# Terms of Reference: Safeguards Consultant/s to develop Environmental and Social Management Framework and other safeguards documents for [insert project name]

## Background and Introduction

[Insert information about the project, including cultural and/or ecological importance, ecosystems involved, brief summary of key stakeholders]

The proposed project will have multiple, long-term, wide-ranging benefits for [country], including: a) [benefit]; b) [benefit]; and d) [benefit].

The project’s proposed activities will be implemented under three components and these are

*Component 1:* [component]

*Component 2:* [component]

*Component 3:* [component]

The project’s proposed sites are [information about general geography and location of sites]. Specific project sites identified are: [insert project sites here].

This proposed project proposal will require carrying out several technical feasibility studies, the development of the full GCF project document and monitoring/evaluation system, the definition of institutional arrangements, and the costing of proposed activities under the project.

WWF GCF Accredited Entity requires that all GCF projects comply with WWF’s Environmental and Social Safeguards Framework, as detailed in the Environment and Social Integrated Policies and Procedures (SIPP). WWF’s Environment and Social Safeguards Integrated Policies and Procedures include the following standards:

* Standard on Environment and Social Risk Management
* Standard on Protection of Natural Habitats
* Standard on Restriction of Access and Resettlement
* Standard on Indigenous Peoples
* Standard on Grievance Mechanisms
* Standard on Pest Management
* Standard on Cultural Resources
* Standard on Stakeholder Engagement
* Standard on Community Health, Safety and Security
* Guidance Note on Dams and Dam Safety
* Guidance Note on Labour and Working Conditions
* Guidance Note on Gender-Based Violence and Sexual Exploitation, Abuse and Harassment

The necessary safeguards assessments and/or mitigation plans will be commissioned subsequent to the Environmental and Social Safeguards (ESS) Screening. The Screening was started at an early stage of PPF phase to determine the local socio-cultural, economic and political baselines. The consultant/s will assist in completing the screening, which will result in defining the detailed scope of the necessary safeguards management plans by providing a preliminary description of potential environmental and social impacts to be analysed and specific instruments required by the /standards triggered.

## Objective

The objective of the consultancy is to prepare the necessary safeguards documents to comply with WWF’s Environment and Social Safeguards Framework (ESSF), as detailed in the Safeguards Integrated Policies and Procedures (SIPP).

In line with WWF’s SIPP (2019:40), an Environmental and Social Management Framework (ESMF) shall be developed and address the risks and impacts identified in an Environmental and Social Assessment Report (ESAR) required to ensure compliance with the specific safeguard policies included in WWF’s SIPP 2019.

The objective of the ESMF is to propose mitigation measures identified during the screening and due diligence visits to mitigate any potential negative social and environmental impacts triggered by the Project. The ESMF might encompass other mitigation plans such as the Indigenous Peoples Planning Framework, Process Framework, Environment Management Plan or any other specific type of mitigation plan depending on the needs identified in the ESS Screening.

## Scope of Work and Tasks

The analysis should make use of existing literature and available statistics and analysis and will involve comprehensive exchange with all relevant stakeholders. The ESMF will be prepared after visits to the sites and through consultations with local communities, indigenous people groups and other key stakeholders that may potentially be affected by project activities. The ESMF will include guidance for developing site specific management plans once the project design activities have been identified during project implementation.

**Scope of Work**

The scope of work details the process the consultant must follow to complete the assignment:

1. Coordinate with the Project Development Team (PDT) for the general planning and development of the Environmental and Social Management Framework and the associated documentation necessary for the proposal to the GCF.
2. Develop a work plan, including interviews or other consultation mechanisms.
3. Hold meetings with PDT staff.
4. Assist PDT staff in filling in missing information/gaps in the ESS Screening in order to finalize the screening.
5. Evaluate and identify existing institutional, political, and legal frameworks of relevant sectors to ensure the development of the Environmental and Social Management Framework, potentially including the Indigenous Peoples Planning Framework and Process Framework (see Task A below).
6. Conduct a thorough review of relevant literature and documents, including, but not limited to: background documents related to environmental and social safeguards; the Concept Note of the GCF project; current GCF projects and their action plans and policies on environmental and social issues; WWF's Environmental and Social Safeguards Integrated Policies and Procedures (SIPP); the WWF landscape screenings for each of the six landscapes (if available); Government of [country] policy, legislation and regulation related to safeguards; and any other documentation relevant to the project area of [country] and for the development of the project.
7. Collect primary data in the project area (See Tasks B and C below):
	1. Perform stakeholder mapping and analysis.
	2. Organize information exchange meetings with project stakeholders (local authorities, community leaders, nature scientific studies organizations, etc.) to inform them about research objectives, methodologies used and timeline for data collection.
		1. The objectives, methodologies and timeline for data collection must be approved by the PDT.
	3. Conduct individual interviews and/or conduct discussions in focus groups with local people, grassroots organizations, indigenous people, local authorities, scientific research organizations and others, to collect more qualitative and quantitative data in the context of each particular area.
	4. Conduct interviews with households according to pre-selected sites for surveys.
8. With all the primary and secondary information obtained, carry out an analysis of the environmental and social risks, identifying the risks, their likelihood and intensity (see Task D below).
9. Identify and recommend environmental and social mitigation activities that are appropriate in the implementation of the project, and thereby develop the Environmental and Social Management Framework for the project, this might include the elaboration of the Process Framework and the Indigenous Peoples Planning Framework. This document details the processes that will allow communities to identify and manage the potential negative impacts of project activities (see Task E below).
10. Provide a list of related environmental and social indicators that must be included in the Monitoring and Evaluation (M&E) plan.
11. Ensure compliance with WWF and government policies and best practices, from an environmental and social safeguards perspective, are included in the project design, implementation arrangements, and budget, incorporating lessons learned from past projects.
12. Carry out a process of review and validation of the work, to ensure that the Environmental and Social Management Framework meet the needs of various stakeholders and the requirements of WWF and the Government of [country].
13. Completion of the Environmental and Social Management Framework for the project, incorporating all observations and suggestions of the PDT team.

**Tasks**

In relation to the above scope of work, the Consultant is expected to undertake the following tasks:

## Policy, legal and administrative framework

Analyse the policy, legal and administrative framework within which the project takes place and identify any laws and regulations that pertain to environmental and social matters relevant to the project. This includes:

* regulations about assessment and management of environmental and social risks;
* policies and regulations related to issues covered by WWF Environment and Social Safeguards Integrated Policies and Procedures;
* requirements for public consultation and disclosure;
* environmental authorization procedures relevant to the project; and
* policies and regulations implementing the host country’s obligations under international law (e.g. on indigenous peoples, human rights.).

If gaps are identified, it will need to be described how this will be addressed by the project.

## Environmental and social baseline

Describe and analyse the environmental and social context in which the project operates. The main purpose of this step is to provide an understanding of current environmental and social conditions that form the baseline against which project impacts can be predicted and measured during project implementation. While some broad contextual information is necessary, the analysis should focus on the immediate context of the project site and aspects that relate to the identified impacts in order to be relevant to decisions about project design, operation, or mitigation measures. The analysis will cover a range of physical, biological, socio-economic and cultural conditions relevant and/or potentially impacted by the project.

## Identification of affected groups

Based on the stakeholder analysis prepared by the project design team, stakeholders need to be identified that might be affected by project activities (positively or negatively). The analysis should cover all relevant social groups present in the sites, in particular vulnerable groups, indigenous, tribal or traditional peoples. It should consider formally organized stakeholder groups such as government organizations, civil society organizations, academia and private sector as well as individuals present in the intervention sites without any formal organization. The identification of affected groups is instrumental for identifying the stakeholders to be consulted during the development of the ESMF. This activity will require coordination with the stakeholder engagement consultant and gender consultant to ensure proper identification of stakeholders and project affected people.

## Assessment, prediction and significance of environmental and social impacts

This Project is considered a moderate-risk project and hence does not require a scoping study. Therefore, the first step is to complete and substantiate the results of the ESS Screening by confirming potential impacts and/or identifying other potential impacts in consultation with relevant stakeholders and key informants. The WWF GCF AE Safeguards Coordinator will make a determination of which safeguards management plans are needed based on this ESS Screening.

Once the list of impacts has been consolidated, predictions need to be made in terms of the impact’s probability and their magnitude. In accordance with the WWF’s Policy on Environment and Social Risk Management, the assessment should pay particular attention to impacts related to the WWF Environment and Social SIPP such as adverse impacts on indigenous peoples, cultural heritage, biodiversity or on people’s livelihood through access restrictions or resettlement. However, thematic coverage of the WWF’s Policy on Environment and Social Risk Management also involves other potential social impacts including impacts on women or vulnerable groups, health and safety risks, environmental risk issues not covered by the Standard on Protection of Natural Habitats or risks triggered by the project failing to take climate change effects into consideration.

When analysing the risks both direct and indirect impacts should be taken into consideration, such as inadvertent knock-on effects or cumulative effects that materialize through interaction with other developments, impacts occurring at the project site or within the project’s wider area of influence and impacts triggered over time. Once the impact issues have been confirmed, they need to be rated on their significance, which is important for prioritizing the mitigation measures. For social impact issues this task should be undertaken in consultations with the respective affected groups. Significance rating should consider the expected likelihood of the potential impact and the impact’s anticipated magnitude. The magnitude is influenced by factors such as sensitivity of receptor, severity of impact, manageability of impact, its duration and reversibility.

The methods and analytical tools for analysing impacts should be commensurate with the type and significance of the impacts. It should allow rigorous assessment of the significant impacts using qualitative and to the extent possible, quantitative methods. Participatory research and assessment tools should be employed wherever sensible to enable participation of affected groups in the assessment of significance of impacts and the development of mitigation measures.

## Environmental and social management framework (ESMF)

The main output of the ESMF process is a strategy for managing risks and mitigating impacts at the project sites. The aim of the project is to arrive at a suite of interventions for achieving intended restoration and ecosystem management outcomes in which adverse environmental and social impacts are avoided; if complete avoidance is not feasible it will need to be ensured that impacts are minimized and/or compensated for in a fair, equitable and agreed way.

## Stakeholder Consultation

An appropriate level of stakeholder engagement in the ESMF process will ensure that impact scoping is comprehensives, that significance is thoroughly assessed, and that proposed mitigation actions are feasible, culturally appropriate and gender inclusive. Following WWF’s Standard on Stakeholder Engagement, the scale and depth or intensity of engagement in the ESMF process is dependent on the concerns expressed, as well as the magnitude of expected impacts.

Consultation events held with affected people and other stakeholder groups need to be documented by providing dates of consultations, a list of participants together with a summary of issues raised and how they are or could be addressed in project design. A final stakeholder meeting should be organized towards the end of the fieldwork for gathering views on the draft ESMF.

## Deliverables

As outlined above, the consultant/s shall complete the following documents tailored to the identified project-specific risks and impacts in line with the requirements defined in WWF’s SIPP 2019:

1. *Environmental and Social Safeguards Screening*
2. *Environmental and Social Assessment Report*
3. *Documentation of Consultations and Consultation Summary*
4. *Environmental and Social Management Framework, potentially including based on the Screening:*
	1. *Process Framework*
	2. *Indigenous Peoples Planning Framework*

All deliverables will be in English. Below are further details about the expected content of the deliverables.

Environmental and Social Management Framework (ESMF)

The ESMF should include the following sections:

1. Executive Summary
2. Introduction
3. Project Description
4. Project Area Profiles
* An environmental and social baseline to monitor the effectiveness of mitigation measures; social baseline to be disaggregated between relevant social groups (e.g. vulnerable groups, indigenous people, etc.); studies to include demographic profiles, population mapping, poverty assessments, disaggregated socio-economic indicators (e.g. natural resource dependence, social inclusion, etc.))
1. Environmental and Social Policies, Regulations and Guidelines
	* An analysis of the legal national framework for addressing social and environment impacts and a gap analysis between the national framework and WWF’s ESSF
2. Institutional Arrangements
3. Anticipated Environmental and Social Impacts and Mitigation Measures
	* An assessment of environmental and social risks including risk matrix specifying likelihood and magnitude of each impact issue;
	* Identified mitigation measures presented with budget, implementation schedule and organisational responsibilities;
4. Procedures for the Identification and Management of Environmental and Social Impacts
	* Development of other safeguard tools as required by the due diligence and screening of the project and the respective safeguards policies triggered;
5. Guidelines for ESMP Development
6. Process Framework (PF) (see section below)
7. Indigenous People Planning Framework (IPPF) (see section below)
8. Grievance Redress
	* Development of a project-level grievance mechanism;
9. Capacity Building
10. Disclosure
11. Monitoring
	* A list of key environmental and social indicators are identified and mainstreamed into the results framework and included in the project M&E plan.
12. Budget

Process Framework (PF)

It is reasonable to assume that some decisions taken by the Government could restrict access to natural resources and will not fall solely within the authority of the IPLCs and other local communities. Therefore, WWF’s Standard on Restriction of Access and Resettlement has been triggered on a precautionary basis and the consultant may need to prepare a Process Framework (PF) in line with the SIPP. Should there be the possibility of access restriction identified in the Environmental and Social Safeguards Screening, a Process Framework will be developed as part of the ESMF.

The purpose of this Process Framework is to ensure participation of Project Affected People (PAP) while recognizing and protecting their interests and ensuring that they do not become worse off because of the project. Specifically, the PF will:

* Describe activities that may involve new or more stringent restrictions on use of natural resources in the project area.
* Establish the mechanism through which the local communities can contribute to the project design, implementation and monitoring.
* Identify the potential negative impacts of the restriction on the surrounding communities.
* Describe the mitigation measures required.
* Describe the grievance procedure or process for resolving disputes to natural resource use restrictions.
* Describe the participatory monitoring arrangements with neighboring community members

The intent of the framework is to ensure transparency and equity, in the planning and implementation of activities by the project. This framework would detail the principles and processes for assisting communities to identify and manage any potential negative impacts of the project activities. Since the exact social impacts will only be identified during project implementation, the Process Framework will ensure that mitigation of any negative impacts from project through a participatory process involving the affected stakeholders. It would also ensure that any desired changes by the communities in the ways in which local populations exercise customary tenure rights in the project sites would not be imposed but should emerge from a consultative process.

Indigenous Peoples Planning Framework (IPPF)

The WWF’s Standard on Indigenous Peoples (IPs) is triggered for this project on a precautionary basis. Based on the Environmental and Social Assessment, the consultant may be required to prepare an IPPF. If an IPPF is required, the consultant should prepare one that describes measures/recommendations to strengthen the project’s IPLC engagement into the final project design.

An IPPF should contain the following elements:

* An introduction to the types of components, subcomponents, and subprojects likely to be proposed for financing under the project;
* A short introduction to the vulnerable/marginalized indigenous peoples who might be affected by the project (ethnicity, demographics, socioeconomic situation, etc.);
* The potential positive and adverse effects of the project on the IP;
* A plan to carry out social assessments for such programs/subprojects;
* A framework to ensure FPIC and consent processes with the affected IP’s communities at each stage of the preparation and implementation of the project;
* Institutional arrangements (including capacity building where necessary) for screening project-supported activities, evaluating their effects on IP, preparing IPPs, and addressing any grievances;
* Monitoring and reporting arrangements, including mechanisms and benchmarks appropriate to the project; and
* Disclosure arrangements for IPPs to be prepared under the IPPF.

## 6. Remuneration and Payment Schedule

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| **Deliverables** | **Due date** | **Payment structure** |
| 1. Work plan, ESS Screening | 3 weeks from start of contract | 15% (USD) (which includes advance of travel cost) |
| 2. Environmental and Social Assessment Report | 3 weeks from submission of previous deliverable | 15% (USD) |
| 3. Field Visits/Consultations and Associated Documentation and Summary  | Documentation due within two weeks after field visits | 10% (USD) + actual travel cost and reimbursement of travel costs against evidence after acceptance of initial draft by WWF \* |
| 4. Draft ESMF, potentially including Process Framework and IPPF (including FPIC steps and process) (in English) | Within 4 weeks after determination of the final deliverables based on final activities, WWF’s safeguards assessment and post-scoping project documents  | 40% (USD) against evidence after acceptance of initial draft by WWF |
| 5. Final ESMF, potentially including Process Framework and IPPF (in English, with Executive Summary in [country’s main language]) | Within 2 weeks of receipt of PWG edits | 20% (USD) against evidence after acceptance of by WWF |

\*Should the consultant not be able to travel for field visits due to regulations or risks associated with COVID-19 or for other purposes, the consultant will hire a national/local consultant/s to do the field visits. The consultant will be responsible for any capacity building, instructions, work, and deliverables of the subcontracted consultant/s and ensuring the overall quality of the ESMF and other safeguards deliverables.

**Start Date:** [Month Year]

**Duration:**

The duration of the consultancy work shall be [number of] days, inclusive of [number of] days for field visits to the [number of] project landscapes. The Consultancy work will start in [Month Year] and terminate on [Date].

## 7. Management and Reporting Arrangements

The consultancy work will report to the [WWF Country Office or specific government ministry] and the WWF GCF AE project manager (JP Jaudel @ JP.Jaudel@wwfus.org). The consultant will work closely with the WWF [Country Office], and the WWF GCF AE, especially with Erika Drazen, Lead Safeguards Specialist. The final document approval is with [government agency and/or WWF country office], the WWF GCF AE, and the lead consultant/s for the final project document.

## 8. Qualifications

### Education

At least a master’s degree in the area of forestry, water resource management, environmental sciences, natural resource management, anthropology, social science, or another closely related field.

### Professional experiences

The team leader (international or national expert) should demonstrate:

* At least ten (10) years of relevant experience in environmental assessments, flood risk management, evaluating risks for indigenous peoples. socio-economic analysis, environment and social safeguards and environmental and social impact assessments (ESIA) and management frameworks (ESMFs);
* Working experience creating ESMFs and designing mitigation measures for projects in the field of Ecosystem-based Adaptation (wetlands restoration, hill torrents and catchment area management);
* Experience with other GCF projects;
* Experience in designing, managing or monitoring conservation and/or natural resource management projects;
* Experience working in [region] would be an advantage;
* Fluent in English, [country’s main language] (required), and any local languages in the region (preferred).

Other team member/s (national expert) should demonstrate:

* At least five (5) years of experience in environmental assessments, working with indigenous peoples; socio-economic analysis; environment and social management plans;
* Education background complementary to the field of the international expert;
* Proven track record in facilitating participatory processes and engaging local communities;
* Working experience in contributing to the preparation of an ESMF report concerning national resources management;
* Fluent in English, [country’s main language] (required), and any local languages in the region (preferred).

## 9. Submission Requirements

All candidates interested in conducting this assessment on a consultant basis should submit, no later than [date] a detailed application proposal including:

* + - A curriculum vitae detailing his/her experience in relation to the topic of the consultancy;
		- An analysis, comprehension, and eventual comments on the Terms of Reference, including a proposed chronogram of activities;
		- A detailed budget proposal (Financial proposal) which takes into account the financial conditions specified in this ToR and specifies the honorarium (daily rate) as well as any other costs; and
		- A sample of a previous safeguards-related assignment completed by the consultant.

All applications should be sent to JP.Jaudel@wwfus.org and copy to [WWF Country Office Email] with reference “Safeguards Consultancy For [Project Name]”.