

# **STAKEHOLDER ENGAGEMENT PLAN (SEP)**

## **DEDICATED GRANT MECHANISM FOR INDIGENOUS PEOPLES AND LOCAL COMMUNITIES IN NEPAL**

**Rural Reconstruction Nepal (RRN)**

**October 2021**

## EXECUTIVE SUMMARY

The major objective of the Dedicated Grant Mechanism (DGM) for Indigenous Peoples (IPs) and Local Communities (LCs) in Nepal project is to strengthen their capacity to participate in Nepal's REDD+ processes at the local, national, and global levels. There are three interrelated components in this project which are: 1) Capacity building of IPs and LCs; 2) Grants to Support IPs and LCs Income-Generating Activities; and 3) Project management, monitoring, and knowledge. The National Steering Committee (NSC) will provide strategic guidance for the effective and efficient execution and implementation of the DGM Nepal. The National Executive Agency (NEA) (i.e. Rural Reconstruction Nepal (RRN)) will have a Project Management Unit (PMU) and will implement the project at the national level and in the two provinces of Province 2 and Lumbini Province.

The scope of this Stakeholder Engagement Plan (SEP) shall be as mentioned in the World Bank's Environmental and Social Standard (ESS) 10 on Stakeholder Engagement and Information Disclosure, of the Environmental and Social Framework (ESF). The NEA will engage with IPs and LCs, other identified stakeholders, and interest groups as an integral part of undertaking the project's environmental and social assessments and during the DGM Nepal design, implementation. Monitoring of the SEP will continue for the duration of the project.

The stakeholder engagement-related provisions of the natural resource-related international instruments and national policy and legal provisions were analyzed, which supports a conducive environment for the effective engagement of IPs and LCs in DGM Nepal. This Stakeholder Engagement Plan (SEP) calls for active engagement and meaningful consultation with the stakeholders and for their engagement in implementing project-related activities at the national, sub-national, and community levels. To engage IPs and LCs and all relevant stakeholders, including those who are affected parties, the project will implement a strategic engagement plan and will undertake activities to ensure that IPs and LCs, stakeholders, and beneficiaries have access to proper information about project-related opportunities and opportunities to contribute to and engage in project design.

For this purpose, the SEP identifies IPs and LCs and project-related other key stakeholders and categorizes them into different groups based on their interest in and influence on the project. The SEP takes into consideration the purpose, and methods of stakeholder engagements, and also the required strategy for risk management and information disclosure to IPs and LCs, stakeholders, and beneficiaries. It also provides a synopsis of the main principles, modalities, and means of stakeholders' engagement in the project activities. The SEP includes differentiated measures to allow the effective participation of those identified as disadvantaged or vulnerable. The SEP has defined the responsible actors for the effective implementation of the SEP at different levels.

The SEP also includes a Grievance Redress Mechanism (GRM) for the project with clear processes for receiving grievances, addressing and finding resolutions to grievances, and reporting back to complainants in a timely and culturally appropriate manner considering existing formal and

informal GRMs in Nepal. Resources required for implementing SEP activities for the project period have been included in the SEP.

Due to the ongoing COVID-19 pandemic and travel restrictions, limited stakeholder consultation activities were carried out in the preparation of this Stakeholder Engagement Plan (SE). Further consultations will be carried out with stakeholder groups including Indigenous Peoples (IPs) and local communities (LCs). The SEP is a living document and it will be updated and revised as and when required during the implementing and monitoring period of the project.

## ABBREVIATIONS

ABS	- Access and Benefits Sharing
AFFON	- Association of Family Forest Owner's, Nepal
ACOFUN	- Association of Collaborative Forest Users, Nepal
CAPA	- Community-based Adaptation Plan of Action
CBD	- Convention on Biological Diversity
CBOs	- Community-Based Organizations
CDO	- Chief District Office
CF	- Community Forest
CBFM	- Community-Based Forest Management
CBNRM	- Community-based Natural Resource Management
CfP	- Calls-for-Proposals
COP	- Conference of Parties
CFUGs	- Community Forest User Groups
CSOs	- Civil Society Organizations
CIPRED	- Center for Indigenous Peoples' Research and Development
DDCs	- District Coordination Councils (NEFIN)
DGM	- Dedicated Grant Mechanism
DNF	- Dalits NGO Federation
DAO	- District Administration Office
DFOs	- Division Forest Offices
ER	- Emission Reduction
ESSs	- Environmental and Social Standards
ESF	- Environmental and Social Framework
ESMF	- Environmental and Social Management Framework
FGDs	- Focus Group Discussions
FCPF	- Forest Carbon Partnership Facility
FECOFUN	- Federation of Community Forestry Users, Nepal
FFN	- Female Foresters' Nepal
FEDO	- Feminist Dalit Organization
FSS	- Forestry Sector Strategy
FIP-IP	- Forest Investment Program – Investment Plan
FFPP	- Forests For Prosperity Project
GHG	- Greenhouse Gas Emission
GRM	- Grievance Redress mechanisms
GOM	- Grants Operations Manual
GESI	- Gender Equality and Social Inclusion
HIMAWANTI	- Himalayan Grassroots Women's Natural Resource Management Association
IPs	- Indigenous Peoples
INC	- Indigenous Nationalities Commission
ILO	- International Labor Organization
LCs	- Local Communities

LGBTI	- Lesbian, gay, bisexual, transgender and intersex
MoITFE	- Ministry of Tourism, Industry, Forests, and Environment
NDC	- Nationally Determined Contribution
NGO	- Non-Governmental Organization
NEA	- National Executing Agency
NFGF	- National Farmer Groups Federation
NEFIN	- Nepal Federation of Indigenous Nationalities
NSC	- National Steering Committee
NRM	- Natural Resource Management
NTFPs	- Non-Timber Forest Products
NIWF	- National Indigenous Women's Federation
NIDWAN	- National Indigenous Disabled Women Association Nepal
NFDN	- National Federation of Disabled Nepal
NLRF	- National Land Rights Forum
PDO	- Project Development Objective
PIM	- Project Implementation Manual
PMU	- Project Management Unit
RRN	- Rural Reconstruction Nepal
REDD IC	- REDD Implementation Centre
RDN	- Rashtriya Dalit Network
SDGs	- Sustainable Development Goals
SEP	- Stakeholder Engagement Plan
SFM	- Sustainable Forest Management
SMEs	- Small and Medium Enterprises
TAL	- Terai Arc-landscape
UNDRIP	- United Nation Declaration on Rights of Indigenous Peoples
UNCCD	- United Nations Convention to Combat Desertification
UNFCCC	- United Nations Framework Convention on Climate Change
WB	- World Bank
WUAs	- Water User Associations

## TABLE OF CONTENTS

	<u>Page</u>
<b>EXECUTIVE SUMMARY</b> .....	<b>ii</b>
<b>ABBREVIATIONS</b> .....	<b>iv</b>
<b>TABLE OF CONTENTS</b> .....	<b>vi</b>
<b>1. BACKGROUND</b> .....	<b>1</b>
1.1 OBJECTIVES .....	2
1.2 PROJECT AREAS AND BENEFICIARIES .....	2
1.3 SCOPE OF APPLICATION OF THE SEP .....	4
<b>2. SUMMARY OF PREVIOUS STAKEHOLDER ENGAGEMENT ACTIVITIES</b> .....	<b>6</b>
<b>3. STAKEHOLDER IDENTIFICATION AND ANALYSIS</b> .....	<b>7</b>
3.1 DEFINITION OF STAKEHOLDERS .....	7
3.2 STAKEHOLDERS IDENTIFICATION AND ANALYSIS .....	8
<b>4. STAKEHOLDER ENGAGEMENT PROGRAM AND PLAN</b> .....	<b>13</b>
4.1 STAKEHOLDERS ENGAGEMENT IN DIFFERENT PHASES .....	13
4.2 STRATEGIES TO ENGAGE WITH DISADVANTAGED, MARGINALIZED, AND VULNERABLE GROUPS .....	17
4.3 CITIZEN ENGAGEMENT .....	18
4.4 DISCLOSURES OF INFORMATION AND SAFEGUARDS MEASURES FOR STAKEHOLDERS ENGAGEMENT .....	18
4.5 REPORTING BACK MECHANISM.....	19
<b>5. RESOURCES AND RESPONSIBILITIES FOR IMPLEMENTING STAKEHOLDER ENGAGEMENT ACTIVITIES</b> .....	<b>20</b>
5.1 SEP IMPLEMENTATION.....	20
5.2 ROLES AND RESPONSIBILITIES OF DIFFERENT STAKEHOLDERS FOR SEP IMPLEMENTATION .....	21
5.3 BUDGET FOR SEP IMPLEMENTATION .....	21
<b>6. GRIVENACE REDRESS MECHANISM</b> .....	<b>23</b>
6.1 FORMAL AND INFORMAL INSTITUTIONS FOR GRM .....	23
6.2 GRIEVANCE REDRESS MECHANISM IN DGM NEPAL .....	24
6.3 PROPOSED STRUCTURE OF GRM IN DGM NEPAL PROJECT .....	28
6.4 RESPONSIBILITIES FOR THE DGM-RELATED GRM ADDRESSING AUTHORITIES.....	30
<b>7. MONITORING AND REPORTING</b> .....	<b>32</b>
7.1 MONITORING OF STAKEHOLDER ENGAGEMENT ACTIVITIES.....	32
7.2 MONITORING AND REPORTING CRITERIA AND INDICATORS.....	32
<b>ANNEX 1. REFERENCES</b> .....	<b>34</b>
<b>ANNEX 2. NATURAL RESOURCE GOVERNANCE IN NEPAL</b> .....	<b>36</b>
<b>ANNEX 3. KEY PRINCIPLES, MODALITIES, AND EFFECTIVE MEANS OF STAKEHOLDER ENGAGEMENT</b> ..	<b>49</b>
<b>ANNEX 4. RELEVANCE OF ESSS FOR STAKEHOLDER ENGAGEMENT IN THE DGM NEPAL PROJECT</b> .....	<b>52</b>
<b>ANNEX 5. ENDNOTE</b> .....	<b>54</b>

## List of Table

TABLE 1: COMPONENT-WISE BENEFICIARIES .....	3
TABLE 2: STAKEHOLDERS ENGAGEMENT PLAN .....	12
TABLE 3: METHODS OF INFORMATION DISCLOSURE .....	15
TABLE 4: ROLES AND RESPONSIBILITIES OF NSC AND NEA FOR THE SEP IMPLEMENTATION .....	20
TABLE 5: TENTATIVE BUDGET FOR SEP IMPLEMENTATION .....	22
TABLE 6: DGM RELATED ROLES AND RESPONSIBILITIES.....	30
TABLE 7: MONITORING AND REPORTING CRITERIA AND INDICATORS .....	29

## List of Figure

FIGURE 1: THE DGM PROJECT AREAS (SHADED) PROVINCE 2 AND LUMBINI PROVINCE .....	3
FIGURE 2: TYPICAL STEPS OF GRIEVANCE REDRESS MECHANISM IN DGM NEPAL PROJECT .....	25
FIGURE 3: TENTATIVE GRM OF THE DGM NEPAL PROJECT .....	27

## 1. BACKGROUND

1. The Dedicated Grant Mechanism for Indigenous Peoples (IPs) and Local Communities (LCs) in Nepal (DGM Nepal) is a World Bank-funded project designed as a complementary initiative to the Nepal Forest Investment Program (FIP). FIP was formulated in 2009 as part of climate change initiatives announced by the World Bank under the Climate Investment Funds (CIFs). As a country vulnerable to climate change impacts, Nepal has given high priority to climate change mitigation and adaptation actions and has made different policy and legal provisions for climate mitigation actions. In this regard, FIP aims to finance the implementation of national strategies for 'Reducing Emissions from Deforestation and Forest Degradation' and the role of carbon stock enhancement in developing countries (REDD+)<sup>1</sup> which is one of Nepal's priority areas to achieve the targets set out in the climate policies, periodic development plan, and Nationally Determined Contributions (NDCs) and Sustainable Development Goals (SDGs) roadmaps of the country. For this purpose, Nepal has been receiving financial assistance from the Forest Carbon Partnership Facility (FCPF) for REDD+ readiness at the national level and for the implementation of REDD+ activities at the landscape level in 13 districts of the Terai Arc-landscape (TAL) area for the period of 2018-2022.<sup>2</sup> Similarly, the Forests for Prosperity Project (FFPP)<sup>3</sup> approved in 2020, will be implemented at the sub-national level (selected 50 municipalities of Province 2 and Lumbini Province) for 6 years (2020-2025) and will improve sustainable forest management (SFM) and increase benefits from forests and contribute to net Greenhouse Gas (GHG) Emission reductions in selected municipalities in Province 2 and Lumbini Province in Nepal.
2. Specifically, the DGM Nepal aims to strengthen the capacity of targeted IPs and LCs to participate in Nepal's REDD+ processes at the local, national, and global levels. The DGM Nepal has two complementary interlinked technical components, in addition to a component on project management:
  - Component One:** Capacity building for IPs and LCs for Sustainable Forest Management (SFM), to secure community forest user rights with recognition of traditional livelihoods and customary governance, and to engage in policy dialogue on REDD+;
  - Component Two:** Competitive Grants to Support IPs and LCs Income-Generating Activities resulting from SFM. The small grants will engage eligible beneficiaries in exploring innovative livelihood and green job opportunities from forest-related activities, including forest-based Small and Medium Enterprises (SMEs), and reducing pressures on forests by diversifying income sources; and
  - Component Three:** Project management, monitoring, and knowledge.
3. This Stakeholder Engagement Plan (SEP) has been prepared as part of the requirements of the World Bank's (WB) Environment and Social Management Standard (ESS) 10 on Stakeholder Engagement and Information Disclosure which will apply during the design, implementation, and monitoring of the DGM Nepal.



## 1.1 Objectives

4. The main essence of the ESS10 is to recognize the importance of open and transparent engagement of all the relevant stakeholders in the different stages and steps of the project as an essential element of good practice at all levels. Effective stakeholder engagement can improve the environmental and social sustainability of the project, enhance project acceptance, and make a significant contribution to successful project design and implementation.<sup>4</sup>
5. The major objectives of this SEP are to:
  - i. establish a systematic approach to engaging with IPs and LCs, project-affected individuals or groups, and interested stakeholders that will help Rural Reconstruction Nepal (RRN), being the National Executing Agency (NEA) of the DGM Nepal to identify stakeholders and build and maintain a constructive relationship with them;
  - ii. assess the level of IPs and LCs interest and support for the project and to enable IPs and LCs' views to be taken into account in project implementation;
  - iii. promote and provide means for effective and inclusive engagement with IPs and LCs throughout the project life cycle; and
  - iv. ensure that DGM Nepal information on environmental and social risks and impacts is disclosed to IPs and LCs and other stakeholders in a timely, understandable, accessible, and appropriate manner and format.
6. This SEP identifies and analyses the stakeholders under the DGM Nepal including IPs and LCs, outlines the key principles of stakeholders engagement with a special focus on IPs and LCs, and means of effective engagement of IPs and LCs and stakeholders, activities under the programmatic SEPs, the project's grievance redress mechanism (GRM), and implementation arrangements including the budget for implementing the SEP.
7. The major stakeholders of the DGM Nepal comprise IPs and LCs, women, socio-economically marginalized groups (*Dalits* and minorities population), differentially-abled people, forest-dependent indigent or poor families, landless families, sexual minorities, Lesbian, gay, bisexual, transgender, and intersex (LGBTI), and migrated people who are affected by natural disasters such as flood, landslides and scarcity of water resource.

## 1.2 Project Areas and Beneficiaries

8. As a complementary initiative to FIP, the DGM Nepal will be implemented in the FIP areas being Province 2 and Lumbini Province of Nepal, which covers 9 districts of the 13 of the Emission Reduction (ER) Program area.



Figure 4: The DGM Project areas (shaded) Province 2 and Lumbini Province

9. The main beneficiaries of the DGM Nepal are forest-dependent IPs and LCs organizations and individuals from Province 2 and Lumbini Province. Poor families, marginalized groups, the families who are living far from forest areas, and women will be also benefited from the equitable benefit-sharing mechanism of CBFMs, capacity building, and forest governance improvement activities of the project. The table below outlines all those who will benefit from the implementation of the project:

Table 1: Component-wise beneficiaries

Components	Beneficiaries
Components 1.1 (Capacity building)	<ul style="list-style-type: none"> <li>● Poorest families of IPs, LCs, Dalits, and women,</li> <li>● Forest-dependent families of socio-economically marginalized groups</li> <li>● Member of families in CBFMs including community forest user groups (CFUGs)</li> <li>● Members of the representative organization of IPs and LCs, Dalits, and natural resource management (NRM) women groups</li> <li>● Members of customary institutions of IPs and LCs</li> <li>● Bio-cultural rights holders and biodiversity-related traditional knowledge holders</li> <li>● Forest-based micro-entrepreneurs</li> <li>● Landless, small landholders, and marginalized farmers</li> <li>● Students of poor, marginalized, and deprived families</li> </ul>
Components 1.2 (Strategic engagement)	<ul style="list-style-type: none"> <li>● Community-Based Organizations (CBOs)</li> <li>● Representative organizations of IPs and LCs</li> <li>● Advocacy groups of IPs and LCs and vulnerable groups</li> </ul>

Components 2.1 (Demand-driven sub-grant)	<ul style="list-style-type: none"> <li>• Sub-grant receiver organizations or groups of IPs and LCs, women, and CBFMs groups including CFUGs</li> <li>• Technical expertise and community mobilizers from IPs and LCs, women groups, Dalits, youths, and other marginalized vulnerable groups.</li> </ul>
Components 2.2 (Training and assistance)	<ul style="list-style-type: none"> <li>• Members of the potential sub-grantees</li> <li>• Members of NSC of DGM Nepal</li> </ul>

10. The reference to IPs is based on the World Bank’s ESS7 definition. The term “Indigenous Peoples” in the DGM Nepal is used in a generic sense to refer exclusively to a distinct social or cultural group possessing the following characteristics:
- a. Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others;
  - b. Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas;
  - c. Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture; and
  - d. A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.
11. In the context of Nepal, based on the definition given by National Foundation for Upliftment Aadibasi/Janjati Act, 2002, “IPs” are a tribe or community as mentioned in the Schedule of this act having its own mother language and traditional rites and customs, distinct cultural identity, distinct social structure, and written or unwritten history. Schedule 1 of this act has listed 59+1 IPs. As a party of ILO 169 and UNDRIP (2007), Nepal also considers the definition of IPs as mentioned in these international instruments. DGM Nepal will work with those IPs who are defined based on the above-mentioned definitions and characteristics.
12. LCs on the other hand, as distinct from IPs, which generally represent the dominant culture and usually share their social traits, values, norms, and languages. They often lack political voice and are marginalized, living in remote locations with limited access to economic opportunity and development. For these reasons, the DGM Nepal will work with forest-e dependent LCs and IPs.

### 1.3 Scope of Application of the SEP

13. The scope of this SEP shall be as mentioned in the World Bank’s ESS 10 of the Environmental and Social Framework (ESF). The NEA will engage with IPs and LCs, other identified stakeholders, and interest groups as an integral part of the project’s environmental and social assessment and during the DGM Nepal design, implementation. Monitoring of the SEP will continue for the duration of the project.

14. The IPs, members of the LCs, Dalits, marginalized and vulnerable groups, and CBFM groups including CFUGs are known as *project-affected* or likely affected groups. The other stakeholders and interested groups (as mentioned in table 1) who may have an interest in the DGM Nepal are known as *other interested groups*. The SEP also considers *vulnerable groups*, being those who may be disproportionately impacted or further disadvantaged by the project due to their vulnerable status, and proposes specific measures to ensure engagement with these groups. This SEP will apply for these groups and as outlined in this SEP, the NEA will engage with these groups in line with the guidance of ESF and the objective of the DGM Nepal.
15. Considering the relevant national policies and laws concerning IPs and LCs engagement and information disclosure or rights to information (Annex -2) will be also taken into account during the project period. A complete list of international instruments, national laws and policies, as well as indigenous traditions and customary practices, and beliefs and knowledge systems, are provided in Annex 2. The SEP is a living document, which will be updated and revised, as needed in the future and all updates will be disclosed regularly.

#### **1.4 Summary of potential environmental and social risks and impacts**

16. The ESMF has identified the major potential environmental and social risks and impacts of DGM Nepal in detail. Based on ESMF and consultation with NSC members, the major potential environmental and social risks and impacts of the DGM Nepal are identified as follows:
17. *Key environmental risks:* The key environmental risks from the DGM Nepal include unsustainable or over-harvesting of some high-value forest products for income generation or operation of forest-based enterprises leading to the loss of endemic plant species thereby decreasing forest diversity. Other risks include the degradation of ecosystem services and habitat loss from the extraction of forest products in and around critical sites including water sources and critical wildlife habitats, health and safety, and the use of hazardous chemicals and possibility of use of herbicides and pesticides. Some unsustainable management of forest-based enterprises such as essential oil and Nepali paper or fiber processing enterprises can produce solid waste and there is the possibility of water pollution or fire in the forest. Some of the DGM Nepal-funded off-farm income-generating activities (such as livestock, vegetable production, and traditional knowledge-based food production) may increase the demand for forest products.
18. *Social risks:* The possible social risks are the conflict between IPs and LCs and with the government which can result from the differences in understanding and interpretation of the customary governances and tenure rights over the forest. Besides, other social risks would be the possibility of elite capture and the exclusion of the marginalized and vulnerable groups of IPs and LCs including women from decision-making, planning, and receiving benefits from the project.

19. Different several safeguards and mitigating measures have been identified in the ESMF of DGM Nepal to deal with environmental and social risks and potential impacts. Similarly, provisions for the management of the environmental and social risks associated with the DGM Nepal defined by international and Nepal-specific legislations and policies are considered while designing this SEP. Some of the major legislative instruments that have the provisions of managing the environmental and social impacts and promoting effective engagement of IPs and LCs are presented in Annex -2. All these relevant policy provisions and relevant ESSs for stakeholder engagement in the DGM Nepal (Annex - 4) will be compiled for the effective engagement of IPs, LCs, vulnerable groups, and other relevant stakeholders including women and youth.

## 2. SUMMARY OF PREVIOUS STAKEHOLDER ENGAGEMENT ACTIVITIES

20. Basic information about the DGM Nepal has been shared with the representatives of IPs and LCs from the very beginning of the FIP – IP formulation process in Nepal and the project information on DGM Nepal has also been shared with relevant stakeholders during the preparation of operational guidelines of NSC and ToR of NEA. The Center for Indigenous Peoples' Research and Development (CIPRED) has widely disseminated the FIP-IP and the basic information on DGM with stakeholders at the local, sub-national, and national levels in the Nepali language. The members of NSC have also shared the basic information on potential activities of DGM Nepal with their members at the district and local level.

21. Due to the impact of COVID-19 and travel restrictions over a long period, a limited number of stakeholder consultation meetings were organized. The following consultation meetings were held with the NSC members of DGM Nepal to identify and define the direct beneficiaries of the project such as diverse stakeholders<sup>1</sup>, affected parties, vulnerable groups, and interested parties. Whilst consultations with representatives of vulnerable groups were not undertaken during preparation of this SEP given the constraints noted, consultations with these groups will be undertaken throughout project implementation, and the SEP updated as necessary.

<b>Date</b>	<b>Attendees</b>	<b>Key agenda and issues discussed</b>
4 June, 2021	NSC Members, NEA staffs and experts/facilitators, observer (REDD IC, chief) Female: 4 Male: 10 Total: 14	<ul style="list-style-type: none"> <li>• Sharing underlying reasons requirement and the objective of the SEP for the DGM Nepal</li> <li>• Key steps and processes for the preparation of SEP.</li> <li>• Virtual consultation plan and identification of stakeholders for the consultation</li> <li>• Proposed outline of the SEP and required information and content for each chapter of SEP.</li> </ul>

<sup>1</sup> Stakeholders do also include Indigenous Peoples (IPs) and Local Communities (LCs)

29 Aug, 2021	NSC Members, NEA staff, and experts/facilitators Female: 4 Male: 24 Total: 28	<ul style="list-style-type: none"> <li>• Stakeholder identification and their classification considering their interest, concerns, rights, and contribution to the DGM Nepal.</li> <li>• Identification of vulnerable, marginalized, and disadvantaged groups and their interest and concerns.</li> <li>• Strategies to engage vulnerable, marginalized, and disadvantaged groups at all levels.</li> <li>• Communication strategies among diverse stakeholders at all levels.</li> <li>• Maintain linkage between ESMF, SEP and PIM.</li> </ul>
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22. The members of NSC are well aware of the DGM Nepal and they have shared the information on the DGM Nepal with their members at different levels. During the drafting of SEP, different virtual meetings and one in-person consultation meeting (on 29 August 2021) were limited to consultations with the members of NSC of DGM Nepal. Before implementation of DGM Nepal commences at project sites, detailed information about the SEP will be shared with IPs and LCs including affected parties and vulnerable groups at the community level in the project sites through their representative organizations and members of NSC. Consultations will also be undertaken with the identified stakeholder groups to ensure that they are aware of the project activities to solicit any inputs, or understand any concerns and questions they have. The Project Implementation Manual (PIM) has defined a framework for the two-way conversation between NEA, NSC, and the members of project stakeholders, which will be instrumental for soliciting information from project stakeholders and engaging in a two-way conversation between them.

### 3. STAKEHOLDER IDENTIFICATION AND ANALYSIS

23. Stakeholder identification and analysis is one of the key objectives of the SEP. Based on the identification and analysis of stakeholders, their appropriate and effective roles and responsibilities might be defined during the implementation of the DGM Nepal activities at different levels. This section has emphasized the understanding or definition of actors/stakeholders, identification of stakeholders at different levels of the governance structure of the country, the roles and responsibilities of stakeholders, and positive impacts in the project from the effective engagement of stakeholders.

#### 3.1 Definition of Stakeholders

24. As defined in the World Bank’s ESS10, “stakeholder” refers to individuals or groups who:

- (i) are impacted or likely to be impacted directly or indirectly, positively or adversely, by the project (also known as ‘affected parties’); and,
- (ii) may have an interest in the project (‘interested parties’)<sup>5</sup> and includes individuals or groups whose interests may be affected by the project and who have the potential to influence the project outcomes in any way.

25. In the specific context, such as REDD+, stakeholders are defined as those groups who have a stake or interest in the forest and who will be affected either negatively or positively by DGM Nepal activities. They include relevant government agencies, formal and informal forest users, Indigenous Peoples and other forest-dependent communities, and forest-based private sector entities.<sup>6</sup>

### 3.2 Stakeholders Identification and Analysis

26. An initial screening of the project and stakeholder mapping are some of the prerequisites for stakeholder identification. Field visits and consultations with potential stakeholders require stakeholder mapping to identify their interests and influencing power in the context of the project. However, due to the impact of the COVID-19 and travel restrictions on undertaking field visits and in-person stakeholder consultations at project locations (Province 2 and Lumbini Province), the following stakeholders were identified based on the literature review, in-person consultation with Kathmandu-based as well as provincial-level stakeholder and consultation through virtual meetings with stakeholders of project locations. For further validation of identified stakeholders, the NEA will use different alternative means such as regular contact with representative organizations of affected parties and use secondary information for the collection of exact contact information of stakeholders for further consultation during the DGM Nepal activities design and delivery phase.
27. The NSC for DGM Nepal represents a wider range of stakeholders. Similarly, other stakeholders who are not engaging in the NSC have also interests in the DGM Nepal activities. Therefore, it is required to manage carefully the interest of all these stakeholders during the design and delivery phase of the DGM Nepal. Activities for stakeholder engagement have been developed based on the presence, interest, activeness, and influencing the capacity of the following stakeholders.

#### *a) Affected parties*

28. The IPs and LCs are identified as major affected groups of DGM Nepal. Different federations or associations of IPs and LCs are established at the federal, provincial, and local levels who represent the interests of individual IPs and LCs. As per their Bylaws, the main objectives of IPs and LCs federations/associations are to project the forest-based tenure and livelihoods rights of their members. Therefore, in the context of DGM Nepal, the following stakeholders are identified as project-affected parties at different levels who are required to engage throughout the DGM Nepal cycle:
- *Federal level:* NEFIN and Specific federations of IPs (women, youth, labor, disabled, lawyers, journalists, students, and filmmakers); Federation of Community Forestry Users, Nepal (FECOFUN); Association of Collaborative Forest Users, Nepal (ACOFUN); Rashtriya Dalit Network (RDN), Dalits NGO Federation (DNF); HIMAWANTI; NIWF; NIDWAN; FEDO;

National Federation of Disabled Nepal (NFDN); National Land Rights Forum (NLRF); AFFON; NFGF

- *Provincial-level:* The provincial-level chapter/section/offices of the above-mentioned federal level stakeholders (IPs, LCs, Women, Dalits).
- *District/Local Government level (including district):* The district and local government level chapter/section/ offices/branches of the above-mentioned federal level stakeholders.
- *Community-level:* IPs; CFUGs; Collaborative Forest User Groups; Buffer Zone CFUGs; Forest dependent and vulnerable families of Dalit communities; Formal and informal women groups leading or working on community-based forest management including customary forest; Differently abled people in the families and their groups; Landless families; Farmers; family forest farmers.

#### ***b) Other interests parties***

29. The following different CSOs, NGOs, advocacy groups, constitutional commissions, some of the relevant government agencies, and local government are working to promote the rights and roles of IPs and LCs in forest and natural resources management. In the context of DGM Nepal, the following stakeholders are identified as other interested parties at different levels and their relevant interests will be addressed during the implementation of DGM Nepal:

- *Federal level:* IPs (National Foundation For Development of Indigenous Nationalities; Indigenous Nationalities Commission; CIPRED; experts from IPs); Dalits (RDN, National Dalit Commission, Dalit NGOs working in community-based forest/natural resource management, experts from Dalit groups); women groups (Female Foresters Nepal (FFN) and other women networks working in the forestry sector; women farmer groups, forest-based women entrepreneurs; National Women Commission); federations/associations of CBNRM groups; NGOs/CBOs and their networks working in the forestry sector; National Farmer Commission, NGOs/CSOs working in the issues of marginalized farmers, MoFE.
- *Provincial-level:* Provincial networks of community-based natural resource management groups; provincial chapter of HIMAWANTI, NIWF, NIDWAN, FEDO; NGOs/CBOs; Provincial Ministry of Tourism, Industry, Forests, and Environment
- *Local/District level:* District chapter of Ethnic groups federations; Local/district level issue-based networks of CBNRM groups; District level networks of Dalit NGOs/communities; Local-level CBOs of women working on natural resource; District/local Land Rights Forum; NGOs/CSOS working for advocacy to promote the rights of landless people; Local Government; District Forest Offices, Agriculture Knowledge Centre.

#### ***c) Disadvantaged or vulnerable individuals or groups***

30. More than 18 percent of Nepal's population is below the poverty line and they have been deprived of the right to dignity of life due to poverty.<sup>7</sup> According to the government data (GoN, 2018), Province 2 has the second-highest (0.217) multidimensional poverty index (MPI)



while Lumbini Province represents 0.133. The Headcount ratio of MPI in Province 2 and Lumbini Province is 47.89 Percent and 29.92 percent respectively indicating that nearly 48 percent of the population in Province 2 and 30 percent in Lumbini Province are multidimensionally poor. The report shows among hill IPs, nearly 25 percent are living below poverty. This is mainly attributed to the lack of recognition and promotion of their traditional occupation, customary practices of natural resources management, and lifestyles. Similarly, the forest-dependent IPs and LCs are vulnerable due to their limited access to quality resources, exclusion in planning and decision-making process, and inequitable benefit sharing of natural resources. The Constitution of Nepal has committed to enacting specific legal and policy arrangements for the poverty alleviation of all caste and ethnic groups. Similarly, the Government estimates that 1.9 million people in Nepal are highly vulnerable to risks associated with climate change and that an additional 10 million will increasingly be threatened by the same risks.<sup>8</sup> The Climate Change Policy and Environment Protection Act 2019 has given special emphasis considering the requirement of vulnerable groups during the formulation and implementation of adaptation plans at different levels.

31. As per the Constitution, "marginalized" means communities that are made politically, economically, and socially backward, are unable to enjoy services and facilities because of discrimination and oppression and of geographical remoteness or deprived thereof, and are in lower status than the human development standards mentioned in Federal law, and includes highly marginalized groups and groups on the verge of extinction. The Social Security Act, 2018 has defined ten different 'Tribes on the verge of extinction and the act has also defined 'Indigent', 'Citizens with disabilities', and 'Helpless single women'. The majority of Dalit communities are identified as socially disadvantaged groups in Nepal and different constitutional and legal measures are developed to ensure the rights to equality for Dalit people and vulnerable groups.
  
32. It is particularly important to understand whether project impacts may disproportionately fall on vulnerable or disadvantaged groups who are often unable to express their concerns or may not understand the different impacts of the project. The stakeholder engagement activities will consider elements of vulnerability e.g., by virtue of age, health condition, disability, economic deficiency, and/or disadvantaged status within the community, and adapt information disclosure and consultation strategies to the concerns and cultural sensitivities of disadvantaged or vulnerable groups to ensure full understanding of project activities and benefits. Without the specific strategies to communicate and engage with these above-mentioned groups, they will be not able to engage effectively in the project activities. Therefore, the DGM Nepal will give special attention to marginalized, disadvantaged, or vulnerable individuals or groups who are defined by the national policies and/or considered marginalized, vulnerable, and disadvantaged through stakeholder identification, and a more conducive environment will be created for them for effective participation in the project activities to get benefits for the livelihoods rights and capacity building.

33. In the context of this project, vulnerable, marginalized, and disadvantaged groups who may have difficulties accessing project-relevant information and/or an inability to assert their interest in the project may include the following:

- The elderly and children
- Women for example in single-headed and/or low-income households
- People with disabilities
- Those particularly vulnerable or marginalized indigenous or ethnic groups
- Poor households including homeless and landless families
- Survivors of gender-based violence (GBV), sexual exploitation and abuse, and sexual harassment (SEA/SH); minority groups including Muslims
- Dalits
- Lesbian, gay, bisexual, transgender, and intersex (LGBTI) people
- People in particularly remote locations.

During the implementation of the DGM Nepal, emerging concerns of vulnerable, marginalized, and disadvantaged groups will be assessed and consulted through dedicated consultation and communication strategies.

### **3.3 Impacts of Stakeholders Engagement**

34. The full and effective participation and engagement of all relevant stakeholders will be instrumental to achieving the sustainability objective of the DGM Nepal and it will support the generation of significant economic returns, environmental sustainability, and social risk management particularly focusing on interest, rights, and voices of IPs and LCs. The major positive impacts from the stakeholder engagement at the national level and in Province 2 and Lumbini Province will be as follows:

- The capacity of identified stakeholders and beneficiaries will be enhanced for engaging in the policy process of REDD+ for policy advocacy at different levels,
- The skills, knowledge, and practices of IPs and LCs, and other beneficiaries will be developed for sustainable management of community-based forests and customary forest; establishment and operation of community-based small scale enterprises, eco-tourism, and other forest-based livelihoods/income-generating activities. level
- The tenure rights of IPs and LCs will be strengthened through strengthening customary governance system particularly in forest management,
- The capacity of IPs and LCs will be able to explore different innovative options for the mobilization of small grants available from the DGM Nepal,
- The stakeholders will feel ownership over the DGM Nepal activities through NSC and it will create a supportive environment to accomplish all proposed activities in a timely manner.

### **3.4 Key principles of Stakeholder Engagement**

35. The DGM Nepal adopts various principles when developing this SEP and undertaking stakeholder engagement. These principles are related to: representation, participation, and inclusion; transparency; ownership; voice and influence; targeting; and mainstreaming. Further details around these principles are provided in Annex 3.

## 4. STAKEHOLDER ENGAGEMENT PROGRAM AND PLAN

### 4.1 Stakeholders engagement in different phases

36. In order to ensure meaningful, effective, and transparent engagement with the identified stakeholders throughout the DGM Nepal period, the NSC and NEA will conduct the following stakeholder engagement activities as set out in the table below. All stakeholder engagement methodologies proposed below will take into account the need to socially distance considering the impact of COVID-19, and will promote the use of audio-visual materials, technologies such as telephone calls, emails, social media, and SMS.
37. *Stakeholder consultation during detailed planning and activities design phase:* Stakeholder consultation during the planning and activities design phase is an integral part of the SEP. However, due to the impact of the COVID-19 pandemic and travel restriction, in-person consultations activities during the detailed planning and activities design phase will be limited to the NSC members and representatives of national-level representative organizations of IPs and LCs and concerned stakeholders. Other methods will be adopted to ensure engagements can still be carried out during this stage, particularly with affected persons and beneficiaries including vulnerable groups, such as through virtual consultations or via telephone. In this phase, as per the requirement of the World Bank's ESS 10, the SEP will be disclosed through the dedicated website of DGM Nepal and other mass communication channels to receive feedback, comments, and suggestion from the stakeholders.
38. *Stakeholder engagement during project implementation and monitoring phase:* During the implementation and monitoring phase of the DGM Nepal project, the NEA will continuously conduct stakeholder engagement activities, particularly with federal, provincial, local, and community level stakeholders including women, youth, marginalized and minorities and persons with disabilities. The NEA will provide regular updates on project activities and implementation of the ESMF along with sharing project-related information with members of NSC, stakeholders, and beneficiaries.
39. *Trust building with stakeholders:* The DGM Nepal realizes that trust-building is important to work together more easily and effectively. Therefore, NEA will work closely with NSC and stakeholders by improving communication skills, showing commitment, acting with integrity, and working towards reaching project milestones in a timely manner. For this purpose, the DGM Nepal will analyze stakeholders as well as their needs and interest and identify their roles and contributions to the project implementation. Strategic approaches will be developed to build and maintain cooperation and coordination to increase confidence across the project environment and speed up decision-making and effective and efficient implementation of the DGM Nepal.

Table 2: Stakeholders Engagement Plan

<b>PLANNING AND DESIGN PHASE</b>				
<b>Stakeholders</b>	<b>Consultation topics</b>	<b>Methodology</b>	<b>Time frame</b>	<b>Responsibility</b>
Affected parties and disadvantages and vulnerable groups	<ul style="list-style-type: none"> <li>- Objectives of DGM Nepal, and project activities</li> <li>- Mechanisms to access the project activities and benefits for IPs and LCs</li> <li>- Potential risks and impacts arising from project activities to IPs and LCs and mitigation measures,</li> <li>- Disclosure of ESMF</li> <li>- Stakeholder engagement plan and activities</li> <li>- PIM and institutional arrangement including roles of NSC and NEA,</li> <li>- Grievance Redress Mechanisms (GRM),</li> <li>- Stakeholder participation in monitoring activities.</li> </ul>	<ul style="list-style-type: none"> <li>- FGDs with disadvantaged and vulnerable groups,</li> <li>- Specific meetings with Dalit, women, and marginalized groups,</li> <li>- Interactions meetings with other affected parties</li> <li>- Distribution of information through leaflets, flyers, etc; communication through mass/social media as relevant eg DGM Project website</li> </ul>	<ul style="list-style-type: none"> <li>- On a regular basis during the detail activity planning and design phase,</li> <li>- As per required</li> </ul>	<ul style="list-style-type: none"> <li>-NEA</li> <li>-NSC</li> </ul>
Interested parties	<ul style="list-style-type: none"> <li>- Overview of DGM Nepal and project activities</li> <li>- Environmental and social principles, risks and impacts, instruments prepared eg ESMF, SEP</li> <li>- PIM and institutional arrangement including roles of NSC and NEA,</li> <li>- Stakeholder participation in monitoring activities.</li> </ul>	<ul style="list-style-type: none"> <li>Interactions meetings with interested parties</li> </ul>	<ul style="list-style-type: none"> <li>- As per the requirements, throughout project preparation</li> </ul>	<ul style="list-style-type: none"> <li>-NEA</li> </ul>
<b>DELIVERY AND MONITORING PHASE</b>				
<b>Component 1.1: Capacity building</b>				
Affected parties	<ul style="list-style-type: none"> <li>- Project status</li> <li>- Areas for technical gaps and need assessment and supports activities,</li> <li>- Identification of customary practices of forests and land management and their integration on the mainstreaming policy process,</li> <li>- Criteria for providing scholarships</li> <li>- Engagement of IPs and LCs, women, Dalit in REDD+ and similar initiative-related decision-making bodies (structure), process, and</li> </ul>	<ul style="list-style-type: none"> <li>-Focused Groups discussion,</li> <li>- Key Informant Interview (KII),</li> <li>- Regular meetings,</li> <li>- Specific training,</li> <li>- Issue-based interactions,</li> <li>- Specific workshops,</li> <li>- Knowledge and experiences sharing events,</li> <li>- Project sites visit,</li> </ul>	<ul style="list-style-type: none"> <li>- On a regular planned basis during the delivery phase,</li> <li>- As per required</li> </ul>	<ul style="list-style-type: none"> <li>- NEA</li> <li>- NSC</li> </ul>

	<ul style="list-style-type: none"> <li>- Grievance mechanism</li> <li>- Participation in national and international exchange and knowledge sharing events (e.g., UNFCCC COP, sharing events, FCFP/FIP/DGM meetings).</li> </ul>	<ul style="list-style-type: none"> <li>- information dissemination through mass communication channels</li> <li>- Decision-oriented dialogue, workshop, and interaction.</li> <li>- Distribution of information through brochures, leaflets, flyers, etc</li> </ul>		
Disadvantaged and vulnerable groups	<ul style="list-style-type: none"> <li>- Project status</li> <li>- DGM Nepal and forest-based livelihood opportunities,</li> <li>- Identification of traditional (forest-based and others) livelihoods and support activities</li> <li>- Grievance mechanism</li> </ul>	<ul style="list-style-type: none"> <li>- Focused Groups Discussion,</li> <li>- Social survey,</li> <li>- Specific training,</li> </ul>	- As per required	- NEA
Interested parties	<ul style="list-style-type: none"> <li>- Project status</li> <li>- Policy and programmatic opportunities from local and provincial governments</li> </ul>	<ul style="list-style-type: none"> <li>- Issue-based interactions,</li> <li>- Specific workshops.</li> </ul>	- As per required	- NEA
<b>Component 1.2: Strategic engagement</b>				
Affected parties	<ul style="list-style-type: none"> <li>- Project status</li> <li>- Selection of the subject for the capacity building and training on skill development,</li> <li>- Areas of complementarity with Forestry for Prosperity Project (FFPP).</li> <li>- Grievance mechanism</li> </ul>	<ul style="list-style-type: none"> <li>- Regular meetings,</li> <li>- Issue-based interactions,</li> <li>- Specific workshops.</li> <li>- Distribution of information through leaflets, flyers, etc.</li> </ul>	<ul style="list-style-type: none"> <li>- On a regular basis,</li> <li>- As per required</li> </ul>	NEA
Affected and Interested parties	<ul style="list-style-type: none"> <li>- Project status</li> <li>- Policy capacity building to influence the policy/law-making process and institutions of provincial and local government.</li> </ul>	<ul style="list-style-type: none"> <li>- Issue-based interactions,</li> <li>- Specific workshops.</li> </ul>	<ul style="list-style-type: none"> <li>- On a regular basis,</li> <li>- As per required</li> </ul>	<ul style="list-style-type: none"> <li>- NSC</li> <li>- NEA</li> </ul>
<b>Component 2.1: Demand-Driven Sub-projects</b>				
Affected parties	<ul style="list-style-type: none"> <li>- Project status</li> <li>- Small-grants mechanism to support forest-dependent IPs and LCs,</li> <li>- Major themes of intervention to provide small grants,</li> <li>- Grievance mechanism</li> </ul>	<ul style="list-style-type: none"> <li>- Specific training for sub-project management,</li> <li>- Participatory monitoring.</li> <li>- Distribution of information through leaflets, flyers, etc.</li> </ul>	<ul style="list-style-type: none"> <li>- On a regular basis,</li> <li>- As per required</li> </ul>	- NEA

Disadvantaged and vulnerable groups including women, disadvantaged IP and LC groups, Dalits	<ul style="list-style-type: none"> <li>- Project status</li> <li>- Potential activities for livelihoods, green jobs, and income generation,</li> <li>- Areas for enhancing traditional knowledge-based livelihoods activities.</li> <li>- Grievance mechanism</li> </ul>	<ul style="list-style-type: none"> <li>- Focused Groups discussion,</li> <li>- Social survey,</li> <li>- Specific training.</li> </ul>	- As required	- NEA
<b>Component 2.2: Sustainability Assistance</b>				
Affected parties	<ul style="list-style-type: none"> <li>- Project status</li> <li>- Topics/areas for technical assistance to sub-grantees,</li> <li>- Innovative ideas to develop full proposals for sub-grants.</li> <li>- Grievance mechanism</li> </ul>	<ul style="list-style-type: none"> <li>- Specific training,</li> <li>- Participatory monitoring.</li> </ul>	- As per required	- NEA
Disadvantaged and vulnerable groups	<ul style="list-style-type: none"> <li>- Project status</li> <li>- Topics/areas for technical assistance to disadvantages and vulnerable groups for the utilization of funding from sub-project</li> <li>- Grievance mechanism</li> </ul>	<ul style="list-style-type: none"> <li>- Focused Groups discussion,</li> <li>- Social survey,</li> <li>- Specific training.</li> </ul>	<ul style="list-style-type: none"> <li>- On a regular basis,</li> <li>- As per required.</li> </ul>	- NEA
<b>Component 3: Project management, monitoring, and knowledge</b>				
Affected parties and interested parties	<ul style="list-style-type: none"> <li>- Mechanisms for participatory monitoring and evaluation of the project activities,</li> <li>- Provisions of Project Implementation Manual (PIM) and other fundamental documents,</li> <li>- Overall performance of NSC and NEA in implementing the DGM Nepal (Review and Reflection),</li> <li>-Review GRM in the DGM Nepal.</li> <li>-Implementation of ESMF and their alignment with project's mainstreaming monitoring,</li> <li>- Reporting mechanisms.</li> </ul>	<ul style="list-style-type: none"> <li>-Focused Groups discussion,</li> <li>- Key Informant Interview (KII),</li> <li>- Regular meetings,</li> <li>- Issue-based interactions,</li> <li>- Specific workshops.</li> <li>- Knowledge and experiences sharing events,</li> <li>- Project sites visit,</li> <li>- Decision-oriented dialogue, workshop, and interaction.</li> </ul>	<ul style="list-style-type: none"> <li>- On a regular basis,</li> <li>- As per the requirements.</li> </ul>	<ul style="list-style-type: none"> <li>- NSC</li> <li>- NEA</li> </ul>

40. Various concerns, needs, and interests of stakeholders are identified in the PAD of the DGM Nepal and other complementary documents such as PIM and ESMF. NEA will apply various strategies to address those concerns, interests, and needs of the stakeholders in all phases of the project. Some of these strategies are (1) identify the stakeholder as soon as possible; (2) organizing interest groups based consultations to address the specific concerns of specific groups; (3) giving high attention towards the genuine concerns (carefully listening); (4) early estimating the uncertainties and addressing in time; (5) managing expectations in a transparent way; (6) develop and maintain a communications plan. The NEA will enhance the communication mechanism with competent human resources, sufficient financial resources, and stakeholder-friendly tools and technology. The role of facilitation of dialogue, the workshop will differ based on the theme of discussion. For example, NEA will facilitate the customary practices related to dialogues whereby NSC especially IPs organizations will be affected stakeholders.

#### **4.2 Strategies to engage with disadvantaged, marginalized, and vulnerable groups**

41. The disadvantaged and vulnerable groups have various challenges to engage in the project activities due to inadequate information, limited resources for daily subsistence, and a weak capacity to take advantage of project activities. Therefore NEA will apply the following strategies to engage with these groups during the DGM Nepal project implementation phase:

- a) Clearly define and identify the disadvantaged and vulnerable groups in the project sites (Province 2 and Lumbini Province).
- b) Allocate adequate resources to conduct the outreach activities which are necessary to promote the engagement of those groups who are unable or unwilling to participate in the project activities. For example, focus groups for women, led by a female facilitator, will introduce the project and explain the activities and discuss any issues or concerns women may have. Similar focus groups may be held for Dalit and other marginalized groups, led by a Dalit facilitator, who will use culturally appropriate methods for engaging with Dalit groups.
- c) Regularly provide support to increase access to the communication tools and manage adequate accommodation for the disadvantaged and vulnerable groups who participate in the project activities.
- d) Undertake individual household visits to vulnerable households, for example, women-headed households, people with disabilities, or elderly with mobility issues to ensure they are provided with project information and have the opportunity to raise questions and concerns.
- e) Use innovative tools for participation in the FGDs, meetings, training such as participatory social survey, storytelling, community mapping, etc., which are culturally appropriate, and use local language languages where appropriate/required, to identify the needs and interests of these groups.
- f) Ensure the representation of disadvantaged and vulnerable groups in the decision-making process, mobilizing local leaders and representatives, and designing and implementation of project activities.



### 4.3 Citizen Engagement

42. The project’s active support to forest-dependant people and communities through the promotion of CBFM will promote demand-side accountability. Feedback measures developed under the project will ensure transparency, accountability, and learning as well as continuous dialogue with target beneficiaries and other stakeholders. Activities and measures include:
- a. Engagement of LCs in CBFM, livelihoods, and income-generating activities;
  - b. Support to revise the forest management plans for sustainable management of forest and promoting forest-based entrepreneurship;
  - c. Empower for customary governance systems of IPs for the sustainable management of forest and natural resources;
  - d. Community engagement in site-specific planning for smallholder forest plantations on public lands and small farmers’ private plantation;
  - e. Support to a feedback mechanism for targeted beneficiaries through social audits and satisfaction surveys;
  - f. Support for building the local government’s capacity for meaningful engagement with the targeted beneficiaries; and
  - g. Third-party monitoring of project activities.

### 4.4 Disclosure of Information and Safeguards Measures for Stakeholders Engagement

43. The DGM Nepal and its NSC, as well as NEA, will maintain good governance in all phases of the project. Transparency, accountability, rule of law, participation, gender equality, inclusion, social justice, efficiency, and effectiveness will be promoted to strengthen the stakeholder engagement in the project. The interests of stakeholders will be safeguarded based on these good governance principles.
44. All relevant documents of the project, including the ESMF, SEP, and PIM, among others, will be disclosed and made accessible to all relevant stakeholders. The information will be disclosed through all possible means, including face-to-face and virtual consultations with the project stakeholders, distribution of relevant documents through social media, project website, and local media so that the documents are accessible to all stakeholders, and beneficiaries of the project, including those in areas of project sites. The summary of different project documents will be prepared in Nepali and in the relevant local languages (such as Tharu and Maithali) to develop a clear understanding of DGM Nepal at the community level. The following methods will be used for the information disclosure:

*Table 3: Methods of Information Disclosure*

List of information to be disclosed	Methods of Information Disclosure
<ul style="list-style-type: none"> <li>• Objectives and scope of the project, and related activities, potential environmental and social impacts</li> </ul>	<ul style="list-style-type: none"> <li>• Project websites</li> <li>• Project leaflets and brochures,</li> <li>• Information boards</li> </ul>

<ul style="list-style-type: none"> <li>• Regular updates on project status including the implementation of ESMF, SEP, PIM</li> <li>• Regular sharing of project-related information and available opportunities, including capacity building and technical assistance, for IPs and LCs,</li> <li>• GRM procedures</li> <li>• Monitoring report</li> </ul>	<ul style="list-style-type: none"> <li>• Use of local media</li> <li>• Distribution of electronic publications, and dissemination of hard copies (Information will be provided in Nepali and local languages as much as possible),</li> <li>• Periodic face-to-face/virtual meeting with stakeholders</li> </ul>
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#### 4.5 Reporting back mechanism

45. Understanding stakeholder concerns and addressing the feedbacks as much as early the project design and before implementation can help to manage any issues related to project implementation and it can also help to empower key stakeholders for their effective engagement in project implementation. The DGM Nepal recognizes that enhancing the capacity of IPs and LCs to understand how the feedback they have provided during consultations has been received and after receiving the feedback, either adopted or not considered by NEA and NSC, during the project activities design and implementation. This is one of the important processes to build trust with the stakeholders specifically affected parties. Therefore, NEA will establish an effective system and mechanism for reporting back to stakeholders to ensure that the DGM Nepal acknowledges the suggestions, comments, and complaints raised by IPs and LCs and interested parties, responds to them efficiently, and improves accountability. The DGM Nepal project will adopt the following system and mechanisms to manage the stakeholder feedback, suggestions, and comments, and to report back to the stakeholders about feedback addressing strategies:

- a) A periodic review and reflections of the implementation of the SEP will be conducted to address the emerging issues, concerns, and queries raised by the stakeholders during the project implementation and relevant feedbacks will be incorporated in the project activities and into updates to the SEP.
- b) Any updates to the ESMF will incorporate comments, feedback, and concerns received from stakeholders, including project beneficiaries and vulnerable and disadvantaged groups, during further consultations.
- c) The information will be also provided to stakeholders on how the feedback has been considered and addressed by the DGM Nepal.
- d) The DGM Nepal will ensure that feedback, suggestions, and comments of stakeholders received through different tools (e.g. suggestion boxes, project website, and email, social media, and dedicated telephone numbers) are acknowledged by registering them in a registration book and will be addressed in an appropriate way and timely manner.

## 5. RESOURCES AND RESPONSIBILITIES FOR IMPLEMENTING STAKEHOLDER ENGAGEMENT ACTIVITIES

### 5.1 SEP Implementation

46. The organizations involved in NSC and their members and the NEA are the key actors to create enabling and supporting environment for the full and effective participation or engagement of stakeholders and beneficiaries during the DGM Nepal implementation at the national level and project sites. The table below provides the different roles and responsibilities of the NSC and NEA for SEP implementation:

*Table 4 : Roles and responsibilities of NSC and NEA for the SEP implementation*

Actors	Roles and responsibilities
NSC	<ul style="list-style-type: none"> <li>• Oversees SEP implementation and provides feedback to the NEA for the effective implementation of SEP,</li> <li>• Endorses the relevant policies documents to promote effective participation of stakeholders in the DGM Nepal,</li> <li>• Provides strategic direction to the NEA for the development of stakeholder engagement strategies and plans,</li> <li>• Shares project information effectively to constituencies and members at the community level for empowering them to engage in project activities,</li> <li>• Ensures effective stakeholders' engagement throughout the DGM Nepal Project cycle,</li> <li>• Nominates NSC member(s) or members from stakeholders to attend FIP and REDD+ meetings at the local, provincial, national, and global levels,</li> <li>• Mediates conflict or issues aroused during the DGM Nepal implementation period, particularly about the stakeholder engagement.</li> </ul>
NEA (RRN)	<ul style="list-style-type: none"> <li>• Leads the overall planning and implementation of SEP and coordinates with stakeholders on SEP activities,</li> <li>• Develops mechanism and a conducive environment for the effective engagement of stakeholders throughout the project period in close coordination with the NSC,</li> <li>• Ensures that all stakeholder engagements are documented through reports, minutes, audio visuals and photos</li> <li>• Manages the resolution of grievances,</li> <li>• Updates the SEP as required during project implementation (to ensure the information in SEP is consistent and up-to-date, and that all stakeholders are identified and considered in SEP),</li> <li>• Develops appropriate, flexible, and applicable plans and programs for the effective participation of stakeholders,</li> <li>• Maintains a good communication strategy with identified and selected stakeholders for effective communication with them.</li> </ul>

## 5.2 Roles and Responsibilities of Different Stakeholders for SEP implementation

47. The stakeholders of the DGM Nepal will engage as beneficiaries in the following activities during the project period based on their interest, impacts, and requirements, therefore, the roles and responsibilities of the stakeholder are crucial to achieving the project development objective of DGM Nepal:

- a) Participate in Nepal's and global REDD+ and forest policy processes and dialogues,
- b) Participate in engagements and consultations, in free, prior, and informed consent (FPIC) (in the unlikely event that FPIC is required), and in other procedural activities of the project,
- c) Engage in the community and customary governance improvement process,
- d) Participate in the skill, knowledge, capacity development activities,
- e) Implement the traditional knowledge-based livelihood activities through utilizing the forest and land resources,
- f) Participate in forest-based income generation activities (such as micro-enterprise, eco-tourism and agro-forestry, traditional knowledge-based production, etc.),
- g) Engage sustainable management of forest-related activities at the community level through community forest and other CBFM regimes,
- h) Participate in all relevant training and knowledge/skill sharing activities,
- i) Implement the small grant-funded activities in the project sites,
- j) Engage in conflict management (if arise any conflicts concerning the DGM Nepal project),
- k) Participate in the result monitoring and evaluation process.

## 5.3 Budget for SEP Implementation

48. A tentative budget for the implementation of SEP activities over the DGM Nepal project period is provided in the table given below, which covers the planning and designing phase and delivery and monitoring phases. The PMU in NEA (RRN) will review this SEP each year and as per the requirement if it is necessary, will make changes to update the stakeholder engagement plan and activities, and the revised SEP will be disseminated to the stakeholders. The proposed budget heading and the budget will also be revised accordingly.

*Table 5: Tentative budget for SEP implementation*

<b>Activities/Items</b>	<b>Quantity</b>	<b>Unit Cost (US\$)</b>	<b>Total Cost (US\$)</b>	<b>Remarks</b>
Orientations for members of NSC and staffs of NEA on SEP including GRM management	5	1,000	5,000	Yearly for 5 years
Stakeholder consultations at national level for SEP implementation	2	1,000	2,000	Twice during the project period
SEP implementation at the provincial and local level	-	-	10,000	Lump-sum
Capacity building training/workshop for SEP implementation	2	3,000	6,000	Twice during the project period
Communication and preparation for information disclosure	-	-	1,500	Lump-sum
Information dissemination by using different tools	-	-	2,000	Lump-sum
Establishing and maintaining grievance redress mechanism	-	-	2,500	Lump-sum
Social audit	-	-	2,500	Lump-sum
Carrying out satisfaction surveys	5	2,000	10,000	Yearly for 5 years
Monitoring and Evaluation, including SEP implementation report preparation	5	500	2,500	Yearly for 5 years
<b>Total</b>			<b>44,000</b>	

## 6. GRIVENACE REDRESS MECHANISM<sup>2</sup>

### 6.1 Formal and Informal Institutions for GRM

49. **Local Government:** Referring to the constitutional and other relevant legal provisions, the District Administration Office (DAO), the local governments, and the Division Forest Offices (DFOs) shall have to establish a mechanism to address the grievances including the forest management-related concerns at district and local level. As per the legal provision of the Local Government Operation Act, 2017 each local government has to establish a three-member judicial committee coordinated by its Vice-Chairperson or Deputy Mayor to settle disputes in their respective jurisdictions (Sec.46). This Act stipulates that the judicial committee is responsible for settling local disputes through the judicial process or mediation, which is held in close coordination with the respective ward (the lowest unit of local government) mediation committees (Sec.47). Similarly, the forest and environment sub-committee of the Local Government formed under section 14 of the Local Government Operation Act, 2017 also facilitates addressing the forest-management and benefits sharing related grievances raised by local communities or any other affected parties.
50. **District Administration Office (DAO):** As per the Local Administration Act 1971 (latest amendment 2018) has given different responsibilities to the DAO and Chief District Officer (CDO) to establish a mechanism at the district level to address the grievances related to the protection of common property and maintaining good governance at local and district level (Sec 9 and 10). Any citizen can register his/her complaints or concerns in the DAO and the CDO has the responsibility to address such grievances in a timely manner.
51. **Division Forest Office:** The Forest Act, 2019 has given different responsibilities to Divisional Forest Officer (DFO) to settle the forest management-related grievances, conflicts, or concerns. The DFO has also the responsibility to implement the grievance redress related provisions of the Good Governance (Management and Operation) Act, 2008. For this purpose, DFO is responsible for developing a citizen's charter in the office and establishing a complaints box in a visible place to collect forest-management-related feedback and complaints from the public or concerned citizens and communities (Sec. 25).
52. **Project or Program-specific Mechanism for Grievances Redresses:** A REDD+ desk is placed in the Provincial Ministry of Industry, Tourism, Forests, and Environment (MoITFE) which will deal with the GRM for the Emission Reduction (ER) Program (in Province 2, Bagmati Province, Gandaki Province, Lumbini Province, and Sudur Pashchim Province) and FIP-FPP (in Province 2 and Lumbini Province).
53. **Formal Judicial Mechanism:** Generally, the DAO, DFO, and the Judicial Committee of the local government are responsible for the grievance redress at the local or district level. If there are

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<sup>2</sup> This section is adapted from ESMF and PIM of DGM Nepal project to maintain consistency about the GRM in all complimentary documents of the project.

unsettled disputes or grievances at this level, the affected parties have the right to go to the court to settle disputes through the formal legal remedies of the court (District Court, High court, and Supreme court) based on judicial administration law of the country.

54. **Community Institutions:** Some practices of grievance handling exist already at the community level. For example, some CFUGs and other forest groups, as mandated by their approved by-laws and forest management/operational plan have already settled the complaints at the community level. As per the Community Forestry Development Program Guidelines (revised 2015), CFUGs can establish a sub-committee to receive and handle the grievances received from their members.
55. **Customary Institutions:** Besides the formal approach, some IPs communities have the customary practices (e.g., Barghar in Bardiya, Bhalmansa in Kailali, Mukhiya in Bara districts, Aghewa, and Mahatawa in Dang districts practices by Tharu people, Disyang in Mustang, Shakya in Manaslu Conservation Area) of grievance handling among and between IPs members. Under the customary practices, respective IPs communities settle the disputes as per the rules and norms which are set for the specific communities. Given the above-mentioned practices, the following sections describe the mechanism of DGM Nepal project-related grievances and complaints.

## 6.2 Grievance Redress Mechanism in DGM Nepal

56. The DGM Nepal will establish a project-specific Grievance Redress Mechanism (GRM) to enable the IPs and LCs, affected parties, and relevant stakeholders to raise any grievances. The GRM will provide opportunities for the IPs and LCs and stakeholders to file their concerns when they feel any negative impacts on their legal rights, livelihoods, and social and environments resulting from the DGM Nepal implementation with a costless approach and for their timely and satisfactory resolution of the issues. The GRM will operate alongside the country system to enable the uptake of grievances specifically related to the DGM Nepal. The GRM will also be able to receive and refer any grievances related to sexual exploitation and abuse and sexual harassment (SEA/SH).
57. The GRM will also help to facilitate the process of transferring material benefits/entitlements of compensation to the intended stakeholders and beneficiaries including IPs and LCs. Stakeholders including sub-project grantees and end-beneficiaries will be informed of the intention and procedures of the grievance mechanism through appropriate channels of communication. The GRM follows two ways of communication whereby marginalized IPs and LCs including women, Dalits, Muslims, Madhesis, socially marginalized groups, differently able people, youths, and the elderly can file a complaint of their concerns of for example being excluded, and realization of negative effects to their lives or livelihoods, rights, societies and the environment from the implementation of DGM project activities and will have resolution information of their concerns.

### 6.2.1 Scope of the GRM in DGM Nepal Project

58. The scope of the GRM shall be as mentioned in ESS10, which is one of the important requirements in the World Bank-funded project. The following approaches will be applied to address the grievances in the DGM Nepal:

- a) **Use of existing practices:** The DGM Nepal will emphasize addressing complaints through existing practices. Management of grievances through formal legal channels and procedures will be applied only for important grievances or cases.
- b) **Anonymous complaints:** Anonymous complaints are not entertained by the DGM Nepal. Complainants will however be able to submit complaints confidentially if required. Details of confidential complaints will be recorded by the project, however, such details will not be disclosed publicly.
- c) **Fiduciary risk management:** Financial Fraud or Procurement Specific Mis-use related issues are not covered by GRM of the DGM Nepal. Such cases are handled by the project-specific separate procurement and fiduciary risk management mechanisms. Similarly, DGM-specific GRM does not include the grievances such as alleged corruption, intimidation, or major systematic violations of rights.
- d) **Priority of Complaints/Grievance at the Point of Origin:** Complaints and grievances will be initially dealt with at the point of their origin. Only unsettled complaints at this level will be elevated to a higher level.

### 6.2.2 GRM procedures in the DGM Nepal project

59. The GRM under the DGM Nepal project consists of the systems and procedures to receive, analyze and address the grievances or concerns. The GRM will be guided by some principles including accessible, predictable, equitable, transparent, right compatible, enabling regular learning, and be based on engagement and dialogue:

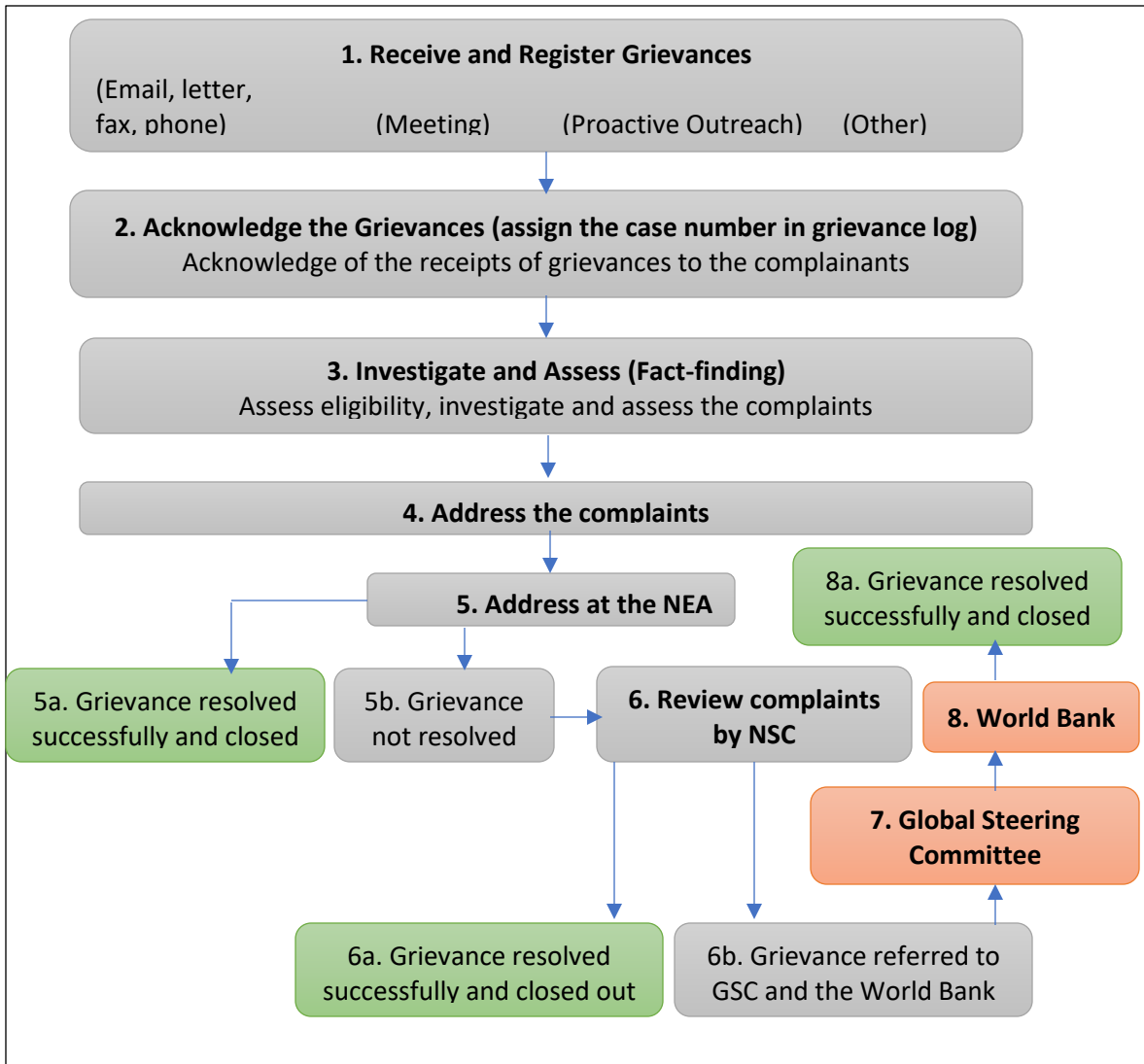
- a) **Accessible:** ensure that all stakeholders (IPs and LCs and their organizations, sub-project grantees, and end-beneficiaries) can and know how to access the GRM and provide adequate assistance including communication in the simple and local language considering the socio-cultural norms.
- b) **Predictable:** provide a clear and known procedure with an indicative timeframe for each stage to resolve grievances or concerns.
- c) **Equitable:** ensure reasonable access to information, fair, informed, and respectful terms in an equitable manner.
- d) **Transparent:** ensure that parties (complainants) are kept informed about the progress of a grievance, and provide sufficient information about the mechanism's performance independently. Update the grievance progress by uploading it to the dedicated webpage of the project.



- e) **Rights compatible:** ensure that complainants agree the grievances are consistent with applicable national formal and informal (customary) and internationally recognized rights and under the scope of the DGM Nepal.
- f) **Enabling continuous learning:** conduct regular analysis of the frequency, patterns, and causes of the grievances and draw on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms as much as possible.
- g) **Based on engagement and dialogue:** consult the affected stakeholders for whom the DGM Nepal is intended and focus on dialogue with sub-project grantees, NSC, NEA, and as the means of addressing and resolving grievances.

### 6.2.3 Steps of addressing grievances

60. The DGM Nepal project will follow the typical steps of addressing grievances as shown in Figure 3. These steps and procedures will be tailored with FIP-FPP approaches and other existing practices in the project sites.



*Figure 2: Typical steps of Grievance Redress Mechanism in DGM Nepal Project*

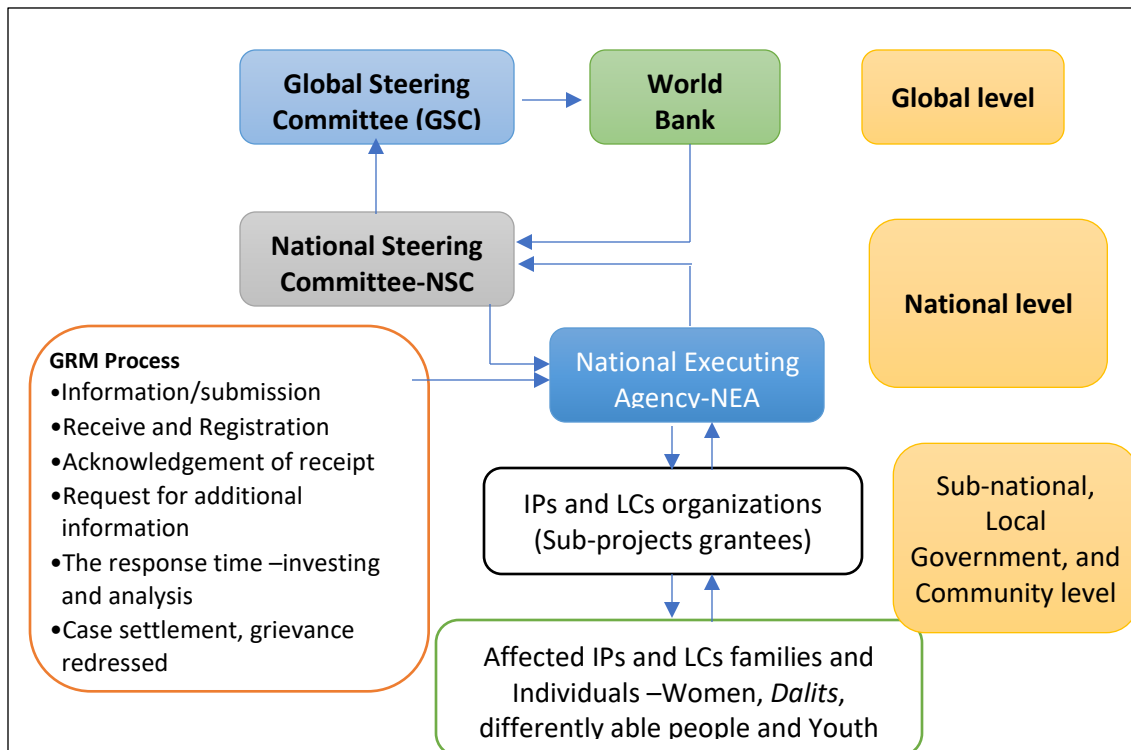
- 1) **Information:** Inform affected IPs and LCs and their organizations, stakeholders, and beneficiaries about the GRM procedures as guidance on how to approach the DGM Nepal project. A detailed process will also be posted on the DGM Nepal Project website. This process will be also included in the published project information documents.
- 2) **Receive and Register the Grievances:** Receiving the complaints is the initial step. The complaints will be registered by the designated officer in the NEA (Social Development Specialist or Administrative Officer in the project team) in a grievance log book for reference. (tentative timeframe – 7 days)
- 3) **Acknowledge, Assess, and Assign:** The safeguard specialist notifies the complainant(s) of receipt of the complaint. The specialist will communicate the complaint about the process such as reviewing for eligibility. The designated officer will review the eligibility to ensure that the concerns raised by the complainants are relevant to the DGM Nepal. In this stage, NEA and NSC will screen the validity, scope, and relevancy of the complaints along with the decision scope within NEA, NSC, GSC, and the World Bank. (tentative timeframe – 10 days)
- 4) **Investigate, fact-finding, and analysis:** DGM Nepal will classify complaints into the following three categories based on the decision-making scope of the DGM-project entities. NEA and NSC will determine whether the grievance can be addressed directly through a relatively simple action within NEA and NSC agreed with the complainant; or whether the grievance is complex and it requires additional assessment and engagement of GSC and the World Bank. (tentative timeframe – 7 days)
  - a) Direct action to resolve the complaints at NEA and NSC or on the spot by the project staff
  - b) Further assessment and engagement of GSC and the World Bank and other stakeholders to determine the best way to resolve the complaint.
  - c) The determination that the complaint is not eligible for the GRM (not relevant to the DGM Nepal project); either because it does not meet the basic eligibility criteria, or because other mechanisms are the appropriate place for the complaint to go for the resolution.
  - d) NEA and NSC will initiate the analysis and assessment of the complaints by reviewing facts and evidence associated with the complaints.
- 5) **Request for additional information:** The GRM has the option to request additional information from the Complainant(s) to strengthen the review process of eligibility by giving a certain timeframe (e.g., 10 working days) for the first time. If no response is received from the Complainant(s) within 10 business days of the request, the NEA will make the second request to the Complainant(s) for providing information within another 10 days. If no response is received even within 10 business days of the second request, the NEA in consultation with NSC can consider closing the complaint. (tentative timeframe – 10 days)
- 6) **Make the final decision on the grievances and communicate to the complainants:** NEA and NSC will review the additional information and make the decision with the explanation of the complaints under their scope. If the additional information does

not support them to decide, the NEA and NSC will decide whether or not to forward complaints to GSC and the World Bank. (tentative timeframe – 7 days)

- 7) **Communicate and Closeout:** The final step is to close out the grievance. NEA will communicate the outcomes (whether these are decided at the NEA or NSC or GSC and the World Bank level) of the complaints to the complainant in a timely fashion with an effective means of communication using language that is easily understandable to the complainant. The NEA records the steps taken and maintains the details of both successful and unsuccessful complaints. The NEA will also communicate with the complainants and explain the reasons for the decisions and outcomes made by the DGM Nepal project and inform complaints about referral or recourse other alternatives including legal remedies. (tentative timeframe – 5 days)
- 8) **Redress the grievances:** Development of implementation mechanisms such as compensating the affected sub-project grantees, communities, and individuals. (tentative timeframe – 10 days)
- 9) **Monitoring and Evaluation:** Regular monitoring of the implementation of the grievances and reporting to the World Bank.

### 6.3 Proposed Structure of GRM in DGM Nepal Project

61. Following the typical steps of GRM (stated in section 8.2.3), the DGM Nepal intends to address DGM project-related complaints specifically at three levels as shown in Figure 3. The proposed operational structure is intended to serve as a guide for the implementation of GRM between and among the DGM entities involved in the DGM Nepal project. This structure includes the sub-national level (including local government level and community level), national level, and global level.



*Figure 3: Tentative GRM of the DGM Nepal Project*

### **6.3.1 Sub-National Level (Sub-project Grantees)**

62. As shown in figure 4, some complaints which are simple and direct raised by the end-beneficiaries (individuals and local communities) will be settled by the sub-project grantees (i.e., IPs and LCs organizations) in consultation with NEA (See figure 3). However, sub-project grantees will forward the complaints to the NEA as long as the complaints are complex and beyond the scope of sub-project grantees. Sub-project grantees can address complaints as per their internal disputes management system or other systems being practiced at the communities.

63. Similarly, complaints can be resolved through the existing customary institutions and practices being exercised by IPs communities in consultation and support with the NEA (i.e., safeguard specialist). However, sub-project grantees and customary institutions should keep records of the number and details of complaints and provide information about the status of complaints to the NEA.

### **6.3.2 NEA and NSC Level**

64. The social development specialist at the NEA will set the processes and procedures of the GRM of all DGM Nepal project-related complaints. The project-affected communities and individuals may submit their complaints in written form to the NEA at the first stage. The key process to resolve such complaints will include: (i) receive the properly written and verbal complaints; (ii) register the complaints and prepare a grievance log; (iii) review and analyze the complaints; (iv) take rapid action for resolution of issues; and (v) publicly report to the concerned body (update the status and action over each complaint through DGM webpage).

65. The NEA will adopt a transparent, impartial, timely, cultural appropriateness, and fair process to address each complaint irrespective of the nature of the grievances. The unresolved issues at the NEA level will be referred to NSC. The NSC reviews the situation with the complaints and sees whether any modification of the response with additional evidence and information might meet the concerns of complaints and make the decision on the grievance considering nature, scope, and relevance to the DGM Nepal. The NSC will identify the situation whether the complaints should elevate to the GSC. The NEA will inform complainants about the NSC decision of their complaints. The NEA will keep the as per the grievance log and will also update the status of the complaints through the DGM Nepal webpage (public disclosure of complaints depends on the permission of the complainants).

### **6.3.3 Global Level (GSC/WB)**

66. The NSC will forward the complaints which do not fall under the scope of the DGM Nepal operations at the country level but relates to either (i) the policies of the DGM, (ii) the governance of the DGM in the country, (iii) relates to the World Bank, or (iv) complaints that

could not be resolved at lower levels, the matter will be taken to the GSC’s Grievance Sub-committee. GSC sub-committee will review the complaints and will refer the complaints that are associated with the NSC’s decisions on grant applications to the NSC and provide technical support for the resolution. The GSC will forward the complaints associated with the World Bank policy to the World Bank (safeguard committee).

#### 6.4 Responsibilities for the DGM-related GRM Addressing Authorities

67. The major roles and responsibilities of GRM addressing authorities are as follow to address the DGM Nepal project-related grievances:

*Table 6: DGM related Roles and responsibilities*

GRM Addressing Authorities	Roles and responsibilities
<p><b>National Executing Agency (NEA)</b></p>	<ul style="list-style-type: none"> <li>• Assign Grievance Focal Person (e.g., Social Development Specialist) to handle the DGM -related grievances,</li> <li>• Receive all complaints of project-affected communities and individuals in verbal and written form via email, phone, in-person submission to ensure the complaints from those stakeholders who are illiterate or unable to register a written complaint,</li> <li>• Prepare and maintain Grievance Log and register the complaints in Grievance Log.</li> </ul> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><b>BOX 1: Grievance Log should contain the following information</b></p> <ul style="list-style-type: none"> <li>• Name of the affected persons/individuals</li> <li>• Detail address</li> <li>• Date of registration of the complaints by complainant</li> <li>• Category of substance of complaints</li> <li>• Entity/people responsible or handling the complaint</li> <li>• Date of grievance committee meeting held</li> <li>• Decision of the complaint made by the meeting</li> <li>• Details of corrective actions proposed</li> <li>• Date when the response was notified/responded to the complainant</li> <li>• Date when the complaint was closed out</li> <li>• Monitoring and reporting of grievance</li> </ul> </div> <ul style="list-style-type: none"> <li>• Take rapid action to address the issues               <ul style="list-style-type: none"> <li>○ Review and assess</li> <li>○ Analyze</li> <li>○ Compile additional information/evidence</li> <li>○ Resolution</li> <li>○ Inform and notify the concerned authorities</li> </ul> </li> <li>• Update the action and status (following information) of each complaint through the DGM web-page               <ul style="list-style-type: none"> <li>○ Number of complaints received</li> <li>○ Number and percent of complaints that have reached agreement</li> <li>○ Number and percent of complaints that have been resolved</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ Number of percent of complaints that have not reached agreement</li> <li>● Forward the issues to NSC which are not resolved at the NEA,</li> <li>● Provide details and evidence of each complaint to the NSC,</li> <li>● Facilitate the NSC to address the complaints timely,</li> <li>● Receive the decision of NSCs and upload the decision on the DGM Nepal project webpage and inform the concerned authority,</li> <li>● Support sub-project grantees to settle the grievance at the sub-national level (in compliance with FPP GRM structure, customary practices),</li> <li>● Public disclosure of decisions and information on complaints through the project website. However, details of complaints will be confidential and made publicly available only with the consent of the complainants.</li> </ul>
<b>National Steering Committee (NSC)</b>	<ul style="list-style-type: none"> <li>● Form grievance focal person or committee as needed,</li> <li>● Collect/Receive the complaints forwarded from NEA,</li> <li>● Collect evidence of each complaint from NEA,</li> <li>● Review, analyze, and address the grievances timely manner,</li> <li>● Inform the complaints through NEA with the decision and measures taken for the complaints resolutions,</li> <li>● Public disclosure of decisions and information on complaints through the project website.</li> </ul>
<b>Global Steering Committee (GSC)</b>	<ul style="list-style-type: none"> <li>● Compile the complaints forwarded by the NSC,</li> <li>● Review the complaints and assess the relevance to the DGM Nepal project,</li> <li>● Forward and inform the World Bank of the complaints associated with the World Bank,</li> <li>● Maintain the database complaints/grievances,</li> <li>● Support NEA/NSC for addressing the complaints as required.</li> </ul>
<b>World Bank</b>	<ul style="list-style-type: none"> <li>● Compile the Bank-related complaints forwarded by GSC,</li> <li>● Review and assess the complaints,</li> <li>● Resolve the complaints distant,</li> <li>● Observe the overall GRM process adopted by NEA, NSC, and GSC and provide the inputs and support as necessary.</li> </ul>

## **7. MONITORING AND REPORTING**

### **7.1 Monitoring of Stakeholder Engagement Activities**

The SEP is a flexible document, therefore, it will be periodically revised and updated as per requirement during project implementation to ensure that the information and activities presented in the SEP are consistent and up to date. The monitoring and reporting of the SEP implementation are important to ensure an effective and continuous engagement of all stakeholders in the project activities. It will support identifying all relevant stakeholders of the DGM Nepal. The methods of stakeholder engagement will be also regularly improved to adopt appropriate and effective methods of engagement considering the monitoring result and specific context and situation of stakeholder participation in project activities. The project will ensure that details of meetings are captured and recorded via meeting minutes , including details of indigenous groups consulted, issues discussed, and any agreements reached, and any agreed actions or next steps.

The DGM Nepal will use different participatory methods (e.g. feedback forms, survey forms, FGDs, interviews) during or after implementing project activities to collect the feedback or suggestion to the project. The feedback and comments made by the participants will be carefully examined and appropriate reforms will be made in future engagement activities to enhance their effective engagement. The professional staff of NEA will submit their periodic report to NSC about the implementation status of SEP and considering the suggestions of NSC, the progress status will be posted on the DGM Nepal website.

Considering the impact of COVID-19 and travel restriction or limitation of gathering all stakeholders, NEA will use the following different alternative methods for the monitoring and reporting of stakeholder engagement activities:

- a) Maintaining contact details of the representatives of IPs and LCs including Dalit and other disadvantaged and vulnerable groups to receive their perceptions and impressions on stakeholders engagement activities through virtual meetings and social media,
- b) Analyzing the perceptions and impressions as well as feedback and posting the major responses on the project website or an appropriate social media.

### **7.2 Monitoring and reporting criteria and indicators**

The following monitoring and reporting criteria and indicators are proposed to assess the effectiveness of stakeholder engagement in the DGN Nepal. These criteria and indicators will be revised and updated based on the periodic review of the performance.

Table 7: Monitoring and reporting criteria and indicators

Criteria	Indicators
<p>Information about the project and SEP is provided to stakeholders in a timely manner and socio-culturally appropriate ways.</p>	<ul style="list-style-type: none"> <li>• An appropriate means are used to inform stakeholders about the stakeholder meetings and other project events,</li> <li>• Advance notice and agenda about the meeting are given to the stakeholders,</li> <li>• Different participatory and effective tools are used for the consultation meetings (such as FGDs, groups works, social mapping, social media, etc.),</li> <li>• A number of consultation meetings, both face-to-face and virtual, within a specific time, particularly with a focus on women, IPs, and vulnerable people, including religious minorities,</li> <li>• The required information and materials on the DGM Nepal are disseminated or disclosed promptly.</li> </ul>
<p>Stakeholders have an opportunity to provide feedback, grievances and share their views and concerns about the Project activities</p>	<ul style="list-style-type: none"> <li>• An appropriate time and opportunities are given to stakeholders for their full and effective participation in the meeting in order to share their voices and concerns over the project plan and activities,</li> <li>• The inclusiveness and balance between stakeholders are maintained to ensure the participation of women, Dalit, forest-dependent poor groups, disadvantaged and marginalized communities, vulnerable groups, religious minorities, etc,</li> <li>• Beneficiary feedback will be tracked. Indicators include:               <ul style="list-style-type: none"> <li>○ Number of consultations carried out</li> <li>○ Number of DGM Nepal-related grievances from stakeholders received and registered</li> <li>○ Number of grievances addressed/resolved within the prescribed timeframe</li> </ul> </li> </ul>



## **ANNEX 1. REFERENCES**

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### ***International Instruments***

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Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity, 2010

Paris Agreement 2015

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UN Convention to Combat Desertification in those Countries Experiencing devious Drought and-or Desertification, Particularly in Africa 1994

United Nation Framework Convention on Climate Change 1992, United Nation.

United Nation Convention on Biological Diversity 1992

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National Civil (Code) Act, 2017  
Local Government Operation Act, 2017  
Forest Act, 2019  
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National Parks and Wildlife Conservation Act, 1973  
Regulate and Control International Trade in Endangered Wild Fauna and Flora Act, 2017  
Right to Food and Food Sovereignty Act, 2018  
Water Resource Act 1992  
Industrial Enterprise Act 2019  
Cooperative Act 2017  
Good Governance (Management and Operation) Act, 2008  
Rights to Information Act, 2007

### ***Policies***

National Forest Policy, 2018  
Forestry Sector Strategy (FSS), (2016- 2025)  
National Climate Change Policy, 2019  
National Environment Policy, 2019  
National REDD+ Strategy, 2018  
National Biodiversity Strategy and Action Plan, 2014  
National Wetland Policy, 2003 and National Ramsar Strategy and Action Plan, 2018  
Pasture Land Policy, 2011  
Land Use Policy, 2015  
Agro-forestry Policy, 2020  
National Framework for Local Adaptation Plan of Action (LAPA) 2020  
Forest Sector Gender Equity and Social Inclusion Strategy (2007)  
Gender Equity and Social Inclusion Strategy and Action Plan for Climate Change (2077-2087)

## ANNEX 2. NATURAL RESOURCE GOVERNANCE IN NEPAL

Nepal is a party to different international environmental instruments which has made effective provisions for safeguarding the rights and interests of IPs and LCs, women, and other interest groups and stakeholders which need to be operationalized through appropriate national legal arrangements in the natural resource management sector. As a party of the environment, climate, and biodiversity-related international instruments, Nepal has also obligations to comply with the provisions of such instruments which have been envisioned to secure substantial and procedural rights of IPs and LCs, women, and relevant stakeholders. The major national and international legal arrangements for securing IPs and LCs rights are highlighted in this sub-section which are highly important for maintaining effective engagement of IPs and LCs and stakeholders during the implementation of the DGM Nepal project.

### 1. International Instruments

Nepal is a party to the following international instruments which has given special emphasis on safeguarding IPs and LCs rights during natural resource management:

*Table 1: International instruments for safeguarding IPs and LCs rights maintaining governance*

International instruments	Provisions in international instruments for IPs and LCs rights and stakeholders engagement
Convention on Biological Diversity 1992	<ul style="list-style-type: none"> <li>• The state must protect the traditional practices and traditional cultural practices of IPs, including LCs, in respect of biodiversity (Art. 10),</li> <li>• Prior informed consent of the concerned IPs and LCs must be obtained before granting access to genetic resources (Art. 8(j)),</li> <li>• The state must conduct education, training, and awareness for IPs and LCs and stakeholders in order to promote and encourage understanding of the importance of and the measures required for the conservation of biological diversity (Art. 12 &amp; 13),</li> </ul>
Nagoya Protocol on ABS to CBD 2010 <sup>9</sup>	<p>While implementing its obligations under this protocol, the state should:</p> <ul style="list-style-type: none"> <li>• Ensure free prior informed consent or approval and participation of indigenous peoples and local communities while providing access to genetic resources and related traditional knowledge (Art. 6.2 and 7),</li> <li>• To determine an appropriate basis and procedures for obtaining free prior informed consent or approval from IPs and LCs for access to genetic resources and their participation in the decision making and mutually-agreed terms (Art. 6.3),</li> <li>• Pay attention to the customary laws and community practices of the IPs and LCs (Article 12.1);</li> <li>• Assist the IPs and LCs in the development of community protocols (Art. 12.3).</li> </ul>
ILO 169 <sup>10</sup>	<p>The state should:</p> <ul style="list-style-type: none"> <li>• Protect the rights of the IPs over the minerals or natural resources in the land; ensure their participation in the conservation, management, and</li> </ul>

	utilization of natural resources; protect the right to participate in the benefits of exploration or exploitation of natural resources and to receive appropriate compensation for the impacts (Art. 7(4) & 15).
UNDRIP 2007 <sup>11</sup>	<ul style="list-style-type: none"> <li>• IPs have the right to the lands, territories, and resources which they have traditionally owned, occupied, or otherwise used or acquired as well as they have also rights to own, use, develop and control such resources, and the States shall give legal recognition and protection to these lands, territories, and resources (Art. 25-30 &amp; 32)</li> </ul>
UNCCD 1992 <sup>12</sup>	<ul style="list-style-type: none"> <li>• The national action program should promote effective participation at all levels of IPs and LCs, NGOs, women and men, particularly resource users, including farmers and pastoralists and their, representative organizations, in policy planning, decision-making, and implementation and review of national action programs (Art. 10).</li> </ul>
UNFCCC 1992 <sup>13</sup>	<ul style="list-style-type: none"> <li>• Parties shall promote and facilitate at the national levels, and in accordance with national laws and regulations, and within their respective capacities: (i) the development and implementation of educational and public awareness programs on climate change and its effects; (ii) public access to information on climate change and its effects; (iii) public participation in addressing climate change and its effects and developing adequate responses; and (iv) training of scientific, technical and managerial people (Art. 6).</li> </ul>
Paris Agreement 2015	<ul style="list-style-type: none"> <li>• Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of IPs and LCs, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity (<i>Preamble</i>),</li> <li>• Parties acknowledge that adaptation action should follow a country-driven, gender-responsive, participatory, and fully transparent approach, taking into consideration vulnerable groups, communities, and ecosystems, and should be based on and guided by the best available science and, as appropriate, traditional knowledge, knowledge of IPs and local knowledge systems, to integrate adaptation into relevant socioeconomic and environmental policies and actions, where appropriate (Art.7).</li> <li>• Parties shall promote sustainable development and ensure environmental integrity and transparency, including in governance to achieve their higher ambition in their mitigation and adaptation actions (Art.6)</li> </ul>
SDGs	<ul style="list-style-type: none"> <li>• By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of</li> </ul>

	<p>property, inheritance, natural resources, appropriate new technology, and financial services, including microfinance (Goal 1.4)</p> <ul style="list-style-type: none"> <li>• By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, IPs, family farmers, pastoralists, and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets, and opportunities for value addition and non-farm employment (Goal 2.3).</li> <li>• Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance, and natural resources, in accordance with national laws (Goal 5a).</li> <li>• Ensure responsive, inclusive, participatory, and representative decision-making at all levels (Goal 16.7)</li> </ul>
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Nepal has also different responsibilities or obligations for the effective implementation of these above-mentioned international instruments through appropriate policy, legal and institutional arrangements at the national level. The government has responsibilities to empower for the effective participation of IPs and LCs and stakeholders in the national and international platforms of these instruments for their capacity enhancement. The Conference of Parties (COP) of these instruments have adopted different environmental and social safeguards measures to promote and protect the IPs’ and LCs’ rights over natural resources. For example, the COP of UNFCCC has adopted Cancun safeguards in REDD+ which are highly important for safeguarding IPs and LCs rights in REDD+ actions or activities. The COP of these instruments has also developed different specific Action Plans and Gender Action Plan which has to reflect in the respective national-level action plans. Nepal is also committed to achieving the SDGs, which will be supportive to promote the IPs’ and LCs’ rights over the land and natural resources. The NSC and NEA (RRN) will be responsible to maintain coordination and harmonization with all these governance mechanisms of natural resources during the implementation of the DGM Nepal project taking into account their value and importance for IPs and LCs, women, and stakeholders.

**2. National Policies and Laws**

Nepal has formulated different policies, laws, and guidelines for the sustainable management of natural resources, environment protection, and climate change mitigation and adaptation with the effective participation of IPs and LCs through Community-based Natural Resource Management regimes and customary governance systems. In this sub-section, particularly the forest sector following laws, policies, and guidelines are highlighted focusing on IPs and LCs tenure rights which will be highly important to promote IPs and LCs rights over the forest resources and its benefits sharing during the implementation of the DGM Nepal project which are described below Table 3: **Error! Reference source not found.** also includes a list of all national policies, laws and guidelines for forest management, environmental protection and climate change:

- a) **The Constitution of Nepal 2015** ensures the fundamental rights of citizens both individually and collectively. To exercise those rights, it is necessary to ensure the access of IPs and LCs and other rightsholders such as CBFM groups to forests and other natural resources. The rights of IPs and LCs over natural resources including forests can be ensured and promoted based on the various fundamental rights of the Constitution and state policies.
- b) The Constitution of Nepal made a provision for positive discrimination by making laws for the protection, empowerment, and development of various groups of communities including IPs and LCs. (Art. 18). While enacting laws on natural resources, including forests and the environment, different levels of government can make special legal arrangements based on positive discrimination to ensure and promote the rights of IPs and LCs.
- c) IPs and LCs, women, and marginalized communities have been most affected by the environmental destruction and encroachment on traditional lands created by investment and development projects based on natural resources. The Constitution has ensured the right of all citizens, including the IPs and LCs, to live in a clean and healthy environment and the victims of environmental pollution or degradation have to receive compensation from polluters in accordance with the law (Art. 30). Based on these fundamental rights, the affected IPs and LCs, and other stakeholders can claim their rights to environmental justice.
- d) The Constitution has also guaranteed the rights to housing, rights to food, rights over agricultural land and seeds for the conservation of traditional knowledge, and rights to cultural preservation, which are also instrumental to increase access to natural resources for IPs and LCs and other stakeholders.
- e) The Constitution of Nepal has envisioned a clear provision for equitable distribution of benefits from the use or development of natural resources at the federal, provincial, and local government levels and a certain portion of such benefits as royalties, services, or goods should be distributed to project-affected areas and local communities in accordance with law (Art. 59(4)). This provision will create constitutional opportunities for IPs and LCs to claim rights over the benefits of natural resources.
- f) Under the constitutional policies of the state, the Constitution provides for giving preferential rights and priority to the local community in the management of natural resources and distribution of benefits derived from them (Art. 51(g)). The constitution policy has also made a provision for the adoption of the principle of prior informed consent in any development work (Art. 51(g)(8)). Based on these provisions, the policy of respecting and addressing the traditional knowledge, skills, culture, social traditions, and experiences of the IPs and LCs related to the conservation, management, and use of natural resources seems to have been taken constitutionally.

- g) **National Civil (Code) Act, 2017** has envisioned the protection of common property and community property. According to this act the land held by a community for its use, any structure built on such land, or any other property owned by the community shall be deemed to be community property (sec. 301). The community should protect its rights, possessions, responsibilities, or community property (sec. 304). Based on these provisions, the IPs and LCs can protect their rights over the community property including community-based natural resources.
- h) **Local Government Operation Act, 2017** has given rights to the local government to formulate policies, laws, norms, and plans on forest, biodiversity, environment, and other natural resource management at the local level considering the power-sharing provision of the constitution and respective federal and provincial legislation (sec. 11(4)). Since the traditional knowledge, skills, customary institutions, and traditional culture of the IPs and LCs play an important role in the conservation of forests and natural resources. Therefore, during the formulation of local laws on forest, biodiversity, environment and natural resource should consider the rights, interests, concerns, and voices of IPs and LCs and other stakeholders as well. The NEA will closely coordinate with the relevant local governments during the implementation of the DGM Nepal project to create enabling environment at the local level for the stakeholders.
- i) **Forest Act, 2019** has given rights to concerned forest users to form Community Forest Users Groups (CFUGs) or different types of community-based forest management groups who want to manage a national forest as community forests or other community-based forests. After registration, the CFUG can receive legal status as an autonomous community institution. Similarly, to manage and utilize the forest and to be able to independently determine the price of forest produce and sell and distribute it, the Act also provides for handing over the national forest to the local communities. The Act has given the right to CFUGs to formulate and amend their forest management plans (Sec.18). The Act provides rights to CFUGs for spending the community fund on forest-based forest enterprises, eco-tourism, poverty alleviation, and women empowerment (Sec. 22 & 23). In doing so, the CFUGs should make clear provisions in their management plans to ensure access to IPs and LCs over the forest and its benefits considering the existing provisions of Forest Act 2019 and community Forestry Guideline 2015. The NEA will empower to CFUGs for their effective participation in the DGM Nepal activities to utilize the opportunities created from the Forest Act, 2019.
- j) **Environmental Protection Act, 2019** is one of the umbrella legislation in the environmental management sector in Nepal, which has incorporated provisions for environmental assessment of different projects (Sec. 3), conducting public hearings during the environmental assessment report preparation process (Sec. 3.5), priority for the participation of affected communities in the mitigation actions (Sec. 10.5), engaging concern communities in the benefits generated from carbon trade projects (Sec. 28) and preparing and implementation of Community-based Adaptation Plan of Action (CAPA) by

the local communities (Sec. 24.3). All these legal provisions of this act will create various opportunities for IPs and LCs during the implementation of the DGM Nepal.

- k) **National Parks and Wildlife Conservation Act, 1973:** Section 5(1) of this Act provides various activities that should not be done in national parks and reserves. However, in order not to adversely affect the environment, forest, or wildlife in the National Parks or Reserves as specified in Section 5(2) of the Act, the affected communities can use the traditionally used roads, indigenous pastures, drinking water, irrigation and embankments in the parks or reserves as prescribed. Similarly, legal arrangements have been made to allow the local people to collect wild vegetables and roots, and fish from the protected areas as prescribed. The DGM Nepal will be an opportunity for the affected IPs and LCs to enhance their capacity to get benefits from such provision of this Act.
- l) **Regulate and Control International Trade in Endangered Wild Fauna and Flora Act, 2017** has made a provision that the management of Endangered Wild Fauna and Flora for tourist, cultural, traditional knowledge, educational, recreational, sports, research, and aesthetic purposes shall not be considered as a transaction for commercial purposes (Sec. 9). Based on this provision, particularly the CFUGs can make the forest management plan to promote the forest-related cultural and traditional knowledge of the IPs and LCs. This sector will be an opportunity for IPs and LCs during the implementation of the DGM Nepal in Nepal.
- m) **Right to Food and Food Sovereignty Act, 2018:** Section 12 of this Act, under the right to food sovereignty, provides every farmer with the right to choose local seeds and their intellectual property and to preserve traditional and indigenous food. Similarly, Section 16 of the Act provides for the promotion of traditional agricultural markets at the local level, preservation of local knowledge and traditional food culture related to agricultural production, and promotion of agro-tourism using locally produced food. While implementing the DGM Nepal, the small grants will be useful for exercising the rights of IPs and LCs which has been promoted by this Act.



Table 2: National policies, laws, and guidelines for forest management, environment protection, and climate change

Policies, laws, and guidelines	Climate response		Potential Impact Areas			Level of governance			
	Mitigation	Adaptation	Forest	Land	Agriculture	Federal	Provincial	Local	Community
<b>Policies</b>									
National Forest Policy, 2018	*		*			*		*	*
Forestry Sector Strategy (FSS), (2016-2025)	*	*	*			*			*
National Climate Change Policy, 2019	*	*	*			*	*	*	*
National Environment Policy, 2019	*	*	*	*	*	*	*	*	*
National REDD+ Strategy, 2018	*	*	*			*	*	*	*
National Biodiversity Strategy and Action Plan, 2014		*	*	*	*	*		*	*
National Wetland Policy, 2003 and National Ramsar Strategy and Action Plan, 2018		*	*	*	*	*		*	*
Pasture Land Policy, 2011		*	*	*	*	*		*	*
Land Use Policy, 2015			*	*	*	*		*	
Agro-forestry Policy, 2020		*	*	*	*	*	*	*	*
<b>Laws and guidelines</b>									
Constitution of Nepal	*	*	*	*	*	*	*	*	*
The National Civil (Code) Act, 2017				*		*		*	*
Local Government Operation Act, 2017	*	*	*	*	*			*	*
Forest Act, 2019	*	*	*	*		*	*	*	*
Environmental Protection Act, 2019	*	*	*	*		*	*	*	*
National Parks and Wildlife Conservation Act, 1973			*	*		*		*	*
Regulate and Control International Trade in Endangered Wild Fauna and Flora Act, 2017			*			*			
Right to Food and Food Sovereignty Act, 2018		*	*	*	*	*	*	*	*

Adapted from Nepal's Third National Communication report to UNFCCC (MoFE, 2021)

- n) The following table of policy instruments of the natural resource management sector provides opportunities for IPs and LCs and other stakeholders for their effective engagement in the natural resource management and its benefit-sharing arrangement:

*Table 3: Policy instrument to promote IPs and LCs rights or role in natural resources*

<b>Policy instruments</b>	<b>Provisions to promote IPs and LCs rights or role in natural resources</b>
National Forest Policy, 2018	<ul style="list-style-type: none"> <li>• To ensure equitable sharing of benefits from all types of forests.</li> <li>• To ensure the rights of IPs, LCs, women, Dalit, deprived, and all the constitutionally identified groups in forest management.</li> <li>• To develop a community conservation area.</li> </ul>
Climate Change Policy, 2019	<ul style="list-style-type: none"> <li>• To increase the climate adaptation capacity of indigenous peoples and local communities including social equality through climate justice.</li> </ul>
National Environment Policy, 2019	<ul style="list-style-type: none"> <li>• Involve IPs and LCs in environmental protection and provide fair compensation for environmental impact.</li> </ul>
National REDD+ Strategy 2018	<ul style="list-style-type: none"> <li>• Envisioned to optimize carbon and non-carbon benefits of forest ecosystems for the prosperity of the Nepali people,</li> <li>• Promote and support for securing collective tenure rights of IPs and LCs in the forest</li> </ul>
Biodiversity Strategy and Action Plan, 2014	<ul style="list-style-type: none"> <li>• To promote the traditional knowledge of indigenous peoples and local communities regarding biodiversity.</li> </ul>
National Wetland Policy, 2003	<ul style="list-style-type: none"> <li>• To make the wetland management participatory, to involve the LCs, and to distribute the benefits equitably.</li> </ul>
Pasture Land Policy, 2011	<ul style="list-style-type: none"> <li>• To promote the traditional system of IPs and LCs regarding the use of pastureland.</li> </ul>
Land Use Policy, 2015	<ul style="list-style-type: none"> <li>• Maintaining areas of cultural importance and forest area while preparing land use plan and involving the IPs and LCs in preparing land-use plan.</li> </ul>
Agro-forestry Policy 2020	<ul style="list-style-type: none"> <li>• To promote traditional knowledge of farmers for the management of agro-forestry activities in degraded forest and agriculture land of small landholders.</li> </ul>

- o) Province 1, province 2, Bagmati Province, and Sudurpashchim Province have already enacted a provincial Forest Act, Environmental Protection Act, and other different laws concerning natural resource management and utilization. The other three provinces have also submitted a Forest Bill to the National Assembly for formal approval. The provincial forest laws have also given different rights and responsibilities to local communities particularly CFUGs and other CBFM groups for the sustainable management of forest and

operation of forest-based micro-enterprises and eco-tourism activities at the community level. The DGM Nepal will be an opportunity for IPs and LCs and CF/CBFM groups for the utilization of legal opportunities provided by provincial forest laws through capacity building.

### 3. Indigenous Traditions and Customary Practices

- a) Nepal is rich in biological, linguistic, cultural, and ethnic diversity, and there are 126 castes and 123 language speakers across the country. There are 59+1 IPs listed in the schedule of the National Foundation for the Upliftment of Indigenous Peoples Act, 2001. Nepal's IPs comprise more than 35.81 percent of the country's total population.<sup>14</sup>
- b) IPs have been conserving and managing different landscapes (Terai, hill, and mountain) in their territories for time immemorial through their customary institutions and practices in Nepal. Many of these continue at present, though often constrained or weakened by the changing economic and socio-cultural contexts and external interventions. Some of the conservation practices based on traditional knowledge and customary institutions are highlighted in this sub-section.
- c) In the Mountain region, the majority of the IPs have their own traditional customary institutions, customary laws, and practices for the conservation and sustainable management of land, forest, water, and biodiversity. IPs have established different community conservation areas particularly for the harvesting of herbs, medicinal and aromatic plants, and non-wood forest products based on their traditional knowledge. Many of these practices and customs have been deeply affected by external pressures.
- d) Many IPs have traditional knowledge for collection, processing, and use of the medicinal, aromatic plant, and wild edible plants, and other non-timber forest products (such as bamboo and rattan products, Nepali hand-made paper, cloths from Allo fiber).<sup>15</sup> Every IP group has specific traditional knowledge and bio-cultural practices for the conservation and sustainable utilization of forest resources, biodiversity, and other natural resources such as land and water.
- e) The Amchi people have developed a well-established traditional knowledge for the production and use of traditional medicine and healing practices in the hill and mountain districts of Nepal, and this traditional knowledge is also based on the medicinal plants available from the forest.<sup>16</sup> Trans-Himalaya herders have also developed a rich traditional knowledge to make traditional medicine from medicinal plants for the treatment of their cattle and themselves, however, such traditional knowledge is less documented or recorded. Honey hunting in the forest and rocky mountains is an age-old traditional knowledge of IPs (namely Gurung) in hill districts of Nepal.
- f) The following bio-cultural and customary practices exist in Nepal, and they have been playing a crucial role in the conservation and sustainable utilization of different natural resources:

*Table 3: Bio-cultural and Customary practices for the conservation and sustainable utilization of natural resources in Nepal*

<b>Bio-cultural and Customary practices</b>	<b>Contributions for the conservation of natural resources</b>
Udhauli and Ubhauli	<ul style="list-style-type: none"> <li>• Festivals celebrated by Kiratis in two different seasons (summer and winter) of the year</li> <li>• Provides the passage for sustainable use of natural resources during the migration from north-south and south-north.</li> </ul>
Lhosar	<ul style="list-style-type: none"> <li>• Festivals celebrated by Himalayan communities which are famous for serving traditional dishes and food produced from agro-biodiversity and wild edible plants</li> <li>• These festivals contribute to preserving agro-biodiversity and wild edible plants.</li> </ul>
Maghi	<ul style="list-style-type: none"> <li>• Festival celebrated by Tharu communities, which contributes to conserving the agro-biodiversity to make food for the festival.</li> </ul>
Hindu festivals	<ul style="list-style-type: none"> <li>• Many Hindu festivals (such as Dashain, Tihar, Chhath) are also important for preserving biocultural practices and they contribute to the conservation of biodiversity.</li> </ul>
Grazing systems	<ul style="list-style-type: none"> <li>• The Sedentary System of Grazing in Tarai, the sedentary cum transhumance system of grazing in Hills, and the Transhumance system of grazing in mountains have also a strong link with natural resource conservation and utilization in Nepal.</li> </ul>
Shifting cultivation and slash and burn	<ul style="list-style-type: none"> <li>• Different IPs have been practicing shifting cultivation as a customary practice for their livelihood.</li> </ul>
Pasture land conservation	<ul style="list-style-type: none"> <li>• About 22 percent land of Nepal is covered by Rangeland or Pasture Land and it is utilized for the grazing and collection of herbs and NTFPs in traditional ways.</li> </ul>
Kipat system	<ul style="list-style-type: none"> <li>• Legally the Kipat system is abolished, though it is in practice in a de facto manner in eastern Nepal to conserve and utilize the forest products and pasture lands.</li> </ul>
The Gumba system	<ul style="list-style-type: none"> <li>• In mountain districts, different parts of the forest areas are conserved by the Gumba based on cultural values and norms.</li> </ul>
Customary village councils	<ul style="list-style-type: none"> <li>• In many villages in rural areas, the traditional or customary village councils have been developing different informal norms and values for the conservation and sustainable utilization of forest products and biodiversity for bio-cultural purpose and livelihood.</li> </ul>

Adapted from REDD IC, 2015, Documentation and assessing customary practices of managing forest resources at the local level

- g) The above-mentioned customary institutions are some examples of bio-cultural and customary practices. There is a lack of the proper documentation and preparation of the national accounts of the natural resource-related customary institutions of Indigenous Peoples in Nepal. The NEA of the DGM Nepal has an opportunity to support this task through its' small grant mechanism under Component 2.

#### 4. Local Communities and their Beliefs, Knowledge, Skills, and Practices

- a) There is no globally agreed definition of “local community” although the 18th meeting (2013) of the Ad Hoc Open-Ended Intern-sessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity has compiled the views on the definition of LCs and identified different 24 common characteristics of the local community. This working group concluded that the term “Local community” is very ambiguous. Based on the different characteristics, the working group has provided an operational definition of the local community being “[t]he local community can refer to a group of people which have a legal personality and collective legal rights and this is considered a community in the strict sense.” However, many countries refuse to accept collective rights, in general, and some are accepting only the right of self-determination.<sup>17</sup>
- b) In the context of Nepal, the same situation apply. The Constitution of Nepal and other many policies and legislations have used the term “local community” in many places, though there is lacking the legal definition of it. Section 30.7 of the Environmental Protection Act 2019 says that for Environmental Conservation Areas “local community” means the community residing within or in the neighborhood of such an area.
- c) Based on the above-mentioned operation definition of the local community, the following resource-based and interest/identity-based communities are known LCs in the context of Nepal, because they have legal personality and collective legal rights over natural resources and state services based on national legal instruments at outlined below:

*Table 4: Legal recognition of natural resource-based local communities in Nepal*

<b>National legislation</b>	<b>Legally recognized local community</b>	<b>Collective legal rights over the natural resource</b>	<b>Knowledge, skills, and practices</b>
Forest Act 2019	Community Forest Users Groups (CFUGs) and other CBFM Groups	<ul style="list-style-type: none"> <li>• The CFUGs and other CBFM groups have the right to apply for their registration in the Divisional Forest Office</li> <li>• The CFUGs and CBFM groups have the right to use forest resources based</li> </ul>	<ul style="list-style-type: none"> <li>• Sustainable management of forest, community mobilization and utilization of community fund for poverty alleviation, micro-enterprise development, eco-tourism, community</li> </ul>

National legislation	Legally recognized local community	Collective legal rights over the natural resource	Knowledge, skills, and practices
		on their approved management plan	development, and empowerment,
Water Resource Act 1992	Water User Associations (WUAs)	<ul style="list-style-type: none"> <li>• The WUAs have the right to apply for their registration in government agencies or local government.</li> <li>• The WUAs have the right to use a certain quantity of water resources as per their permit or license.</li> </ul>	<ul style="list-style-type: none"> <li>• Conservation, management, and utilization of water resources for drinking water, sanitation, irrigation, micro-hydro generation, water-mill operation, and other domestic use in a collective manner.</li> </ul>
Environment Protection Act 2019	Project-affected local communities	<ul style="list-style-type: none"> <li>• Right to participate in public hearings, impact mitigation activities, benefit sharing of carbon trade</li> <li>• Right to claim compensation from development projects and polluters</li> <li>• Right to prepare and implement CAPA</li> </ul>	<ul style="list-style-type: none"> <li>• Organize community voices, advocacy for community rights, utilization of funds received as compensation,</li> <li>• Preparation and implementation of CAPA</li> </ul>
Industrial Enterprise Act 2019	Micro-enterprises	<ul style="list-style-type: none"> <li>• Micro-enterprise entities have the right to apply for their registration in the government agencies</li> </ul>	<ul style="list-style-type: none"> <li>• Establishment and operation of the micro-enterprises, value addition in the forest products, and income generation</li> </ul>
Cooperative Act 2017	Forest and farm-based Cooperatives	<ul style="list-style-type: none"> <li>• Cooperative organizations have the right to apply for their registration in the provincial or local government</li> </ul>	<ul style="list-style-type: none"> <li>• Mobilize the natural resource for the processing and marketing</li> <li>• Community fund mobilization</li> </ul>
Right to Food and Food Sovereignty Act, 2018	Farmer groups	<ul style="list-style-type: none"> <li>• Farmer groups have the right to organize by themselves and they can claim their rights over the land and agriculture inputs.</li> </ul>	<ul style="list-style-type: none"> <li>• Farmer groups are used as avenues for which smallholder farmers can market their produce, access inputs, and get extension advice</li> </ul>

- d) The Constitution of Nepal and Social Security Act 2018 have recognized the following interest-based or identity-based social groups who have rights to claim the social security service and other different services from the government agencies:

*Table 5: Interest-based or identity-based social groups in Nepal*

Interest-based/identity - based social groups	Definition
Dalit community	Community as defined by the Government of Nepal based on the recommendation made by the Commission. (Note: an agreed definition of Dalit is yet to be finalized in the national legislation)
Indigent	Those persons who earn income less than that specified by the Government of Nepal by publishing a notice in the Nepal Gazette.
Helpless single women	Women who have no basis, income source, or property for supporting daily expenses, are incapacitated and helpless having income less than that specified by the Government of Nepal by publishing a notice in the Nepal Gazette.
Citizens with disabilities	Those persons who have long-term physical, mental, intellectual, or sensory disabilities or functional impairments or existing barriers that may hinder their full and effective participation in social life on an equal basis with others.
Tribes on the verge of extinction	Kusunda, Raute, Hayu, Kisan, Meche, Bankariya, Surel, Raji, Lopcha and Kuswadiya (Pattharkatta, Silkat, Kushbadhiya and Kuchbadhiya)

## **ANNEX 3. KEY PRINCIPLES, MODALITIES, AND EFFECTIVE MEANS OF STAKEHOLDER ENGAGEMENT**

The main aim or goal of stakeholder engagement in any project is to secure the procedural justice of the affected parties. Procedural justice is based on four central principles which are voice (listen), neutrality (fairness), respectful treatment (the golden rule), and trustworthiness (fair and transparent process).<sup>18</sup> The DGM Nepal will give high emphasis to ensuring the full and effective engagement of the relevant stakeholders in the DGM Nepal activities by applying the following principles of procedural justice:

### **1. Representation, Participation, and Inclusion**

- a) The IPs and LCs have established their representative organizations at the national, provincial, and local government levels to represent the voices and concerns of their constituencies. The major representative organizations of the rights-holders/stakeholders (Table 8) are actively engaging in NSC as its members and they will have a leading role and responsibilities for the decision-making process in the DGM Nepal project. The NSC and the NEA will develop different criteria to make an effective representation of the IPs and LCs members from the community level in the capacity-building events and other activities of the DGM Nepal. The self-selection process will apply for the selection of the representatives from IPs and LCs to make their engagement in the DGM Nepal activities including capacity building and small grant mechanisms. The NEA will use IPs and LCs friendly communication tools (social networking, social media, etc.) for the communication with stakeholders to make their effective representation in a timely manner.
- b) The Constitution of Nepal has guaranteed the fundamental rights to participate in the decision-making bodies based on inclusive principles particularly from IPs and LCs and other socially marginalized communities (Art. 42 of the Constitution). Similarly, as per the Good Governance (Management and Operation) Act 2008, all government agencies have the responsibility to conduct the consultation and make effective participation of stakeholders and CSOs before the implementation of any matter of public concern such as the implementation of new programs or projects (sec. 20). The World Bank's ESS6 on Biodiversity Conservation and Sustainable Management of Living Natural Resources has also given special emphasis to the effective participation of IPs and LCs and other project-affected communities in forest-related activities. Therefore, based on these different constitutional and national legal measures, NSC and NEA will ensure the effective participation of stakeholders in the DGM Nepal activities.

### **2. Transparency**

- a) Transparency means the procedure of decision-making based on a certain standard (Sec. 16, Good Governance Act 2008). Transparency is a key principle to secure IPs' and LCs' participation in any program or project activities. Transparency supports openness,



effective communication, and accountability in the project activities and it also supports IPs and LCs to see what actions are performed in the organization such as NEA and NSC during the implementation of DGM Nepal. The state policy under the Constitution of Nepal has emphasized the guarantee of good governance by ensuring equal and easy access of the people to the services and facilities delivered by the State while making public administration fair, competent, impartial, transparent, free from corruption, accountable, and participatory. Different accountability tools (such as public hearings, public auditing, and social auditing) will apply to maintain transparency in the DGM Nepal activities. For securing the fundamental rights to access information in the DGM Nepal, the transparency mechanism of NEA will be applied.

### **3. Ownership**

- a) The DGM Nepal activities are designed to provide benefits specifically to IPs and LCs, therefore, NSC and NES will proactively engage with the relevant IPs and LCs to ensure their ownership in project design, implementation, monitoring, and evaluation. For this purpose, regular meetings and discussions will be conducted with stakeholders in a planned way. The leadership roles will be played by the NSC members with the representation of the relevant representative organization of IPs and LCs. Available financial and technical resources of the DGM Nepal will be mobilized to encourage IPs and LCs to actively participate in monitoring and evaluation of the DGM Nepal. From the regular engagement of IPs and LCs and other relevant stakeholders in the DGM Nepal, it will be supportive to generate their sense of ownership.
- b) The members of NSC will actively engage in the different steps of the proposal selection process to provide small grants to IPs and LCs under component 2. The majority of activities under components 1 and 2 of the DGM Nepal will be implemented by the representative organizations of IPs and LCs and their constituencies at the community level, which will create ownership over the DGM Nepal.

### **4. Voices and Influence**

- a) The barriers for IPs and LCs to engage in the DGM Nepal such as lack of capacity for the exercise of fundamental rights or human rights to expression or opinion will be ensured particularly for women, marginalized and minorities, and persons with disabilities. The NSC will create an appropriate environment to ensure that the voice of all stakeholders is heard.
- b) The Constitution of Nepal has guaranteed the fundamental rights to freedom of opinion and expression. The members of NSC, IPs, and LCs, and relevant stakeholders will apply cooperative approaches to influence the decision-making process during the implementation of DGM Nepal activities.
- c) The members of NSC, IPs, and LCs, and relevant stakeholders will have different opportunities to influence the forestry climate change sector policy process through strategic engagement with government agencies and local government under component

1.2. If there are any effects from the process or outcomes of the project, the IPs and LCs, and relevant stakeholders can exercise their fundamental rights to register their complaints in the GRM mechanisms.

## 5. Targeting

- a) The DGM Nepal has not conducted a baseline survey or baseline assessment to set various targets for the measurement of the achievements particularly about the capacity building of targeted IPs and LCs. However, the DGM Nepal is targeting the strengthening core institutional capacities of IPs and LCs organizations through the management of grant-financed initiatives of their choice and targeted capacity development activities. The targeted stakeholder and beneficiaries will be selected based on a set of criteria, regardless of whether they belong to the organizations represented in the NSC. The selection criteria are elaborated in the Project Implementation Manual (PIM).
- b) The capacity-building activities, training events, and small grant activities will be designed and implemented by targeting the forest-dependent poor, women, marginalized and minorities, and persons with disabilities at all levels and project sites. The disaggregated data and information by gender and indigenous/non-indigenous group will be generated to evaluate the outcome of the project activities.

## 6. Mainstreaming

- a) An approach of informed mainstreaming of particular groups and stakeholders in the project activities always supports achieving the objective of the project with desired benefits to the targeted people. The following approaches and tools will be applied for the mainstreaming of the excluded, marginalized, disadvantaged and vulnerable groups in the different steps or phases of the DGM Nepal:
  - Conducting awareness-raising activities, quality training for targets groups such as forest-dependent IPs and LCs,
  - Assessing the impacts of project activities with the involvement of targeted groups,
  - Allocating specific budgets and conducting other support activities.

## ANNEX 4. Relevance of ESSs for Stakeholder Engagement in the DGM Nepal project

Table 1: Relevance of the World Bank ESS for stakeholder engagement in DGM Nepal project

World Bank ESSs	Relevance of the World Bank ESS for stakeholder engagement in DGM Nepal project
<b>ESS 1:</b> Assessment and Management of Environmental and Social Risks and Impacts	<ul style="list-style-type: none"> <li>• The project needs to conduct an assessment of the stakeholder engagement in the proposed project, and also needs to undertake stakeholder engagement and disclose appropriate information in accordance with ESS10,</li> <li>• The NEA for the DGM Nepal will be conducted such assessment and undertake stakeholder engagement and disclose the relevant information,</li> <li>• The stakeholder engagement will be an integral part of the ESMF and its implementation and relevant information including risk information will be disclosed to the stakeholders,</li> <li>• The record of the stakeholder engagement will be maintained.</li> </ul>
<b>ESS 2:</b> Labor and Working Conditions	<ul style="list-style-type: none"> <li>• Labor work management, social inclusion in the labor work, and controlling gender-based violence are some of the critical issues in the sustainable management of forest and operation of the forest-based enterprise. The DGM Nepal will empower relevant stakeholders for securing labor rights and creating working conditions during the operation of the forest management activities.</li> </ul>
<b>ESS 3:</b> Resource Efficiency and Pollution Prevention and Management	<ul style="list-style-type: none"> <li>• Some of the DGM Nepal-funded forest-based enterprises may affect the environment due to over-harvesting of forest products and crates pollution due to the use of chemicals for forest product processing. The DGM Nepal will ensure environmental sustainability before proving grants or any other support through stakeholder consultation and capacity building.</li> </ul>
<b>ESS 4:</b> Community Health and Safety	<ul style="list-style-type: none"> <li>• The DGM Nepal will use and appropriate emergency preparedness and response measures during the implementation of activities related to forest-based enterprise and other income generation activities considering the community health and safety.</li> </ul>
<b>ESS 5:</b> Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	<ul style="list-style-type: none"> <li>• Community Forest Users Groups and other CBFM groups will be the major beneficiaries of the DGM Nepal. The access rights of all stakeholders (namely traditional users of forest and customary institutions) in the forest and rights to participation in the decision-making process will be ensured by applying this ESS.</li> </ul>
<b>ESS 6:</b> Biodiversity Conservation and Sustainable Management of Living Natural Resources	<ul style="list-style-type: none"> <li>• There might be different impacts on the biodiversity and living natural resources from forest-based enterprise and other income-generating activities due to DGM Nepal-supported activities. The DGM Nepal project will support enhancing the skill of IPs and LCs for the sustainable management and conservation of biodiversity and living natural resources.</li> </ul>
<b>ESS 7:</b> Indigenous Peoples/Sub-Saharan African Historically	<ul style="list-style-type: none"> <li>• The IPs and LCs are the major stakeholders in the DGM Nepal and their formal representative organizations and customary institutions are identified in this SEP (table 5 and 8). The DGM Nepal will apply different</li> </ul>

Underserved Traditional Local Communities	principles, modalities, and effective means of IPs and LCs engagement as described in section 5 of this SEP.
<b>ESS 8:</b> Cultural Heritage	<ul style="list-style-type: none"> <li>• Different cultural heritages and religious forests are conserved by the customary institutions of IPs and formal institutions of local communities (FUGs) in the project sites (Province 2 and Lumbini Province). The DGM Nepal will empower IPs and LCs to conserve such heritages through their formal or informal institutions.</li> </ul>
<b>ESS 9:</b> Financial Intermediaries	<ul style="list-style-type: none"> <li>• Not relevant</li> </ul>
<b>ESS 10:</b> Stakeholder Engagement and Information Disclosure	<ul style="list-style-type: none"> <li>• The SEP has included different specific plans for stakeholder engagement and information disclosure (Table 10). The DGM Nepal will implement that stakeholder engagement plan in a timely manner with adequate financial resources and technical competencies.</li> </ul>

## ANNEX 5. Endnote

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<sup>1</sup> REDD+ is an international framework whose name stands for 'reducing emissions from deforestation and forest degradation, conservation of existing forest carbon stocks, sustainable management of forest and enhancement of forest carbon stocks'.

<sup>2</sup> FCPF, 2018. Emission Reduction Program Document (ERPD), A Sustainable Forest Management-Based Emission Reduction Program in the Terai Arc Landscape, Nepal. [https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20ERPD%2024May2018final\\_CLEAN\\_0.pdf](https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20ERPD%2024May2018final_CLEAN_0.pdf)

<sup>3</sup> Kutter, Andrea.2021.Disclosable Version of the ISR - Forests for Prosperity Project - P170798 - Sequence No : 02 (English). Washington, D.C. : World Bank Group. <http://documents.worldbank.org/curated/en/907031624377438006/Disclosable-Version-of-the-ISR-Forests-for-Prosperity-Project-P170798-Sequence-No-02>

<sup>4</sup> IBRD/World Bank, 2017. World Bank Environmental and Social Management Framework, International Bank for Reconstruction and Development/The World Bank, 1818 H Street NW, Washington, DC 20433 [www.worldbank.org](http://www.worldbank.org)

<sup>5</sup> Supra note 6

<sup>6</sup> Guidelines on Stakeholder Engagement in REDD+ Readiness With a Focus on the Participation of Indigenous Peoples and Other Forest-Dependent Communities [file:///C:/Users/user/Downloads/Guidelines%20on%20Stakeholder%20Engagement%20April%2020,%202012%20\(revision%20of%20March%2025th%20version\)\\_ENGLISH\\_pdf.pdf](file:///C:/Users/user/Downloads/Guidelines%20on%20Stakeholder%20Engagement%20April%2020,%202012%20(revision%20of%20March%2025th%20version)_ENGLISH_pdf.pdf)

<sup>7</sup> Ministry of Finance, 2020, Economic Survey report, 2020, Ministry of Finance, Kathmandu, Nepal

<sup>8</sup> GoN, 2021, Nepal's Third National Communication Report to UNFCCC, Ministry of Forest and Environment, Kathmandu, Nepal

<sup>9</sup> Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity, 2010

<sup>10</sup> Indigenous and Tribal Peoples Convention, 1989 (No. 169) (ILO 169)

<sup>11</sup> United Nations Declaration on the Rights of Indigenous Peoples, 2007

<sup>12</sup> UN Convention to Combat Desertification in those Countries Experiencing devious Drought and or Desertification, Particularly in Africa 1994

<sup>13</sup> United Nation Framework Convention on Climate Change 1992, United Nation.

<sup>14</sup> Central Bureau of Statistics. (2011). National Population and Housing Census 2011. Kathmandu: Central Bureau of Statistics, Volume 05, Part II

<sup>15</sup> REDD IC, 2015, Documentation and assessing customary practices of managing forest resources at local level, REDD Implementation Centre, Ministry of Forests and Soil Conservation Kathmandu, Nepal August 25, 2015.

<https://www.forestcarbonpartnership.org/system/files/documents/Annex%201%20-%20Nepal%20Customary%20Right%20Report.pdf>

<sup>16</sup> CIPRED, 2019, *Traditional Amchi Practices among Indigenous Communities in Nepal*, Kathmandu, Nepal, [www.cipred.org.np](http://www.cipred.org.np)

<sup>17</sup> UNEP/CBD/WG8J/8/INF/10/Add.1, Compilation of views received on use of the term "indigenous peoples and local communities"(Note by the Executive Secretary).

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<sup>18</sup> National Initiative for Building Community Trust and Justice, A Tactical Mindset: Procedural Justice and Police Legitimacy (PJ2), New York 10019.

[https://s3.trustandjustice.org/misc/PJ2\\_Facilitators\\_Guide\\_NI.pdf](https://s3.trustandjustice.org/misc/PJ2_Facilitators_Guide_NI.pdf)