants have appropriate capacity and gender expertise	Where possible, the project will seek a gender-balanced team with the appropriate skills and experience in gender equality and inclusion. Project staff recruited for the Community Engagement Specialist will require an appropriate level of skills and experience in gender mainstreaming.	n/a part of project activity	RCU and Country Partners	Continuous
Enhance gender responsive project design and implementation through gender-balanced Stakeholder Engagement	Stakeholder Engagement Strategy/Plan to ensure increased involvement of gender-balanced representation and target partnerships with civil society groups such as women's advocacy groups (see below)	n/a part of project activity	RCU and Country Partners	See below SH Eng section
Stakeholder Engagement	The project will recruit a Community Engagement Specialist (National) in each country for the duration of the project. The project will identify and involve stakeholders as early as possible in the identification and development of project activities and sustained engagement throughout the project cycle and documented in form of a Stakeholder Engagement Plan	n/a part of project activity	RCU and Country Partners, based on IUCN template for SH Plan	
	Maintain and disclose public records of Stakeholder Engagement activities throughout the project cycle	n/a part of project activity	RCU and Country Partners	Continuous
	Use the Project Implementation Reports (PIR) to report on activities and results relating to stakeholder engagement.	n/a part of project activity	RCU and Country Partners, based on IUCN template for SH Plan	According to dates RIP

Key Social and Environmental Impacts and related Mitigation Measures

Social & Environ-mental Impacts[i]	**Mitigation measures**[ii]	**Feasibility, effectiveness and sustainability**[iii]	**Costs**	**Implementation Responsibility**	**Schedule**
Component 2					
Mainstreaming peatlands into policies and plans might include access restrictions with impacts on	Assessment of potential impacts and consultations with relevant stakeholders are included in the following activities: 2.2.2, 2.2.3 and 2.2.4 b) Identify the major sectors and types of activities which may impact peatlands in Myanmar and analyse the degree to which current regulations and policies incorporate (or not) peatland management issues		Already conceived as project activity	RCU and Country Partners	Jan 2020 onwards

[i] If Standards are triggered and it has been decided that the mitigation measures are not presented in form of a stand-alone plan (e.g. IPP, Process Framework etc.), the measures are described in this table

[ii] Where mitigation measures have already been conceptualized as project activities, only the codes of the activities need to be entered (e.g. "-> see Activity 1.2.3"); columns D, E and F of the ESMP are not applicable to avoid repetition.

[iii] The ESMP has to confirm that proposed mitigation measures are feasible, that they are effective in providing mitigation for all affected groups and sustainable. In this column either describe how feasibility is confirmed or put √ to confirm that feasibility has already been proven elsewhere and indicate where to find evidence.

vulnerable groups (Output 2.2)	2.2.2, 2.2.3 and 2.2.4 c) Stakeholder consultations will be held in order to review needs, constraints and opportunities for peatland management		Already conceived as project activity	RCU and Country Partners	Jan 2020 onwards
	A guidance paper will be drafted (Activity 2.2.1) to explore how mainstreaming peatlands into national policies and plans can be undertaken, informed by similar experience from the region		Already conceived as project activity	RCU and GEC	Jan 2020 onwards
Component 3: Demonstrating integrated sustainable management of peatland ecosystems in pilot sites in the three countries					
Activity 3.1.1 and 3.2.1 (Lao and Cambodia) might involve putting in place access restrictions that could impact the livelihoods of resource users restriction	In case restrictions are confirmed the abbreviated Process Framework (see Annex 1) will be followed. In case impacts cannot be avoided, mitigation measures will need to be developed and agreed upon to compensate livelihood losses.		Support of livelihood activities is budgeted; while this is limited it is not expected that there is a significant need for compensation	RCU and Country Partners	Sept 2019 onwards
Activity 3.3.2 (Myanmar) - Water management in Taung Po Gyi might involve restrictions which could affect vulnerable groups	While the activity does not trigger the Standard (as it is driven by the community, see explanation above), potential social impacts need to be assessed and, where identified, mitigated. The participatory assessment of water needs (step a)) and disaggregation by social groups will ensure impact identification. With community input, the project will explore and assess alternative water supply options (see step b)) to avoid impacts. Water conservation measures may be introduced, along with a limit on the amount of water that can be sustainably extracted from the dome. Community members (women and men, youth) will be instrumental in developing this guidance. Any regulations will be voluntary (i.e., adopted and enforced by the community) and will build on current attempts by the community to manage their mound spring peatland and water supply		Already conceived as project activity	RCU and Country Partners in collaboration with local communities	From Jan 2020 onwards
Activity 3.3.3 Develop alternative livelihood strategies (Taung Po Gy): potential risk of unjustified preferential treatment or for de facto access barriers	Conducting rapid socio-economic survey as part of the first activity to understand social differentiations		Already conceived as project activity	IUCN and Myanmar Gov partners	From Jan 2020
Risk of project activities and	Ensure that all ethnic minorities are invited to consultation meetings when fine-tuning the activities and that language is not a barrier;		Already conceived as project activity	IUCN and Myanmar Gov partners	Continuous

benefits not being cultural adequate for ethnic /indigenous groups	summaries of key documents will be translated into all ethnic languages spoken in the project sites in order to ensure that ethnic minorities are adequately informed and consulted.				
New ESMS risks that have emerged					

Annex

Annex 1: Abbreviated Process Framework for the sub-projects in Cambodia and Lao PDR

Requirements for the sub-project in Cambodia

1. Introduction

Based upon preliminary surveys conducted by a peat expert, a large number of peat and potential peat areas have been identified in and around the two pilot sites, Koh Kapik and Boeung Kachhang, as well as in and around the other 11 villages across the entire Peam Krasop Wildlife Sanctuary (PKWS).

Management zoning and use regulations for the PKWS are in place, distinguishing among others two types of zones where certain sustainable use of natural resource is allowed: (i) the Community Zone; and (ii) the Sustainable Use Zone. However, these regulations have not considered peat and its particular conservation needs. As a consequence, it is unclear whether or not peat areas are found within those two zones and whether there are any livelihood activities - currently permitted in these two zones – that might need to be restricted in order to protect the peat (e.g. harvesting of coastal and marine or forest resources, construction of houses). A decision about the need to update the zoning and to apply potential resource restrictions can only be taken once the peatlands survey and functions and values assessment has been carried out at the beginning of the project.

However, given the small scale use of peatland resources verified in the two pilot sites by the SIA, the use of peatland resources in the PKWS is overall considered sustainable and that it is rather unlikely that restrictions will need to be put in place. The general rule of the Standard on Involuntary Resettlement and Access Restrictions is that projects where impacts from access restrictions are identified need to develop an Action Plan for mitigating those impacts; and that the Action Plan is either developed during the design phase - or at least a Process Framework that describes how the plan will be developed during the project implementation; and that both, development of the actual action plan or of the process be done in consultation and agreement with the affected communities. However, in this particular case where the need to put in place access restrictions which might cause social impacts is considered relatively unlikely, it has been agreed with the ESMS Coordinator that it will be sufficient to provide only elements of a process framework without the need to launch a consultation process with potentially affected groups at this stage.

2. Provisions for ensuring compliance with the Standard

Mapping of peat in relation villages and existing zoning

A potential need for restricting the use of peatland resources will be established by the peatlands survey and functions and values assessment to be carried out at the outset of the project. It is assumed that the peat survey will provide clear and accurate maps containing the following features:

- Location of verified peat areas
- All villages and human settlements present within the PKWS
- Boundaries of the different demarcations and zones:
    - Peam Krasop Wildlife Sanctuary (PKWS),
    - Ramsar Site within the PKWS,

- Four use zones within the PKWS: Core zone, Conservation Zone, Community Zone and Sustainable Use Zone;

o Community Protected Areas within the Sustainable Use Zone

Maps should be made for the entire PKWS area, and then, separate maps should be drawn for each village also indicating the features mentioned above. These maps will enable the determination of the location of the peat areas in relation to the communities and the surrounding areas which are currently used and designated either as Community Zone, Sustainable Use Zone or Conservation Zone. Once this relationship is established, it will be possible to confirm whether the current zoning is sufficient for protecting peat or whether there are peat areas where the current zoning and the associated use regime are insufficient to ensure peat conservation. This will involve clarifying the range of scientifically acceptable and non-acceptable activities in peat areas and should be done in consultation with relevant officials from the DoE and the PKWS. These discussions should include the entire range of activities currently practiced on the peat areas (e.g. settlement, agriculture, harvesting marine or forest resources, collection of NTFPs, eco-tourism etc.); however, it is unlikely that resettlement of houses or other community infrastructure will be required for peat protection.

Community Consultation

The next stage in the process is to involve those communities where important peat areas overlap with the community's current use areas (Community or Sustainable Use Zones) and to consult with legitimate representatives of these villages. Representatives should include a combination of official representation, for example, the village chiefs and representatives from the Community Protected Area (CPA) Committees, but also non-officials drawn from other sectors of the village society. The latter could include teachers from the schools, people whose lives depend solely on the collection of resources from the focused areas, vulnerable groups as well as representatives from the business sector. Women need representation as well as they play roles not only in gathering the resources, but are also earning income as small traders. Women from the Savings Group should also be part of the discussions.

Consulting with men and women representing all sectors of the village society will allow verification of the community's current resource use from respective peat areas and identification of impacts from a potential ban or restrictions on accessing or using areas. Impacts might be caused by restricting access to sites or by banning or restricting the use of natural resources with importance for livelihood or for cultural activities practiced by the communities. The consultations should also help understanding of the significance of identified impacts.

The consultations should follow FPIC principles and lead to an agreed action plan documenting impacts from access restrictions, significance of social impacts as well as outlining measures for their mitigation. The development of the action plan should adhere to the provisions outlined in the respective ESMS Guidance Notes and should follow the overarching principle that impacts from access restrictions and negative economic and livelihood impacts should be avoided or minimized to the maximum extent possible. In cases where unsustainable practices have been identified, the aim is to agree with the respective groups on ways to change the unsustainable practices while minimizing social impacts; if impacts remain, compensation measures will be provided by the project to mitigate impacts. In cases where it is considered too difficult to minimize or compensate impacts or where agreement with affected groups cannot be achieved, small-scale loss of peatland that does not pose a risk to the sustainability of the peatland will be accepted.

Roles and Responsibilities

The overall responsibility for carrying out a mutually accepted process for obtaining consent of the affected communities is with IUCN. Staff from the ARO regional office have extensive experience in

conducting participatory and inclusive consultation processes. IUCN will be responsible for providing evidence that the parties agree on the outcome of the negotiations.

Requirements for the sub-project in Lao PDR

1. Introduction

Based upon preliminary observations and consultation in the three villages selected by the project as demonstration sites (Ban Thongsay, Na'ang, and Kala), the SIA concluded that the current use patterns in these villages are acceptable for peatland protection. The ways the villagers use the beung are traditional, and they seem to have little harmful impact on the peat itself, even the custom of digging loumpa. While the SIA has only carried out in-depth consultations in the three pilot villages, based on consultation with other stakeholders and key informants it is assumed that the situation in other villages in around Beung Paphat is very similar. Full certainty, however, will only be achieved after carrying out the comprehensive peatland survey and function assessment at the outset of the project. Hence it doesn't seem likely that the Standard is triggered and that there is a need to restrict villagers' access to the peatland area or their use of peatland resources.

The general rule of the Standard on Involuntary Resettlement and Access Restrictions is that projects where impacts from access restrictions are identified need to develop an Action Plan for mitigating those impacts; and that the Action Plan is either developed during the design phase - or at least a Process Framework that describes how the plan will be developed during the project implementation; and that both, development of the actual action plan or of the process be done in consultation and agreement with the affected communities. However, as in this particular case it is considered not very likely that the peat survey identifies harmful activities which would need to be restricted, it has been agreed with the ESMS Coordinator that it will be sufficient to provide only elements of a process framework without the need to launch a consultation process at this stage with potentially affected groups.

2. Provisions for ensuring compliance with the Standard

The survey and assessment tasks associated with Outputs 1.1-1.3. as well as the activities under output 3.2. describe the peatland assessment and the participatory process that will be undertaken to verify important peatland areas in and around Beung Kiat Ngong and to identify and agree on measures to ensure sustainable management of those areas. This includes mapping the exact extent of peatlands within and around Beung Kiat Ngong and determining and demarcating priority areas for peatlands conservation and restoration.

While the consultations carried out during the SIA in the three pilot sites have not found any practices that appear harmful to peatland, there is a small probability that other villages in and around Beung Kiat Ngong use peatland resources in a less sustainable way. Restricting such resource use might negatively affect the livelihood of these communities. The Standard on Involuntary Resettlement and Access Restrictions requires that any decision about access restrictions promoted by the project has to be accompanied by a rigorous consultative process in order to ensure that social impacts are avoided or minimized to the maximum extent possible. This should include the following elements:

- Identification of current use of peatland for livelihood purpose;
- Assessing the communities' dependency on peatland resources, disaggregated by social groups (in particular vulnerable groups, women and indigenous communities where present);
- Assessing the impacts from access restrictions planned by the project and their significance, including material impacts as well as non-material impacts taking the spiritual or cultural values of the resources into consideration;

- Identification of measures to avoid access restrictions or minimise social impacts from restrictions. If residual impacts remain develop a fair and adequate strategy for compensation and livelihood enhancement; this strategy must assure that affected people are provided with at minimum the same level and quality of livelihoods and security that they had before.

The analytical steps described above should be carried out together with legitimate representatives of affected groups; some of the steps might require more in-depth consultation of affected individuals, men and women. The consultations should follow FPIC principles and lead to an agreed action plan documenting impacts from access restrictions, significance of social impacts as well as outlining measures for their mitigation. The development of the action plan should adhere to the provisions outlined in the respective ESMS Guidance Notes and should follow the overarching principle that impacts from access restrictions and negative economic and livelihood impacts should be avoided or minimized to the maximum extent possible. In cases where unsustainable practices have been identified, the aim is to agree with the respective groups on ways to change the unsustainable practices while minimizing social impacts; if impacts remain, compensation measures will be provided by the project to mitigate impacts. In cases where it is considered too difficult to minimize or compensate impacts or where agreement with affected groups cannot be achieved, small-scale loss of peatland will be accepted.

The overall responsibility for carrying out a mutually accepted process for obtaining consent of the affected communities is with IUCN. Staff from the ARO regional office have extensive experience in conducting participatory and inclusive consultation processes. IUCN will be responsible for providing evidence that the parties agree on the outcome of the negotiations.

Annex 2: Template for ESMP Monitoring

Note: The progress of implementing mitigation measures should be color-coded in column C: Green = On Schedule/ Ahead of Schedule/ Completed, Orange = Slightly Delayed, Red = Delayed

ESMP Monitoring				
Period covered by the report:				
ESMS Standards	**Describe the progress of implementing the required tools** (Indigenous Peoples Plan, Process Framework etc.):			
Social & Environmental Impacts[i]	**Mitigation measures**	**Color coding**	**Describe status of completion,** suggest solutions where problems are encountered	**Early judgement: Does this measure seem effective?**
New ESMS risks that have emerged				
Other ESMS provisions		**Describe status of completion and evidence**		**Outstanding action and timing**
Disclosure				
Grievance mechanism: Has a mechanism appropriate to the social context been established and explained/communicated to relevant stakeholders?				
TO BE COMPLETED BY IMPLEMENTING AGENCY (IUCN)			**Date/Name of reviewer:**	
ESMP monitoring - main findings:			**Status ESMP** ☐ **on schedule** ☐ **slightly delayed** ☐ **major delays/issues**	

[i] Column A and B are copied from the ESMP.