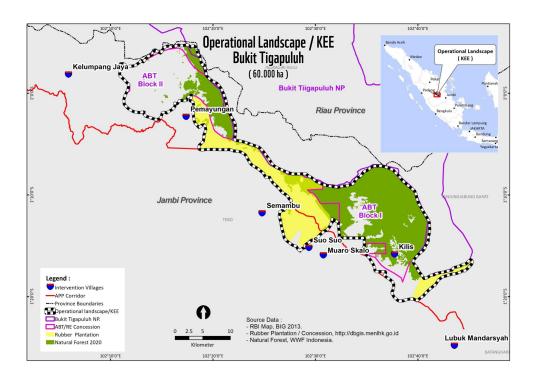
TERMS OF REFERENCE

For the preparation of a Targeted Environmental and Social Impact Assessment (ESIA) and Environmental and Social Mitigation Framework (ESMF) for the Bukit Tigapuluh Landscape, Indonesia

BACKGROUND INFORMATION AND DESCRIPTION OF THE LANDSCAPE

The landscape covered by this Assignment is the Bukit Tigapuluh landscape (see map), comprising an area of c.465,000 ha. buffering the Bukit Tigapuluh National Park in Central Sumatra, Indonesia. The island of Sumatra has been dramatically transformed by decades of intensive logging and conversion to agriculture, having lost more than half of its forest cover in the last thirty years. Outside of the National Park, the Bukit Tigapuluh landscape is highly fragmented with the last remaining tracts of Sumatran dry lowland forest located inside a mosaic of industrial concessions that adjoin the intact forest within the National Park. This landscape is home to ~10% of the critically endangered Sumatran elephants residing in lowland areas, ~10% of wild tiger populations mainly surviving inside the National Park, and orangutans in reintroduction locations. Due to its ecological value, in 2010, the Government of Indonesia announced that Bukit Tigapuluh would be one of the six priority areas designated for saving Sumatran tigers. Bukit Tigapuluh is also part of the "Rimba Corridor" which is one of five pilot areas for ecosystem-based land use planning under the Government's "Sumatra Road Map".



Two groups of Indigenous Peoples live in this landscape: the Talang Mamak who traditionally depend on the forest for livelihood through hunting, gathering, and farming often in the form of mixed rubber smallholdings; and the Orang Rimba who are traditionally semi-nomadic forest dwellers highly dependent on forest resources, though some groups are today reliant on sedentary subsistence farming supplemented by hunting and collection of non-timber forest products. There are also Melayu Tuo local communities who have been historically resident in the landscape and are known to have customary lands inherited over generations. Districts in this landscape have long been a target for transmigration programs, with many settler and migrant groups seeking lands and livelihoods, and which has led to a mixture of socio-cultural backgrounds in villages.

WWF has been involved in the landscape since the 1990s, when WWF and other NGOs facilitated the creation of what is today Bukit Tigapuluh National Park: 144,000ha of protected core zone. However, the National Park was significantly

smaller in size than the original proposal - protecting the mountainous and hilly areas, while the gentle slopes and plains (where elephants roam) were designated as production forest. As the lowlands became increasingly fragmented by industrial plantations, WWF developed a landscape strategy to conserve the last remaining lowland forests located in the buffers of the National Park. In 2015, WWF together with NGO partners acquired an Ecosystem Restoration Concession (ERC) called PT Alam Bukit Tigapuluh (ABT). The ERC was a new designation created under Indonesian law that allows privately-held concessions to manage forests for ecological restoration and without the requirement to log. The PT ABT concession comprises two separate blocks with a total area of c.38,000 ha. located in the south east and south west buffers of the National Park.

To scale conservation impact across this landscape, WWF has endeavoured to engage neighbouring concessions to implement conservation and restoration activities. From 2015 to March 2020, WWF collaborated with the neighbouring PT Royal Lestari Utama (RLU) concession to implement restoration activities and wildlife protection practices, which includes a c.9,700 ha voluntary set-aside as a wildlife corridor and conservation area that connects the two blocks of PT ABT's concession - the combined area was proposed as an Essential Ecosystem Area (Kawasan Ekosistem Esensial, KEE). This collaboration was suspended in 2020.

Currently, WWF implements a variety of activities in specific parts of the landscape which include: forest rehabilitation and reforestation (including maintaining nurseries); mitigating and monitoring human-elephant conflict and maintaining critical wildlife habitats through HCV/HSC approaches; species monitoring and SMART patrolling; convening multi-stakeholder platforms to share data, detect, report and support law enforcement investigations into illegal environmental activities; facilitating Talang Mamak applications for legal identification cards; participatory land mapping in ABT; supporting local livelihoods (e.g. agroforestry, rubber, home gardening, forest honey, handicrafts, product development and micro financing for women, etc.); technical assistance and compliance monitoring for companies to meet sustainability commitments; and environmental education and outreach with schools, companies and community groups.

OBJECTIVE AND SCOPE OF THE ASSIGNMENT

WWF interventions in the Bukit Tigapuluh landscape are expected to yield positive environmental and social outcomes. However, the implementation of some activities have the potential to result in unintended negative environmental and/or social impacts. In order to ensure that WWF's interventions are aligned with WWF's Social Policies and Environmental and Social Safeguards Framework (ESSF), potential negative environmental and social risks and related impacts linked to WWF supported activities in the Bukit Tigapuluh landscape should be identified, assessed and subsequently avoided or mitigated, while striving to enhance benefits for local communities and the environment.

The objective of this Assignment is the preparation of a targeted Environmental and Social Impact Assessment (ESIA) and Environmental and Social Mitigation Framework (ESMF) for the Bukit Tigapuluh landscape (hereafter collectively referred to as the "Assignment"). This Terms of Reference (ToR) aims to outline the tasks of the Assignment in as much detail as possible. Nevertheless, the Consultant shall critically verify the scope of services indicated and may extend, reduce or amend those services wherever such is deemed necessary according to his/her own professional judgement and knowledge. Any suggested amendments to the ToR should be clearly documented in the Consultant's submission, including accompanying justification for the proposed amendments, and must be approved by the contracting party at WWF.

On WWF's Social Policies and the ESSF, and for avoidance of doubt, the <u>Human Rights</u>, <u>Indigenous Peoples and Conservation</u> and <u>Gender Equality</u> policy statements, the <u>Framework</u> document and its nine draft safeguards standards have been publicly disclosed, but these are currently subject to review.

COVID-19

It is recognised that the current COVID-19 pandemic limits the ability to undertake any field-based tasks until travel/health restrictions are lifted or other permissions secured. The Consultant and WWF will regularly review the COVID-19 situation and will jointly agree when it is safe for any field-based work to take place. This decision will be based on adequate assurance that the risk of COVID-19 transmission has been minimised for any communities or other stakeholders, the Consultant team and WWF staff.

Since Task 1 is heavily desk-based, it can be started immediately. It is also expected that preparatory work for Task 2 could be carried out remotely.

NDA/CONFIDENTIALITY

In order for the Consultant to fulfil this ToR, confidential documents will be made available for review. The Consultant will therefore be required to sign and abide by a non-disclosure agreement (NDA) that will be included with the formal contract.

TASKS

It is anticipated that the Assignment will be undertaken through the following tasks conducted separately:

- Task 1: Development of a scoping report, detailed work plan, virtual kick-off meeting and review of available documents
- Task 2: Development of the stakeholder analysis and stakeholder engagement plan
- Task 3: Field visits and engagement with stakeholders
- Task 4: Development of the targeted Environmental and Social Impact Assessment (ESIA)
- Task 5: Development of the Environmental and Social Mitigation Framework (ESMF)

Further details of the required tasks, the scope and guidance on content and proposed methodologies are provided below and in the Annex which forms an essential part of this ToR.

<u>Task 1: Development of a scoping report, detailed work plan, virtual kick-off meeting and review of available documents</u>

At the start of the Assignment, the Consultant shall develop a detailed work plan for the Assignment. The work plan shall refer to the tasks as described in this ToR and shall include any additional tasks as identified by the Consultant during the preparation phase. This work plan will form the basis of the detailed terms of the Assignment and shall be approved by WWF prior to starting the work. The work plan will be routinely reviewed with WWF during the Assignment and adapted to reflect any change of circumstance.

Following this, the Consultant shall prepare and convene a virtual kick-off meeting with relevant WWF staff members. This meeting will enable WWF to provide additional context information for the Tasks and the list of WWF documentation to be reviewed.

WWF will provide background documentation regarding the environmental and social aspects related to WWF interventions in the landscape, including the Safeguards Screening Tool (SST) and Categorisation Memo completed by WWF, any baseline studies and impact assessments developed for WWF activities in the landscape, and any plans for mitigation measures already under implementation. The Consultant shall become familiar with the available documents and with the WWF Environmental and Social Safeguards Standards and Social Policies. In addition to the documentation provided by WWF, the Consultant is also expected to explore any relevant external literature to inform the gap analysis.

In conducting the document review, the Consultant shall update the landscape profile including the inventory and spatial distribution of WWF's interventions, confirm the area of influence (i.e. zone of impact) for the purposes of WWF's ESSF, identify any gaps in the existing environmental and social risk screening and highlight the need for any additional assessments to close information gaps. A summary of the risks and/or issues that have been identified in the Bukit Tigapuluh SST and Categorisation Memo include:

- a. Social risks related to anticipated impacts from unresolved overlapping land claims, restriction of access to and use of natural and cultural resources in ABT, social exclusion, etc.
- b. Indigenous People live in this landscape: the Orang Rimba and Talang Mamak whose traditional territories and livelihoods intersect with ABT and RLU;
- c. Conflicts between different groups (Melayu Tuo local communities, settlers and migrant groups, Indigenous Peoples) that includes land claimants who may perceive conservation work being undertaken as a threat to their tenure security and livelihoods;
- d. Increased potential of human-wildlife conflict;
- e. Environmental risks related to anticipated impacts from livelihood activities (e.g. forest honey production, vanilla production), unsustainable harvesting of natural resources by communities, etc.
- f. Potential impacts from the use of chemical inputs in ABT and RLU.

The gap analysis is not intended to validate assumptions in the SST or Categorisation Memo but instead the Consultant is expected to focus on uncovering any additional gaps that have not been captured or adequately addressed in existing documentation.

The outputs for this task comprise a scoping report that describes the kick-off and document review processes, gap analysis and its findings; and a mission plan that, based on the recommendations of the scoping report, proposes the detailed terms of reference specifying technical areas for further assessment in Task 4, draft stakeholder engagement plan (from Task 2), proposed schedule for field visits and activities, and an updated work plan for the Assignment. The proposed detailed terms of reference shall be developed in consultation with WWF, noting that WWF retains the right to determine the final detailed terms of reference for Task 4.

Task 2: Development of the stakeholder analysis and stakeholder engagement plan

Based on the learning gained in Task 1, the Consultant shall carry out a stakeholder analysis and develop a stakeholder engagement plan to be used in the process of completing this Assignment (i.e. Tasks 3, 4 and 5). It is important to note that there have already been multiple efforts by WWF and other partners towards stakeholder analysis within the landscape. The Consultant is expected to carry out a gap assessment about these previous analyses, including the mapping of rights-holders in ABT and an assessment of any consent processes and outcomes (including Free, Prior and Informed Consent, FPIC). Building on this, the Consultant is to then prepare a consolidated and up-to-date stakeholder analysis and draft stakeholder engagement plan for the entire landscape, which shall include, amongst others, a specific focus on the situation of rights-holders in ABT. The Consultant will be guided by this draft plan to engage stakeholders during the conduct of this Assignment, and which will be used as the basis to develop a comprehensive final plan for future stakeholder engagement in the landscape. The stakeholder engagement plan is meant to provide a better understanding of the mechanisms and nature of engagement with the different stakeholder and rights-holder groups, including their participation and representation in decision-making.

Further technical guidance about the development of the stakeholder analysis and stakeholder engagement plan is outlined in the Annex.

Task 3: Carry out field visits and consult with stakeholders, based on the draft stakeholder engagement plan

Data collection and consultation processes in the framework of this Assignment will include two field visits to the landscape sites (to be agreed in consultation with WWF) that are representative for informing the development of the

targeted ESIA, ESMF and any subsidiary plans. The field trips will be scheduled depending on the evolution related to COVID-19 travel restrictions in the country. The selection of field visit sites/communities will be evaluated and jointly established by the Consultant and the WWF landscape team, based on the following criteria:

- a. Area of influence: the specific areas within the landscape where WWF has activities or exerts influence (the specific area(s) of influence will be confirmed in Task 1 and is not expected to cover the full landscape).
- b. Accessibility: access to the impacted communities/villages by road and possible mobility of impacted communities to travel to the location where the consultation will take place;
- c. Community groups: differences in identity, culture and status of communities (e.g. indigenous, non-indigenous local community, and migrant) with particular attention to rights-holders in ABT and the different sub-groups in a community (e.g. women, youth, elders, different resource users, etc.);
- d. Livelihoods: differences in the main community livelihood strategies (e.g. subsistence and smallholder agriculture, NTFP collection, hunting, fishing, etc.);
- e. Dependency: dependency of household livelihoods on the areas impacted by WWF's work and relative vulnerability to any negative impacts;
- f. Impact: difference in types of positive and negative impacts and their spatial distribution;
- g. Historical conflicts: Areas where conflicts resulting from WWF work have happened in the past with Indigenous Peoples and local communities, including any migrant groups.

Consultations with Indigenous Peoples and local communities shall be made using, to the extent possible in the scope of the Assignment, participatory rural appraisal methods based on a mix of qualitative and quantitative data collection techniques, including focus group discussions, subject to FPIC as applicable. The consultations shall be made in a manner that is culturally acceptable and accessible to the community groups. Local interpreters will be used where appropriate. Institutional stakeholders relevant in the context of the environmental and social aspects of WWF activities including, but not limited to, government agencies (e.g. institutions related to water resources management, land, forestry and agriculture, protected area management, human rights, as appropriate); concessionaires and private landowners; civil society, indigenous and community-based organisations; as well as relevant human rights and social experts shall be consulted during the Assignment, for example through key informant interviews and multi-stakeholder workshops. The draft stakeholder engagement plan should be updated to reflect any emergent changes as the Assignment progresses.

Task 4: Completion of a Targeted Environmental and Social Impact Assessment (ESIA)

The aim is for the targeted ESIA to generate a supplementary analysis that builds on the SST and Categorisation Memo by deepening our understanding of specific issues or specific potential impacts. The targeted ESIA is not meant to validate already known risks identified in the Bukit Tigapuluh SST; rather it will fill the gaps in information identified in the Consultant's scoping report and integrate the views and feedback provided by stakeholders in relation to the specific issues or impacts, as well as any preliminary mitigation measures. In the process, the Consultant will also assess alternatives to inform the design of WWF interventions and identify opportunities for WWF to enhance benefits to local people.

WWF will confirm the detailed terms of reference specifying technical areas for further assessment in the targeted ESIA based on outputs from Task 1. The Consultant will subsequently conduct the agreed assessments in a structured manner, along the relevant national legislation and the requirements of WWF's Social Policies and Safeguards Standards.

Social Policies:

- Policy Statement on Human Rights
- Policy Statement on Indigenous Peoples and Conservation
- Policy Statement on Gender Equality

Environmental and Social Safeguards Standards:

- Standard on Stakeholder Engagement
- Standard on Grievance Mechanism
- Standard on Restriction of Access and Resettlement
- Standard on Indigenous Peoples
- Standard on Community Health, Safety and Security
- Standard on Protection of Natural Habitats
- Standard on Pest Management
- Standard on Cultural Resources

During field visits attention should also be paid to the views of the local public on environmental, cultural heritage and social impacts that could be imposed by WWF interventions in the landscape and/or those impacts which are already observable on the ground. Further technical guidance about the targeted ESIA is outlined in the Annex.

Task 5: Development of the Environmental and Social Mitigation Framework (ESMF)

The ESMF serves as a framework for managing and mitigating the environmental and social risks and impacts associated with implementing WWF activities in the landscape. Its content and direction will depend on the findings from preceding Tasks in combination with learning and feedback gained from field visits and engagement with stakeholders and rights-holders.

To prepare the ESMF, the Consultant will:

- a. Update the Bukit Tigapuluh landscape profile (landscape boundaries, inventory and spatial distribution of WWF activities, confirm the area of influence (i.e. zone of impact) for the purposes of WWF's ESSF, material environmental and social risks and related impacts, etc.) based on learning from preceding tasks;
- b. Propose a set of mitigating actions that have been specifically designed to avoid and address the potential adverse impacts of WWF's interventions highlighted by the preceding Tasks, and describe any underlying assumptions or caveats as the case may be. As the Orang Rimba and Talang Mamak live in areas that overlap with ABT, the Consultant will prepare an Indigenous Peoples Plan (IPP) for ABT as an integral component of the ESMF;
- c. Highlight opportunities for WWF to enhance benefits to Indigenous Peoples and local communities;
- d. Finalise the stakeholder analysis and stakeholder engagement plan for the landscape, including a specific focus on rights-holders in ABT and a process for FPIC if one is not already in place, in which key roles and responsibilities are clearly defined taking into account the roles of duty-bearers, WWF, etc.;
- e. Propose a landscape-level grievance mechanism and complaints resolution process that is aligned with the Standard on Grievance Mechanism;
- f. Determine institutional requirements (e.g. in terms of capacity, partners, resources, etc. that need to be in place) for ensuring that the mitigative responses are made effectively and in a timely manner, and describe the means for meeting those requirements (including an indicative budget, timeline and clear responsibilities); and
- g. Propose progress and outcome indicators for monitoring the avoidance and mitigation measures, an estimate of the time period required for respective measures to become effective, and a recommendation for the frequency of status monitoring and review.

The ESMF shall be developed in close cooperation with the WWF landscape team. Further technical guidance on the components of the ESMF can be found in the Annex.

DELIVERABLES

The Consultant shall deliver the following outputs for the review and approval of WWF:

Deliverable 1: At the start of the Assignment and prior to commencement of work, the Consultant shall submit a detailed, time-bound work plan for the Assignment that refers to the Tasks described in this ToR and any amendments identified by the Consultant, including accompanying justifications. Any changes made to the Tasks in this ToR must be

approved by the contracting party at WWF prior to starting the work. The work plan will be subject to routine review with WWF during the Assignment and adapted to reflect any change of circumstance.

Deliverable 2: A scoping report that presents a consolidated summary of the environmental and social risks related to the implementation of WWF interventions in the context of the Bukit Tigapuluh landscape. The report will:

- a. Confirm the boundary of WWF's Bukit Tigapuluh landscape, update the inventory and spatial distribution of WWF's activities, and confirm the area of influence (i.e. zone of impact) for the purposes of WWF's ESSF;
- b. Discuss the environmental and social risks, including any assumptions and caveats that may underlie its analysis, and outline any additional or supplementary assessments that will be required to close information gaps in order to develop the ESMF. This will include a specific focus on the situation of rights-holders and land tenure in ABT;
- Describe how its findings update the existing SST by detailing any gaps and/or new information, and include a
 1-page addendum that points to where content in the existing Categorisation Memo could require revision or
 update as a result; and
- d. Include a process report that documents the preparation, participation and outcomes of the virtual kick-off meeting.

Deliverable 3: A mission plan that draws on the recommendations of the scoping report and will:

- a. Propose the detailed terms of reference specifying technical areas for further assessment in the targeted ESIA;
- b. Propose the schedule for field visits and activities, describing how these align with the draft stakeholder engagement plan (Deliverable 4); and
- c. Update the work plan for the Assignment accordingly.

Deliverable 4: A draft stakeholder engagement plan that contains:

- a. A consolidated and up-to-date stakeholder analysis for the landscape;
- b. A list of stakeholders to be consulted virtually and/or during field visits (including checklists, questionnaires, guiding questions for assessing risks and impacts and identifying preliminary mitigation measures in English and Bahasa Indonesia); and
- c. A specific process for FPIC in respect of Indigenous Peoples in this landscape, if one is not already in place, in which key roles and responsibilities are clearly defined taking into account the roles of duty-bearers, WWF, etc.

Deliverable 5: A targeted ESIA report and annexes in English and Bahasa Indonesia that will be structured in line with guidance presented in the Annex. Specifically, the draft and final versions of the report will:

- a. Address the assessments specified in the detailed terms of reference for Task 4;
- b. Confirm the specific area of influence (i.e. zone of impact) related to the implementation of WWF's interventions in the Bukit Tigapuluh landscape and provide a consolidated summary of each identified potential negative environmental and/or social impact that may arise as a result of WWF's activities in this landscape. The potential impacts should be ranked according to the severity of impact and likelihood of occurrence, organised by the activity that has raised the risk(s) which triggered the corresponding Substantive Standard(s), and specify who and/or what would be negatively impacted (stakeholder or rights-holder group, species, habitats, etc.) by that activity;
- c. Include a process report that documents the stakeholder engagement activities conducted during the targeted ESIA, including documentation of FPIC where applicable, and a description of how stakeholder views have influenced the targeted ESIA; and
- d. Include a companion non-technical summary of the final targeted ESIA report in a locally appropriate language and format for Indigenous Peoples and local communities in the landscape.

Deliverable 6: An ESMF for the landscape, including annexes, in English and Bahasa Indonesia that will be structured in line with guidance presented in the Annex. Specifically, the draft and final versions of the ESMF will include:

a. An updated Bukit Tigapuluh landscape profile (landscape boundaries, inventory and spatial distribution of WWF activities, confirmed area(s) of influence (i.e. zone of impact) for the purposes of WWF's ESSF, material environmental and social risks and related impacts, etc.);

- b. A final stakeholder analysis and final stakeholder engagement plan for the landscape that is updated upon completion of the targeted ESIA and ESMF;
- c. An Indigenous Peoples Plan for ABT that will, amongst others, specify a process for FPIC if one is not already in place, in which key roles and responsibilities are clearly defined taking into account the roles of duty-bearers, WWF, etc;
- d. A process report that documents the stakeholder engagement activities conducted throughout the Assignment, including documentation of FPIC where applicable, and a description of how stakeholder views have influenced both the targeted ESIA and ESMF; and
- e. A companion non-technical summary of the final ESMF, which includes mitigation plans at activity-level, in a locally appropriate language and format for Indigenous Peoples and local communities in the landscape.

All draft versions of the deliverables will be reviewed by the contracting party at WWF and the safeguards team at WWF International. Requested changes shall be duly considered by the Consultant in developing the final versions. After approval of final versions is granted by WWF, the Consultant shall submit the final documents in PDF and Word format in the required languages, in addition to any datasets in Excel and GIS shapefiles of maps.

The following deliverables will be disclosed to key local stakeholders including Indigenous Peoples and local communities in areas where WWF has activities in the landscape:

- The non-technical summary of the final targeted ESIA report;
- The non-technical summary of the draft and final ESMF, which includes mitigation plans at activity-level.

The Consultant shall prepare the relevant documents to satisfy disclosure requirements: a form that is targeted to the audience in the appropriate language and channels of communication, in a culturally appropriate, non-discriminatory, and gender-sensitive manner, and in a tone that is free of external manipulation, intimidation or coercion. Disclosure of the above documents will be led by WWF with support from the Consultant and take place at least 45 days prior to the document being finalised, with due consideration to feedback received or concerns raised.

The final ESMF and Stakeholder Engagement Plan will be publicly disclosed on the WWF website.

PROJECT MANAGEMENT

The Consultant shall manage the Assignment to ensure that the tasks are delivered to the agreed schedule and that these meet the standards set out for the Assignment. The Consultant shall be responsible for making all travel related arrangements, including visas, entry permits, and meeting all prevailing COVID-19 travel requirements in Indonesia and return journey to the country where the Consultant's team is based if from outside of Indonesia.

Core project management includes:

- a. Management of the Consultant's team;
- b. Communication activities with the WWF key contacts, and other parties as required;
- c. Regular reporting on schedule, budget and progress of the Assignment; and
- d. Health and Safety and logistical planning for the Assignment.

TEAM AND QUALIFICATIONS

The project team proposed by the Consultant and their qualifications have to reflect the scope of services and show excellent technical and professional qualifications. The team leader(s) should have demonstrable professional experience, language skills and relevant experience in the region. The Consultant shall provide a description of tasks to be performed by each team member as well as details on the selection and experience of the proposed members with regard to their task(s). WWF anticipates that proposed team members will include local experts who are nationals of Indonesia with (1) sound expertise of the country context and (2) expert knowledge of the Bukit Tigapuluh landscape and the communities who reside within it.

The Consultant shall provide updated curricula vitae (CV) of the proposed international and local team members. Please note that key team members presented in the Consultant's proposal shall not be replaced without the prior approval of WWF.

BUDGET

The Consultant shall estimate the human and other resources that will be required to complete Tasks 1 to 5. The Consultant will specify, amongst others, the budget estimate for the following items: field travel in Indonesia (e.g. vehicle hire, field accommodation, etc.); meetings and workshops for stakeholder engagement in Indonesia (e.g. community workshops, meeting packages, venue hire, etc.); translation (English and Bahasa Indonesia) of materials; and hiring of local interpreters where required. Due to the ongoing COVID-19 situation, the budget estimate for Tasks 1 and 2 can be assessed and submitted as a distinct sub-budget (for desk-based work and virtual consultations). The financial offer(s) shall include all costs for elaboration of works, as described above, including travel costs.

REQUEST FOR PROPOSALS

On the basis of these ToRs, the Consultant shall prepare a proposal that covers:

- Proposed tasks and outputs (methodology);
- Team composition, including summary of expertise and experience;
- Tentative work schedule (activities and milestones);
- Estimated level of effort;
- Estimated travel costs (itemised flights, overland travel and logistics, per diem);
- The availability to sign a Non-Disclosure Agreement.

The proposal will have to be submitted by 17.00 (WIB, GMT +7) on Monday, October 4th to the WWF International Safeguards Help Desk at: safeguardshelpdesk@wwfint.org.

PROPOSAL EVALUATION

The proposal will be evaluated by WWF against the following criteria:

- Level of expertise and experience in implementing safeguards systems (e.g. GEF, IUCN, WB, IFC, others), including carrying out bespoke ESIA/SIAs and developing ESMFs/ESMPs;
- Level of expertise and experience in the countries and in the given landscapes;
- Any other relevant expertise and experience (e.g. FPIC, law enforcement, livelihoods, stakeholder engagement, participatory approaches, etc.);
- Language skills (including local languages);
- Overall quality of the proposal (incl. quality of the proposed methodology for stakeholder engagement);
- Cost i.e. value for money; and
- Availability.

ANNEX

WWF ENVIRONMENTAL AND SOCIAL SAFEGUARDS FRAMEWORK: TECHNICAL GUIDANCE

WWF has long recognised that planetary health and community well-being are interlinked at the heart of sustainable development. Our Social Policies ensure we help promote and respect human rights, encourage good governance and protect the vulnerable in all WWF activities. For our field-based work (the landscapes and seascapes where WWF is active), we implement these policies through WWF's <u>Environmental and Social Safeguards Framework (ESSF)</u>.

The ESSF provides an institutional mechanism to manage the environmental and social risks of WWF's work, helps deliver better conservation outcomes, and aims to enhance the social well-being of local communities in the places where WWF operates. The ESSF is designed to shape project design, implementation, monitoring and evaluation to secure better conservation by identifying and addressing environmental and social risks, mindful of the different challenges and needs in different parts of the world. It supports the systematisation of good governance practices to achieve respect of human rights, transparency, non-discrimination, public participation, and accountability, in the context of conservation work implemented or supported by WWF, among other goals. WWF's ESSF has been designed to meet the specific needs of WWF, which is a global network of independent NGOs that operate under a common licensing agreement and brand, and that pool funds to advance common conservation objectives.

The ESSF was adopted by the Board of WWF International and the WWF Network Executive Team (NET) in June 2019, to ensure consistent, comprehensive application of safeguards across the entire WWF Network.

SCOPE OF APPLICATION OF THE WWF ESSF

Safeguards play a vital role in achieving <u>WWF's vision</u>. They guide how we engage Indigenous Peoples and local communities to plan and manage our work to improve and protect their lives, rights and livelihoods while conserving nature and wildlife. WWF interventions in landscapes and seascapes (hereafter collectively referred to as "landscapes") are expected to yield positive environmental and social outcomes. The implementation of some conservation activities have the potential to result in unintended negative impacts, which makes it crucial to effectively apply safeguards to identify, avoid and mitigate these impacts. Assessment of environmental and social impacts and the subsequent preparation of appropriate mitigation plans in a participatory manner, is an essential part of this. WWF uses the ESSF to identify, avoid and mitigate these risks, uphold human rights, and ensure conservation projects deliver better outcomes for communities and nature. We apply safeguards in the design, implementation, and monitoring of all of our activities.

STRUCTURE OF THE WWF ESSF

The Social Policies guide ESSF implementation. They are:

- Policy Statement on Human Rights
- Policy Statement on Indigenous Peoples and Conservation
- Policy Statement on Gender Equality

The ESSF is composed of 9 Safeguards Standards, of which there are 3 Process Standards and 6 Substantive Standards.

The Process Standards are applied in all mitigation planning. They are:

- Environmental and Social Risk Management
- Stakeholder Engagement
- Grievance Mechanism

The Substantive Standards are applied selectively when triggered. They are:

Restriction of Access and Resettlement

- Indigenous Peoples
- Community Health, Safety and Security
- Protection of Natural Habitat
- Pest Management
- Cultural Resources

In practical terms, the framework for managing environmental and social risks is built by following several structured processes that, implemented together, ensure compliance with the Social Policies and Safeguards Standards. This means:

- A process is implemented to identify, avoid and manage negative environmental and social impacts (the objective of the present consultancy);
- A process is implemented to engage stakeholders on a continuous basis, document and integrate their feedback into program and project design and implementation;
- A process is implemented to set up an accountability and grievance redress mechanism; and
- A process is implemented to ensure regular disclosure of information to stakeholders.

STEPS OF THE ESSF

Application of the ESSF follows the same steps in environmental and social risk management whether applied to the project management cycle or at the landscape level as shown in the Figure below. The process is outlined in the Standard on Environmental and Social Risk Management.



ENVIRONMENTAL AND SOCIAL RISK SCREENING AND CATEGORISATION

All projects and landscapes in which WWF works must be screened to (1) identify potential negative social or environmental impacts and (2) identify opportunities to strengthen design or implementation. This usually takes place at the design stage for projects while for landscapes the screening will cover all ongoing activities/projects in that landscape. The risk screening is conducted by the relevant WWF team who will use the WWF Safeguards Screening Tool (SST) to identify and analyse any potential negative environmental or social impacts that could arise from the implementation of WWF's interventions in this landscape. The SST is designed to guide teams through a structured and detailed environmental and social risk screening of all WWF activities in the landscape against requirements in

WWF's Social Policies and Safeguards Standards, taking into account how the implementation of activities may intersect with the political, environmental, economic, and socio-cultural context of the landscape.

A landscape screening is led by the WWF landscape lead (i.e. the person appointed by the WWF office to oversee ESSF implementation in this landscape) working with their team. The landscape team is responsible for consulting with relevant safeguards staff or other staff accredited for quality assurance to ensure that the analysis it provides considers all possible impacts and associated risks and meets WWF's Social Policies and Safeguards Standards. Beyond screening the activities themselves, screening (i.e. due diligence) is also undertaken on partners and context, i.e. socio-political and other 'enabling environment' factors that influence implementation.

Once completed, the SST is submitted to a WWF accredited Environment and Social Safeguards Reviewer, who will analyse the document, ensure the screening is comprehensive or identify information gaps that need to be addressed, take account of all likely risks, assign the risk category to the landscape, and when satisfied, approve. The Safeguards Reviewer will subsequently complete the landscape Categorisation Memo that assigns a risk category to the landscape and summarises the potential negative impacts identified in the SST. The Categorisation Memo will also clarify whether any additional assessment is required, and if so, the scope and content of such.

A reviewed screening will result in the landscape being categorised as:

- **High Risk** Potential for significant adverse social or environmental impacts at scale or have compound, multiple risks including the potential for human rights abuses. These include activities that: trigger multiple safeguards standards with no pre-existing mitigation; activities that are proposed in fragile or conflict- or violence-affected states; or regions of states that have a history of systemic human rights abuses;
- Medium Risk Potential adverse social and/or environmental impacts; or
- Low Risk Likely to have minimal to no adverse social and environmental impacts (there is no requirement to undertake any further impact assessment or develop a mitigation framework in low risk landscapes unless new activities with a different risk profile are proposed for the landscape).

Landscapes categorised as High or Medium risk are required to complete the next steps which entail the conduct of further assessments if required to close information gaps or explore impacts in more depth (e.g. targeted Environmental and Social Impact Assessment (EIA) or Social Impact Assessment (SIA)), and mitigation planning (i.e. develop an Environmental and Social Mitigation Framework (ESMF) for the landscape). For landscapes that are categorised as **High Risk**, independent environmental and social safeguards expertise must be engaged by WWF to lead further assessments and develop the ESMF and any subsidiary plans. This is where the present Assignment fits within this process.

Engaging stakeholders and rights-holders throughout all steps of screening, impact assessment and mitigation planning is essential and their feedback should be gathered not just on the potential negative impacts, but also on the design, execution and monitoring of mitigation measures.

STAKEHOLDER ANALYSIS FOR THE ESIA AND ESMF DEVELOPMENT PROCESS

The stakeholder analysis is largely a desk-based review that builds as much as possible on information provided by WWF (e.g. risk screenings, situation analysis, records of past stakeholder analysis and engagement, baseline assessments etc.) and should be complemented with additional research (e.g. academic studies of the area, assessments by development institutions, NGOs, etc.).

The stakeholder analysis should identify the key stakeholder and rights-holder groups in the landscape that are likely to be directly or indirectly affected by WWF's interventions, as well as those who have an interest in any WWF intervention and/or the ability to influence its outcome, either positively or negatively. This is likely to include potentially affected communities, including Indigenous Peoples, civil society groups, the national government's relevant agencies, the private sector if locally active (e.g. logging companies). The Consultant should distinguish

between potentially affected stakeholders, rights-holders, and any other groups, and make use of any stakeholder analysis and engagement done previously by the WWF team to avoid duplication of effort.

The stakeholder analysis should include:

At a minimum:

- a. the number and location of relevant communities/villages/settlements (identified on the landscape map) that are potentially affected by WWF's interventions;
- b. Indigenous Peoples, other rights-holders and/or vulnerable groups (such as ethnic minorities not self-identifying as indigenous, undocumented peoples, etc.) should be identified. Where an ethnic or religious group has historically been or is currently being discriminated against by a dominant ethnic or religious group, this information should be considered as it is relevant to the development of the stakeholder engagement plan and to the development of appropriate mitigation measures;
- c. relevant governmental stakeholders (relevant ministry/agency(ies), local government, etc.;
- d. major private sector stakeholders (this could include logging/mining companies, agricultural producers or other representative bodies, cooperatives, etc.);
- e. local NGOs, including community-based organisations, active in the area or thematic issue; and
- f. WWF's positioning in the stakeholder matrix.

To the extent possible:

- a. demographic information on relevant stakeholders and rights-holders (gender, age, ethnicity);
- b. information on local institutions (customary or other) relevant for decision-making and conflict resolution; and
- c. groups relevant to religious and cultural elements in the landscape (e.g. cultural resources, sacred sites, burial grounds, etc.) as they are likely to affect and be affected by WWF's interventions.

Unless prior studies have been carried out, this information may need to be gathered during the stakeholder engagement process itself and a degree of flexibility will be required to adapt the stakeholder engagement activities so as to include the views of a diverse range of stakeholders (including rights-holders).

STAKEHOLDER ENGAGEMENT PLAN FOR THE ESIA AND ESMF DEVELOPMENT PROCESS

As a result of the stakeholder analysis, a stakeholder engagement plan for the Assignment must be developed (both should be included in the annex to the ESMF). The aim of stakeholder engagement in this context is to develop a better understanding of stakeholders' and rights-holders' concerns and needs related to WWF's interventions in this landscape, and is the primary means to identify measures to mitigate negative impacts in a participatory manner. Implementing stakeholder engagement should comply with the <u>Standard on Stakeholder Engagement</u>. The Consultant should draw from program/project stakeholder engagement plans already developed by the WWF team to avoid duplication of effort.

Guidance for the development of a stakeholder engagement plan:

- a. At minimum two rounds of field visits should be carried out:
 - The initial round should be led by the Consultant with the support of qualified experts. The aim is to fill any gaps in stakeholder information identified during the stakeholder analysis stage, and gather stakeholder feedback on the perceived or anticipated impacts of WWF's interventions and potential ways to avoid or mitigate these impacts.
 - The subsequent round(s) of field consultations should aim to share results of the targeted ESIA and further discuss mitigation measures, institutional arrangements for implementation of the ESMF (including grievance mechanism), capacity building needs and possible monitoring and evaluation (including community feedback

on the implementation of WWF's interventions, which includes implementation of mitigation measures specified in the ESMF). This round could be led by WWF staff.

- b. Where Indigenous Peoples are involved, the right to Free, Prior and Informed Consent (FPIC) must be upheld. Where potentially affected peoples are not officially recognised as Indigenous, but are peoples who are historically, socially and culturally distinct and have customary practices that are inextricably linked to nature, the principles of FPIC will be extended to them. Where the requirement for FPIC applies, this must be reflected in the stakeholder engagement plan with sufficient time, resources and expertise allocated.
- c. To the extent possible, stakeholder engagement should be tailored to individual groups (non-discriminatory and gender inclusive), taking into account potential barriers to participation and their preferred or most culturally appropriate ways of communication
- d. Communication materials should be accessible and culturally appropriate, and delivered by persons who can effectively engage with the respective group(s) (i.e. by qualified experts and working with WWF field staff)
- e. The stakeholder engagement plan should also include the planned provisions on information disclosure (what information will be provided, frequency, format etc.).

TARGETED ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA)

This step is intended to build on the SST and Categorisation Memo by conducting targeted assessments that deepen our understanding of specific issues or specific potential impacts in order to inform the subsequent ESMF, particularly in terms of designing risk-specific mitigation measures. The SST and Categorisation Memo will be the starting point for the Consultant and can be used to determine the type(s) of assessments required.

The level of detail of the targeted assessments will need to be discussed with the WWF contracting office. In order to effectively use resources, the Consultant should build on information gathered and studies already completed by WWF (e.g. socio-economic assessments, biodiversity monitoring reports, situation analysis) and complement these with field work as needed.

Structure of the targeted ESIA

At minimum, the targeted ESIA (or SIA) should contain:

1. **A non-technical summary**, which summarises significant issues in a way that can be easily understood by a non-technical audience, in particular local stakeholders including Indigenous Peoples and local communities.

2. Landscape context

- a. This section will be developed using documentation provided by WWF; and
- b. Include maps (sub-region, country, landscape).

3. Methodology

While the Consultant is required to propose a methodology for the targeted ESIA, as a matter of guidance:

- a. The targeted ESIA should be developed through a combination of desk-based study and stakeholder consultation (identification of impacts and design of mitigation measures). See section on references/resources in this Annex;
- b. The availability of existing information will determine the additional assessments that need to be carried out by the Consultant, in discussion with WWF.

4. WWF landscape governance structure

Depending on the gaps identified in the SST, this section should explain in detail the governance/institutional arrangements in the landscape relevant to WWF's activities. This includes:

- a. To the extent possible, explain the overarching programmatic structure (or lack thereof). This means explaining whether all activities are implemented as part of a coordinated programme or several uncoordinated projects (multiple donors);
- b. Roles and responsibilities of the various partners WWF is working with in the landscape (provide details of contractual agreements that may exist); and
- c. Financial organisation of the programme(s) in the landscape (if not 100% done by WWF, who has the authority to hire and fire staff, validate budgets and expenditure).

5. Socio-cultural, economic, historical and political context

While some broader contextual information is necessary, the main analysis should focus on the immediate context of the landscape and be relevant to decisions about program/project design, operation, or mitigation measures. To the extent possible the Consultant should rely on secondary data and existing analyses carried out by the WWF team as a design step. This contextual information should ideally include:

- a. **Historical context** relevant to the landscape and potential impacts, including:
 - Evolution of natural resource management regime in the country/landscape
 - Property rights/tenure regime and degree of recognition of customary/communal rights
 - o Traditional organisational and decision-making structures;

b. Main economic activities and livelihood patterns such as:

- o Subsistence and commercial agriculture/hunting/fishing
- Degree of isolation from or integration in the market economy
- o Degree of dependence on natural resources or on illegal activities such as poaching or illegal trade
- Where possible this should be detailed to the village level and be gender disaggregated, as well as distinguished between ethnic groups;

c. An overview of the social issues and risks faced by social groups, including

- Issues related to access to infrastructure and social services as well as to capabilities and development opportunities
- This does not have to be detailed to the household or village level, but should enable the identification of the key socio-economic challenges faced by the local population and different social groups within (e.g. lacking health clinics, lack of schools, no access to markets for agricultural goods they produce etc.)
- Where one ethnic group has historically been discriminated against by the dominant group, describe this situation here;
- d. **Interests and developmental aspirations** of the different identified stakeholder groups and their attitudes toward sustainable natural resource management (can help with defining mitigation measures and could be discussed during stakeholder engagement);
- e. Description of existing physical cultural resources or sites where they may be present;
- f. **Existing or potential emerging conflicts** between or among social or ethnic groups or other stakeholders that are relevant to WWF's interventions, including:
 - o Between different ethnic or religious groups
 - Between the government and local communities
 - Between local communities and the private sector (i.e. concession holders);

6. Legal and institutional context, including:

a. Relevant environmental legislation that applies to the landscape and WWF's interventions (national, sub-national and international, if applicable). This can include:

- o Those regulating natural resource management and conservation
- Procedures for obtaining management rights to protected areas
- o Rules regulating the activities in the relevant sector (forestry, fisheries, commercial hunting, REDD+, etc.)
- National legislation regulating ESIA/SIA;
- b. Relevant laws and regulations that pertain to social matters, including:
 - Land ownership and tenure (access and use)
 - o Indigenous Peoples (degree of recognition and rights)
 - o Consultation, participation and/or Free, Prior and Informed Consent (primary and secondary legislation)
 - Gender;
- c. Administrative distribution within the landscape (relevant government institutions with jurisdiction over the landscape or activities in question) including:
 - o Ministries
 - Agencies and local offices
 - Relevant local/municipal government institutions, if applicable;
- d. Applicable environmental and social safeguards or requirements of any co-financing partners, especially where they go beyond the standards of national legislation; and
- e. Capacities and capacity issues of institutions relevant to the landscape and to impacts, including:
 - o Land-use planning, availability of maps and data for policy-making and enforcement, in general and locally
 - Issues and constraints within existing institutions and in their relationships with each other that might present barriers for WWF's interventions in the landscape (such as lack of inter-institutional coordination among government ministries)
 - o This will help identify where some of the main governance gaps are and help determine mitigation measures.

7. Summary of WWF activities (implemented and supported) in the landscape

Describe the activities that WWF supports and implements in the landscape (based on the information included in the SST and gaps identified during the review). For each activity describe:

- Who is the main implementing actor (WWF staff, consultants, eco-guards, sub-contracted NGO etc.); and
- The nature of the activity (law enforcement, biomonitoring, drafting land-use plans, etc.).

8. Potential negative environmental and social impacts

This section should confirm the specific area of influence (i.e. zone of impact) and provide a clear explanation of each identified potential negative environmental and/or social impacts that may arise as a result of the implementation of WWF's interventions in the context of the landscape. The impacts should **be organised by activity** (which should be spelled out) according to the corresponding risk(s) that have triggered any of the Substantive Standards. This section should also address the questions and gaps identified in the SST in relation to potential impacts.

This section should specify who and/or what would be negatively impacted (stakeholder or rights-holder group, species, habitats, etc.) by WWF's interventions, as well as the severity of impact and likelihood of occurrence. The potential impacts should be ranked according to the severity of impact and likelihood of occurrence (this can be done through a traffic light approach with definitions of how each level has been defined). Additional factors that should be considered in making this assessment are the relative vulnerability of specific groups, scale (i.e. localised or large scale) and irreversibility of negative impacts, and the cumulative and compound nature of the impacts.

The findings of this section will be a result of desk-based research by the Consultant COMBINED WITH inputs from stakeholder engagement. The targeted ESIA/SIA report should document the results of the consultations carried out with stakeholders and provide an explanation of how this feedback has been taken into account in identification and

prioritisation of impacts. The description should specify how women and vulnerable minorities, including Indigenous Peoples have been included in the consultation.

9. Possible mitigation measures

In addition to the identification of potential negative impacts, the Consultant should identify preliminary avoidance and/or mitigation measures. As with the impacts, these suggestions should be the result of desk-based research by the Consultant COMBINED WITH inputs from stakeholder engagement. These will be further developed in the ESMF along with implementing arrangements (cost, timeline, capacity building, institutional arrangements etc.).

ENVIRONMENTAL AND SOCIAL MITIGATION FRAMEWORK (ESMF)

For each significant impact identified in the targeted ESIA/SIA an appropriate mitigation strategy must be developed. First, all available options should be sought to avoid impacts (e.g. through adjustment of project/activity design, modification of protected area boundaries, etc.). If avoidance is not possible, a decision should be taken by WWF as to whether the activity should continue by taking actions to minimise the impact. If WWF intends to proceed, then measures to minimise the negative impacts should be identified through consultation and with the consent (including FPIC where applicable) of the potentially affected groups, ensuring that measures are locally relevant and viable by design. In addition to mitigation, opportunities for WWF to enhance benefits for Indigenous Peoples and local communities should be clearly identified.

At minimum, the ESMF should contain:

1. **A non-technical summary**, which summarises significant issues in a way that can be easily understood by a non-technical audience, in particular local stakeholders including Indigenous Peoples and local communities.

2. Methodology

3. Analysis of the potential environmental and social impacts

This section should summarise the conclusions of the targeted ESIA/SIA, analyse the main negative impacts that have been identified for mitigation including any underlying assumptions and caveats as the case may be. The Consultant should ensure compliance with the Social Policies and Safeguards Standards that relate to the identified impacts (e.g. Indigenous Peoples, Restriction of Access and Resettlement, etc.).

4. Proposed avoidance and mitigation measures (including procedures) for each identified impact

Avoidance and mitigation measures should be technically and operationally feasible and culturally appropriate and specify the type of impact(s) it will address.

In addition to mitigation, opportunities for WWF to enhance benefits for Indigenous Peoples and local communities should be clearly identified.

5. Implementation arrangements (roles and responsibilities)

The ESMF should provide a specific description of institutional arrangements and who is responsible for carrying out the avoidance, mitigation and monitoring measures.

6. Grievance mechanism

Each WWF office is responsible for developing and maintaining procedures to enable individuals or groups impacted by WWF supported activities to raise and seek resolution to concerns and grievances about activities supported by WWF in that country. In accordance with the <u>Standard on Grievance Mechanism</u>, **High Risk** landscapes require the establishment of landscape-level grievance mechanisms. Complaints received at this level must be escalated to the country-level grievance mechanism.

In general, the grievance mechanism should ensure the following principles:

- a. Accessible: Mechanism is fully accessible to all parties that might be affected by the interventions of that WWF office;
- b. Practical: Mechanism is cost-effective and practical in its implementation and does not create a burden for project implementation;
- c. Effective: The provisions and steps for responding to complaints and seeking solution are effective and timely;
- d. Transparent: Decisions are taken in a transparent way, and complainants are kept abreast of progress with cases brought forward;
- e. Independent: Oversight body and designated investigator is independent from project management; and
- f. Maintenance of records: Diligent documentation of negotiations and agreements and good maintenance of records on all cases and issues brought forward for review.

Resolution of complaints should be resolved at the lowest possible level: The first approach involves project management and the affected party reviewing the conflict and deciding together on a way forward that advances their mutual interests. If a localised resolution is unsuccessful, then resolution should be sought with the office management.

The WWF Complaints Management Framework and Standard on Grievance Mechanism provide more details on the above and will be shared with the Consultant. Please refer to the references/resources section of this Annex for further resources on designing accountability and grievance mechanisms.

7. Capacity building needs/measures

To support timely and effective implementation of the identified measures, the ESMF should identify gaps in capacity and outline actions for appropriate training and capacity-building of staff.

8. Disclosure, monitoring, evaluation and adaptive management provisions

The monitoring section of the ESMF should provide a description of monitoring measures including:

- a. The parameters to be measured (e.g. progress and outcome indicators for each measure, linkages to identified negative impacts, etc.);
- b. Institutional arrangements (who monitors and to whom the reports are sent);
- c. Arrangements for disclosure (e.g. public and local disclosure to stakeholder groups);
- d. Methods to be used, including participatory monitoring and evaluation methods; and
- e. Frequency of measurements.

9. Expected timeline and costs for implementation

For all four aspects (avoidance, mitigation, monitoring, and capacity development), the ESMF should provide:

- a. An implementation schedule for measures that must be carried out;
- b. Estimated costs (capital and recurrent cost) and, in collaboration with the WWF team, identify potential sources of funds for implementing the ESMF; and
- c. Where feasible, the ESMF should try to assess whether the proposed measures will continue to be effective after funding ceases.

10. Annexes

Updated landscape profile; stakeholder analysis and stakeholder engagement plan; process report on stakeholder engagement activities; etc.

REFERENCES/RESOURCES

IAIA

https://www.iaia.org/best-practice.php

IFC

https://www.ifc.org/wps/wcm/connect/Topics Ext Content/IFC External Corporate Site/Sustainability-At-IFC/Policies-Standards/Performance-Standards
http://www.cao-ombudsman.org/

IUCN

https://www.iucn.org/resources/project-management-tools/environmental-and-social-management-system

UNDP

https://info.undp.org/sites/bpps/SES_Toolkit/Pages/Homepage.aspx

World Bank

https://www.worldbank.org/en/projects-operations/environmental-and-social-framework http://www.iaia.org/uploads/pdf/SIA_Guidance_Document_IAIA.pdf