



ENPI FLEG II

EUROPEAN NEIGHBORHOOD AND PARTNERSHIP INSTRUMENT
EAST COUNTRIES FOREST LAW ENFORCEMENT AND GOVERNANCE II PROGRAM



PROCESS FRAMEWORK

*Complementary measures
under the FLEG II Program
in Georgia and Armenia*

APRIL 2014



Project Development Objectives

PDO: To support Georgia and Armenia in strengthening forest governance through improving implementation of relevant international processes, enhancing their forest policy, legislation and institutional arrangements, and developing, testing and evaluating sustainable forest management models at the local level on a pilot basis for future replication.

•The three specific Project objectives are:

- i) implementation of the 2005 St. Petersburg FLEG Ministerial Declaration and ensuring continuation of the process launched in 2005 (regional level),
- ii) formulation and implementation of sustainable forest sector policies, including legal and administrative reforms for sustainable forest management and protection (national level), and
- iii) demonstration of best sustainable forest management practices in targeted areas for further replication (sub-national level).



Project components

Specifically the Program activities will focus on:

1. *support for the development of policy and legislation in Georgia and Armenia (including Strategic Environmental and Social Assessment of the Georgian Forest Code; participatory processes and stakeholder consultations);*
2. *forest inventory support in Georgia to assist the selected forestry unit in implementing the developed Sustainable Forest Management Plan;*
3. *pilot activities for sustainable forest management in Georgia and Armenia (including conducting forest restoration in sub-alpine mountain forests in the selected region (Ajara) in Georgia; conducting assessment of the usage of energy sources by local population with special focus on usage of firewood and its share in total energy consumption in Georgia; mapping, clarification of boundaries of the Ijevan sanctuary in Armenia; alternative livelihoods activities aimed at sustainable use of forests, including support to development and implementation of forest-based tourism and other projects in selected communities);*
4. *forest case studies in Georgia (e.g. assessment of different options for usage of sawdust aiming at reducing pressure on timber forest resources);*
5. *capacity building and training in Georgia and Armenia (including support to local administrations of the Agency of Protected Areas (APA) in sustainable management of APA forests through conducting forest-specific training for APA rangers; media tour and training of journalists);*
6. *public awareness and dissemination of results in Georgia and Armenia (including awareness raising campaign among local population on usage of energy sources; road shows in forest-dependent communities in Armenia).*



Potential Access Restrictions

The potential access restrictions that may be caused by the project will mainly result from the component 3:

- forest restoration in sub-alpine mountain forests in Ajara region in Georgia (the afforested land is public but the access to it for the communities that previously used it will be restricted);
- mapping, clarification of boundaries of the Ijevan sanctuary in Armenia will change access regime of some territories that previously had unclear status and may have been used by local communities
- Share of the fuel wood drawn by the communities in pilot areas from the nearby forests will have to be substituted for other heat

Development of the details of the pilot activities will be demand-driven and participatory, SESAF developed for FLEG will apply to them.



Key Objectives as per OP 4.12

- Avoid, minimize, or otherwise mitigate land acquisition and associated adverse impacts
- Assist all affected people to improve, or at least restore, incomes and living standards
- Resettlement as a development opportunity for households and community infrastructure
- (Mitigating risks for affected people helps minimize risks to borrower and Bank, too)



Key Guiding Principles

- All affected persons should be compensated or assisted in other ways, regardless of legal status
- Compensation for all assets at replacement cost (enough to obtain assets of equivalent value)
- Income restoration may require supportive measures in addition to compensation for assets
- Affected persons should be involved in mitigation measures planning and implementation
- Meaningful Consultation
- Information Disclosure
- Grievance Procedure



Key Planning Objectives

- Identify adverse impacts for avoidance, minimization or mitigation
- Assist affected people to improve, or at least restore, incomes and living standards
- Provide institutional arrangements and resources for implementation of mitigation measures
- Mitigating risks for affected people helps minimize risks to borrower and Bank, too



Process Framework

- Applicability: Restrictions on access by users to resources in legally designated parks or conservation areas.

For projects involving restriction of access the borrower provides the Bank with a draft process framework that conforms to the relevant provisions of the OP 4.12 as a condition of appraisal

- Objective: Livelihood restoration “in a manner that maintains the sustainability of natural resources” and does not adversely affect user livelihoods.

The framework establishes a participatory process by which appropriate restrictions and mitigation measures, as well as implementation and monitoring arrangements, are to be considered.



Plan of Action

1

- **An acceptable plan of action is required prior to enforcement of restrictions**

During project implementation and before to enforcing of the restriction, the implementing partner in consultation with the local stakeholders prepares a plan of action (PoA).

The PoA describes specific restrictions introduced , measures to be undertaken to assist affected persons, and arrangements for implementation and monitoring , particularly with respect to evaluating the success of livelihood restoration mitigation measures, so that additional actions can be taken if the measures are not being successful.

The PoA sets out the specific institutional responsibilities for various aspects of implementation, as well as an assessment of the capacity of the responsible parties to fulfill these roles along with any capacity building measures that they might need in order to achieve the needed capacity.



Plan of Action

2

The PoA could take the form of a natural resources management plan prepared for the project.

Task Team will assess the PoA in order to determine the feasibility of the measures to assist the affected persons to improve (or at least restore in real terms to pre-project or pre-displacement levels, whichever is higher) their livelihoods with due regard to the sustainability of the natural resource.

The Team Leader will make the PoA available to the public through the WB InfoShop and relevant local sources of information.

The Implementing Partner will report to the Government, PAP/stakeholders and WB on the PoA implementation on the annual basis.



Project-affected people 1

1) **Social Assessment will be conducted** with the aim to:

- quantify economic dependence on the resources in question (i.e., providing a baseline for livelihood restoration);
- describe the formal and/or informal institutional structures that local communities have to enable them to engage in a transparent and representative consultation process (this includes identifying any vulnerable or marginalized groups who may need special provisions to ensure they are not excluded).

- **Issues**

- Household may have multiple providers of income – require intra-household analysis;
- Women may have different opportunities for employment – require gender analysis;
- Vulnerable groups (poor, elderly, ethnic minorities) have different opportunities for livelihood restoration – establish criteria for vulnerability;

2) **Local communities will participate** in identifying who are or are not PAPs (and thus eligible for direct participation in planning and in benefits/ compensations)



Project-affected people 2

The following criteria will be used to identify project-affected people:

- Those who informally used for grazing the land that will be afforested
- Those who draw their livelihoods fully or partially from non-timber forest products gathered in the areas access to which will be restricted
- Those who draw their livelihoods fully or partially from the entrepreneurial activities related to fuel wood harvested in the areas access to which will be restricted
- Those whose household's heating/cooking needs depend fully or largely on the fuel wood harvested in the areas access to which will be restricted



Consultation and Participation

- **Policy requirement:** *“affected persons should be meaningfully consulted and should have opportunities to participate in planning and implementing mitigation measures”*
- **Meaningful consultation:**
 - A two-way process in which stakeholders provide advice and input on the design of proposed projects
 - Iterative process from project preparation to completion
 - Promotes dialogue between governments, affected communities, NGOs and implementing agencies
- **NB:** *Lack of reliable project information and involvement of affected persons can lead to conflict and adversely affect the success of the program*



Livelihood Restoration

- **Potential Impacts**

- Loss of income-earning capacity
- Compensation alone does not guarantee the restoration or improvement of living standards

- **Mitigation Measures Envisioned**

- Support to development and implementation of forest-based tourism;
- Support to income generating activities based on non-timber forest products;
- Preparation of recommendations for pilot activities for sustainable use of sawdust in Georgia to reduce pressure on timber forest resources (firewood as well as construction materials);
- and other projects in selected communities.



Key Steps for Meaningful Consultations

- Identify key stakeholders (*see slides 11, 12*)
- Ensure that project information is relevant, timely and in language accessible to stakeholders
- Disseminate information in advance and through the appropriate channels before consultation starts
- Consult early and on an on-going basis
- Incorporate the results of consultation in the design of the project or explain clearly why this is not possible
- Provide feedback to stakeholders on how their comments were taken into account
- Document the consultation process



Documenting Consultations Process

- Good record of main issues and concerns raised and responses to them will be kept.
- Audio and video to maintain record might be used but form of recording will be disclosed in advance.
- The issue of attribution of comments will be discussed.
- Participants will be informed how they can access the record of consultations.
- The next steps after the consultations will be explained to participants.
- Stakeholder suggestions that cannot be accommodated will anyway be recorded and addressed.
- Minutes of consultation meeting will be attached to final PoA.



Grievance Redress Mechanism: timely, easy to use

- Point person with the responsibility of coordinating grievances (receive and sort) will be appointed (representative of the local authorities or the local personnel of the implementing partner);
- Grievances will be tracked and monitored;
- Receipt will be acknowledged and resolution will be provided within established time period (but not longer than that it is established by the national legislation);
- Multiple channels (at least two) for receiving feedback/grievances need to be established (mail, fax, e-mail, website, telephone, in person) taking into account local practices and availability of the channels to local communities.