



# Coastal Resilience Project – Tonga

## Environmental and Social Management Framework

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## EXECUTIVE SUMMARY

This Environmental and Social Management Framework (ESMF) has been prepared in support of a project proposal entitled “*Coastal Resilience Project – Tonga*” (the project) by the Government of the Kingdom of Tonga to the Green Climate Fund (GCF). As this project is supported by the United Nations Development Programme (UNDP) in its role as a GCF Accredited Entity, the project has been screened against the UNDP’s Social and Environmental Standards Procedure and deemed a Moderate Risk (World Bank/International Finance Corporation Category B) project. As such, an ESMF has been prepared for the project.

The Ministry for Meteorology, Energy, Information, Disaster Management, Environment, Climate Change and Communications is the National Designated Authority and executing agency, in partnership with Ministry of Lands, Survey and Natural Resources; Ministry of Fisheries; Ministry of Internal Affairs. A Project Management Unit (PMU) will be established for the implementation of the project and compliance with this ESMF.

The project will target 39,427 direct and 100,651 indirect people in Tonga. The proposed project will include the construction of 4km of physical protection of vulnerable coastlines to reduce the impact of wave energy and/or soil erosion. Northeastern Tongatapu (Hahake) will be equipped with rock revetments preventing erosion, wave overtopping and/or subsequent coastal flooding.

The project will also undertake activities that will strengthen national and local capacities for effective monitoring, maintenance and community adaptation actions with respect to monitoring and the status of ecosystem functions; mapping and modelling coastal scenarios; and monitoring of coastal/marine ecosystems.

The project does not require any land acquisition and/or resettlement. Importantly, under section 109 of the *Constitution of Tonga 1990*, all land which is 50 feet (15.24 metres) above the high-water mark as belonging to the Crown. Such beach frontage land can only be leased by the Minister of Lands with the consent of Cabinet for the construction of a store, jetty or wharf. Therefore, the land where the project activities will be undertaken is owned by the Crown.

This ESMF sets out the principles, rules, guidelines, and procedures for screening, assessing, and managing the potential social and environmental impacts of forthcoming interventions of the project. It aims to effectively address risks through thorough application of the environmental and social measures, including time-bound action plans for avoiding, and where avoidance is not possible, reducing, mitigating, and managing adverse impacts related to the future activities or policies/regulations. It specifies the most likely applicable social and environmental policies and requirements, as well as how those requirements will be met through procedures for the screening, assessment, approval, mitigation, monitoring, and reporting of social and environmental risks and impacts associated with the activities to be supported. It ensures that the activities are screened and assessed, and that appropriate management measures are in place prior to implementation.

The procedures have been designed to ensure compliance with relevant social and environmental policy frameworks, including the Tonga’s legal, policy, and institutional framework, UNDP’s Social and Environmental Standards, and GEF safeguards. The project has developed a Grievance Redress Mechanism to deal with any complaints and/or grievances and issues that may arise as a result of the project. This Grievance Redress Mechanism complies with Tongan and UNDP Safeguard procedures.

Budgeting for environmental interventions and the application of mitigation measures to enhance positive impacts in Tonga is an investment in the future as it will reduce the environmental and social liability at local, island and national levels. The result of this budget will be that there will be clean water, more productive soils with less chemicals, more resilient crops to the impacts of climate change, healthy ecosystems, knowledgeable communities, and overall improvement in the quality of life of the population.

### *Summary of UNDP’s Social and Environmental Safeguards triggered by the project*

Principles and Standards	Rating	Justification
Principle 1:	Substantial	Better coastal governance and management, as a result of

Human rights		both activity 1.2 (land use policy) and 1.3 (construction of infrastructures) and could lead to an increase in the demand for agricultural lands, in an area where communities depend on these lands for their livelihoods and where many are dependent on leases. This could in particular affect indigenous peoples and women's rights: it could 1) change Tongans' relationship to their landscape, hence affecting their cultural heritage and traditional knowledge on coastal land management ; 2) lead to the economic displacement of livelihood activities, including women's and indigenous peoples' ; 3) restrict fishermen's access to fishing grounds and other livelihood activities, including women's and indigenous peoples' ; 4) exacerbate existing discriminations against women and youth, as they do not participate effectively in decision-making arena at the national nor local level, leading to maladapted governance decisions, especially in regards to land-use planning
Principle 2: Gender equality and women's empowerment	Moderate	<p>Outcome 1 may exacerbate existing discriminations against women and youth, and potentially other minority groups such as LGBTI as they do not participate effectively in decision-making arena at the national nor local level, leading to maladapted governance decisions, especially regarding land-use planning</p> <p>Rural women, whose access to land is generally more difficult than men's, could particularly be affected by the project.</p> <p>In addition, the rather small-scale influx of workers (30-40 persons max) into the area generated by the project to work on the coastal protection infrastructure has raised concerns regarding gender-based violence and the safety of young women.</p>
Principle 3: Sustainability and Resilience / Standard 1: Biodiversity conservation and sustainable natural resource management	Substantial	The installation of coastal protection infrastructure could lead to sediment movement, loss of habitat, changes in hydrodynamic processes, potential increases in erosion, Entrainment, impingement and or entrapment of marine organisms including in or around protected areas,
Principle 4: Accountability	Moderate	The duty bearers of this project, in particular the contractors, may have low capacities through consultations with the general communities with specific understanding on the different risks that may be imposed with regards to gender, women, indigenous, people living with disabilities, elderly, youth and the community at large
Standard 2: Climate change and Disaster	Substantial	The coastal constructions, though aiming at protecting the coast from the effects of climate change, are themselves

risks		inherently vulnerable to Climate Change and could be destroyed by natural disasters.
Standard 3: Community Health, Safety and Security	Moderate	Terrestrial and Marine Noise could happen for a short period because of the use of construction equipment and rock dumping. The project activities could lead to work-related accidents involving local workers during the construction of coastal infrastructures; if the infrastructures are damaged, they could also affect the safety of local communities.
Standard 4: Cultural heritage	Moderate	By affecting the Tongan landscape, offering climate smart solution to adapt to climate change, and by supporting the national land use policy, the project is likely to change Tongans' relationship to their landscape, hence affecting their cultural heritage and traditional knowledge on coastal land management.
Standard 5: Displacement and resettlement	Substantial	The national land use policy could lead, in the long-term, physical and/or economic displacement of people and their livelihood activities. Historic land-use practices may need to change in response to climate threatens and to enable resilient communities to continue. The proposed coastal infrastructure could access to shorelines, including for fishing and other livelihood activities.
Standard 6: Indigenous peoples	Moderate	Though there is no specific indigenous peoples status in Tongan national political and legal framework, Tongans are considered under UNDP standards as an "indigenous people", in the sense of a distinct collective which has pursued its own concept and way of human development in a given socio-economic, political and historical context; has tried to maintain its distinct group identity, languages, traditional beliefs, customs, laws and institutions, worldviews and ways of life; has exercised control and management of the lands, territories and natural resources that it has historically used and occupied, with which it has a special connection, and upon which its physical and cultural survival as indigenous peoples typically depends; and pre-dates those who colonized the lands in Oceania – though Tonga itself was never colonized. The indigenous peoples of Oceania indeed include Pacific Islanders, among which Polynesians (one-sixth), of which Tongans are part <sup>1</sup> . The special relationship that Tongans <sup>2</sup> have with their lands, territories, resources means that their landscape and land management practices are embedded within their Cultural Heritage. Although Western influence has somewhat altered traditions and culture in Tonga, certain Tongan rituals and art forms

<sup>1</sup> SEARAC, Southeast Asian American Statistical Profile, 2004; <https://www.empoweredpi.org/>; <https://www.api-gbv.org/resources/census-data-api-identities/>

<sup>2</sup> <https://minorityrights.org/minorities/pacific-islanders/>



		survive <sup>3</sup> .
Standard 7: Labour and Working Conditions	Moderate	Risks related to the safety of workers could be associated with the quarries from where the stones will be sourced. The project activities could also lead to work-related accidents involving local workers during the construction of coastal infrastructures.
Standard 8: Pollution Prevention and Resource Efficiency	Moderate	Damages to the environment (deforestation due to the exploitation of the quarries, creation of waste and pollution from the quarry) could be associated with the quarries from where the stones will be sourced. Terrestrial and Marine Noise could happen as a result of the use of construction equipment and rock dumping.

The application of UNDP’s Social and Environmental Safeguard Policy and of the above-mentioned triggered standards will lead to a series of procedures and measures described in the table below.

<sup>3</sup> *American Indian Quarterly*

Vol. 30, No. 1/2, Special Issue: Indigenous Languages and Indigenous Literatures (Winter - Spring, 2006), pp. 11-27 (17 pages)

*Summary of the required environmental and social elements*

<b>Environmental and social elements</b>	<b>Description</b>	<b>Activities to be addressed</b>
Strategic Environmental and Social Assessment (SESA)	SESA refers to a range of analytical and participatory approaches that aim to integrate social and environmental considerations into policies, plans and programmes (PPPs) and evaluate their interlinkages with economic considerations. Potential adverse risks and impacts associated with such activities are systematically examined. SESA evaluates the effect of policy changes on a broad, cross-sectoral basis with the aim of making “upstream” development decision-making more sustainable. SESAs typically look at wider sustainability issues than project-level assessments, however, there needs to be linkages between the two: information and strategies determined in a SESA should cascade down through tiers of decision-making. It will be conducted together with the ESIA.	<ul style="list-style-type: none"> <li>• Community dialogue platform established for a long-term adaptation strategy including voluntary retreat.</li> <li>• Develop a long-term climate resilient land use plan for Tonga based on climate risks and projections.</li> </ul>
Process Framework	<p>A Process Framework will be designed if any unavoidable risk remains after the SESA, particularly in terms of access to resources or the need for large scale relocation.</p> <p>The Process Framework supplements the project’s environmental and social assessment with a participatory framework focused on the potential impacts of access restrictions.</p> <p>The purpose of the Process Framework is to establish a process by which members of potentially affected communities participate in the design of project components, determination of measures necessary to address the requirements of SES Standard 5, and implementation and monitoring of relevant project activities.</p>	<p>1.1 Community dialogue platform established for a long-term adaptation strategy, including voluntary retreat.</p> <p>1.2. Develop a long-term resilient land use plan for Tonga based on risks and projections</p>
Environmental and Social Impact Assessment (ESIA)	In accordance with UNDP’s SES policy, substantial-risk projects require comprehensive forms of assessment. An ESIA assesses the full range of social and environmental impacts, including alternatives analysis. It will be developed and carried out by independent experts in a participatory manner with stakeholders during the inception phase. The ESIA will further identify and assess social and environmental impacts of the project and its area of influence; evaluate alternatives; and design appropriate avoidance, mitigation,	3.1. Building coastal protection measures along 4 km of coastline in Hahake

	management, and monitoring measures. It will address all relevant issues related to the SES Overarching Principles and Project-level Standards. It will be conducted during the first six months of project implementation and fully address the risks and activities.	
Environmental and Social Management Plans (ESMP) and associated Management Plans	<p>A key output of the ESIA is an ESMP, prepared within the first six months of project implementation, to further refine risk identification and mitigation strategies, as well as to establish a system for monitoring these risks. Based on the findings, required management plans will be developed and implemented as appropriate. These plans will be an integral part of the ESMP and provide more detailed background and measures for the most substantial risks:</p> <ul style="list-style-type: none"> <li>○ Livelihood Action Plan (LAP)</li> <li>○ Biodiversity Action Plan (BAP)</li> </ul>	Activities assessed through SESA and ESIA
Technical and feasibility studies	Coastal protection constructions to be built and associated mixed measures to be defined have been subject to technical and feasibility studies, which will be completed according to UNDP SES requirements and guidelines to be appropriately screened and managed.	3.1. Building coastal protection measures along 4 km of coastline in Hahake.
Operationalization of a Grievance Redress Mechanism (GRM)	The full details of the GRM will be agreed upon during the ESIA phase and the project will establish a project-level GRM at the start of implementation. Interested stakeholders may raise a grievance at any time with the Project Management Office, the Responsible Parties, UNDP, or the GEF.	All activities
Operationalization of the Gender Action Plan	A Gender Action Plan has been developed during the project's design phase. It will guide all actions pertaining to SES implementation and gender-mainstreaming. It offers specific activities, from capacity-building to specific consultation activities, allowing all women to fully engage with the project and decision-making processes from the outset.	All activities
Operationalization and update of the Stakeholder Engagement Plan and development of an associated FPIC protocol	A Stakeholder Engagement Plan has been developed during the project's design phase. It will guide all actions pertaining to SES implementation. It will be completed by an FPIC protocol, to be developed together with local communities and indigenous peoples (and integrated in the IPP) to enable communities to get extensive information about the project and associated possible positive and negative consequences. They will be encouraged and given the time to explicitly reflect on this information to able to give their free prior informed consent (FPIC). The FPIC	<p>SEP applies to all activities.</p> <p>FPIC required for activities under Outcomes 1 and 3</p>

	<p>protocol will then be applied to each activity of the project, as communities will be allowed to provide their consent to part of them, ask for modifications, or withdraw their consent.</p>	
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Environmental and social risk management of the project will be provided at three levels:

- preparatory phase in the first six months of the project, while the PMU is building trust relationships with project stakeholders and further defining field interventions (before any activities that may cause adverse social or environmental impacts start, through SESA/ESIA/ESMP measures);
- implementation (when putting in place the said activities), through the implementation of the ESMP and associated plans measures; the management plans are here conceived as sections of the ESMP which provide detailed background and operationalisation steps to the measures addressing the most substantial risks;
- operating stages (through ESMF monitoring when selecting the green entrepreneurship activities for instance, as well as mitigation measures M&E according to ESMP and associated management plans).

To ensure that appropriate safeguards measures are in place, a Strategic Environmental & Social Assessment (SESA) and an Environmental & Social Impact Assessment (ESIA) will be undertaken and an Environmental & Social Management Plan (ESMP) prepared within the first six months of project implementation, to further refine risk identification and mitigation strategies, as well as to establish a system for monitoring these risks. Based on the ESIA findings and as part of the ESMP (as appropriate), the embedded specific management plans (Biodiversity Action Plan, Livelihood Action Plan) will be developed and implemented. The project will ensure that FPIC is adhered to and will not initiate any activities that may cause adverse social or environmental impacts until SESA, ESIA and ESMP have been completed, disclosed and discussed with stakeholders, and then put in place.

The implementation of project activities will be done under the supervision of a Project Board. The Project Management Unit (PMU) will plan and oversee the execution of project activities and evaluate and report on their progress to the Board and other stakeholders. TORs of both the Board and the PMU will include specific responsibilities related to safeguards, including ensuring a functioning GRM, as well as the development, implementation, and monitoring of the ESMP and any associated stand-alone plans. The project will enhance the capacities of all relevant actors for the implementation and monitoring of safeguards plans and measures.

The estimated total costs for implementing the environmental and social safeguards measures recommended in this ESMF amount to USD 1,202,0577.

## 1 INTRODUCTION

This Environmental and Social Management Framework (ESMF) has been prepared in support of a project proposal for “Coastal Resilience Project” by the Government of the Kingdom of Tonga to the Green Climate Fund (GCF). As this project is supported by UNDP in its role as a GCF Accredited Entity, the project has been screened against UNDP’s Social and Environmental Standards Procedure and deemed a Substantial Risk project. As such, an Environmental and Social Management Framework has been prepared for the project.

### 1.1 BACKGROUND

The Government of the Kingdom of Tonga with support from UNDP, is formulating a project on adaptation to climate change impacts “Coastal Resilience Project” for submission to the GCF. The project will seek to improve the resilience of vulnerable communities to climate change impacts.

The Kingdom of Tonga is an archipelago of 172 coral and volcanic islands, of which only 36 are inhabited. The total land area is 747 km<sup>2</sup> spread over 347, 282 km<sup>2</sup> of ocean. There are 17 main islands forming three major groups namely the Vava’u group to the north, the central Ha’apai group and the southern Tongatapu group. [Figure 1](#) [Figure-4](#) shows the whole Kingdom of Tonga, while [Figure 2](#) [Figure-2](#), [Figure 3](#) [Figure-3](#) and [Error! Reference source not found.](#) [Figure-4](#) show the island groups of Tongatapu, Ha’apai and Vava’u respectively.

The Kingdom of Tonga is very susceptible to climatic events such as cyclone and associated storm events and subsequent flooding. For example, Cyclone Ian, a Category Five storm caused significant damage in the Ha’apai Island Group on Saturday 11 January 2014. It was the first Category Five cyclone to impact Tonga.

The islands are also very susceptible to associated impacts from subsea earthquakes and subsequent tsunamis that may impact the nation. The nation has already observed the impacts of sea level rise due to climate change and significant coastal erosion impacts.

### 1.2 OVERVIEW OF THE PROJECT

The project will enable the Government of the Kingdom of Tonga to implement measures that are required for both reducing short-term vulnerability and building long-term resilience in coastal areas in the country, which are facing increasing impacts of climate change in the form of sea level rise, intensifying cyclone events and extreme weather events.

Reducing coastal vulnerability and building Tonga’s capacity for effective coastal protection is a national priority that is recognised in all key national strategies and policies. The formulation of this project has been led by Ministry for Meteorology, Energy, Information, Disaster Management, Environment, Climate Change and Communications (MEIDECC) with technical support from Joint National Action Plan on Climate Change Adaptation and Disaster Risk Management Taskforce as well as full participation of non-government organisations and community members.

The GCF funded interventions will deliver direct and indirect benefits to more than 39,427 people and 100,651 people, respectively. The project will also contribute to building enabling environments for Government of the Kingdom of Tonga and communities to proactively engage in identifying and implementing solutions to coastal resilience building.

#### 1.2.1 Summary of Activities

The proposed project will have the following activities:

**Outcome 1: Strengthened knowledge, capacity and engagement for incorporating climate risks into long-term adaptation planning supported through multi-sectoral, multi-stakeholder engagement and dialogue platform.**

- Output 1.1 Establish a national multi-stakeholder engagement platform for dialogue on co-creating long-term climate change adaptation strategies and solutions including voluntary retreat
- Output 1.2 Develop village and district level participatory climate risk informed plans

- Output 1.3 Build the capacity of local government, village committees and NGOs to integrate climate risks and adaptation needs into community level planning, and inform future Community Development Plans (CDP)

**Outcome 2: Strengthened national and local capacities for effective monitoring and assessment of climate risks**

- Output 2.1 Strengthened mechanism for collecting and analysing data and information for better-informed climate risk monitoring and coastal adaptation planning.
- Output 2.2 Improve the knowledge base of multi-sectoral, multi-stakeholders on adaptation planning strategies for long-term resilient planning and transformative adaptation for Tonga based on climate risks and projections.

**Outcome 3: Reduced vulnerabilities of coastal communities in Hahake to climate hazards through coastal protection measures**

- Output 3.1. Build coastal protection measures along 4km of coastline in Hahake
- Output 3.2 Sharing of lessons learned and best practices in climate resilient coastal protection measures for scale-up at the national and regional level

### 1.2.2 Expected positive impacts

The environmental and social objectives of the projects are to:

- improve coastal protection measures in the targeted areas
- encourage good management practices through planning, commitment and continuous improvement of environmental practices
- minimise or prevent the pollution of land, air and water pollution
- improve wetland ecosystem
- build climate resilient coastal protection and drainage infrastructure that reduces their environmental and social impacts during storm events
- undertake sediment retention works that reduce land-based sources of marine pollution
- protect native flora, fauna and important ecosystems
- comply with applicable laws, regulations and standards for the protection of the environment
- adopt the best practicable means available to prevent or minimise environmental impact
- describe monitoring procedures required to identify impacts on the environment
- provide an overview of the obligations of MEIDECC and UNDP staff and contractors regarding environmental obligations.

## 1.3 OVERVIEW OF EXISTING BIOPHYSICAL AND SOCIAL ENVIRONMENT

### 1.3.1 Biophysical

#### 1.3.1.1 Location and setting

The South Pacific Polynesian Kingdom of Tonga spreads across over 170 small islands, many uninhabited. Tonga covers around 747km<sup>2</sup> of land area, spread across an estimated combined land and sea area of 720,000 km<sup>24</sup>. Of the 176 islands, 36 are inhabited by a population of approximately 100,179<sup>5</sup>.

The islands are formed on the tops of two parallel submarine ridges stretching from Southwest to Northeast and enclosing a 50 km wide trough (MEIDECC, 2019). The islands are divided into four main island groups: the Tongatapu group in the south including (74,320); Ha'apai group in the middle (5,665); the Vava'u group in the north (14,182); and the Niuaus in the far north (1,148)<sup>6</sup>.

<sup>4</sup> <https://climateknowledgeportal.worldbank.org/>

<sup>5</sup> <https://tongastats.gov.to/census-2/>

<sup>6</sup> *ibid*

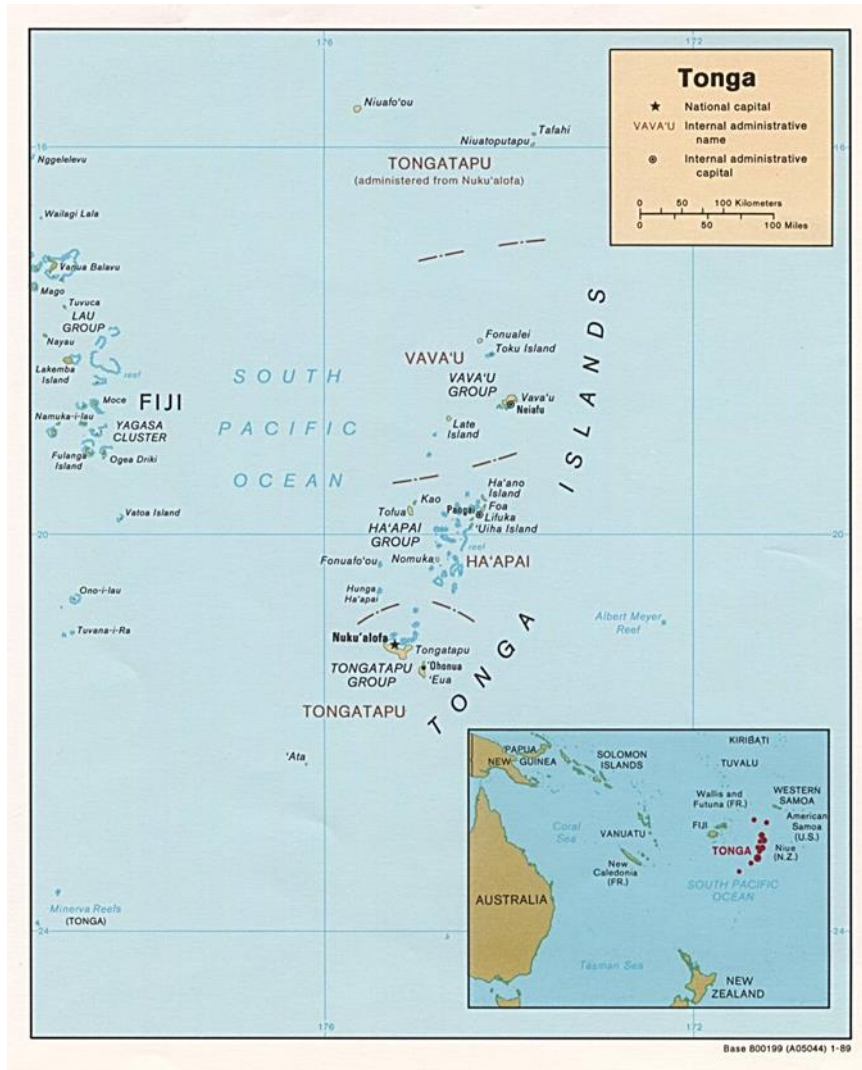


Figure 1 Map of Tonga

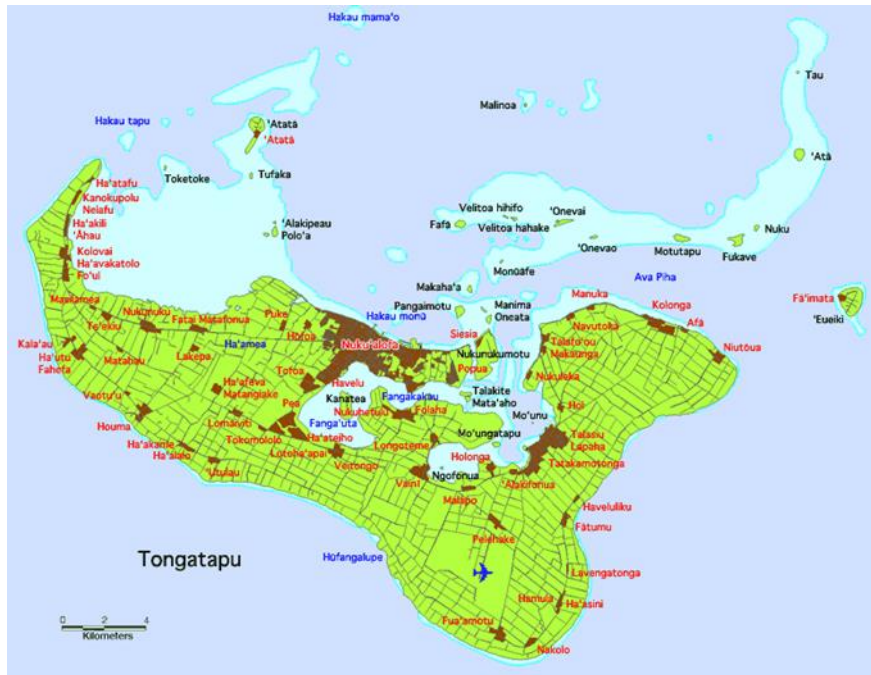


Figure 2 Map of Tongatapu



Figure 3 Map of Ha'apai



Figure 4 Map of Vava'u

1.3.1.2 *Geology, topography and soils*

The islands of Tonga are a mixture of geologically young steep volcanic islands, some of which remain so volcanically active they are ephemeral and uninhabitable (e.g., Hunga Tonga Island). The islands in Tonga are a mix of uplifted coral limestone (uplifted atolls), which may be capped with volcanic ash layers producing deep fertile soils. In contrast, others are steep, mountainous and volcanic in origin. Many of the nearshore communities are located on comparatively low-lying, marine hazard exposed



land, exemplified by the national capital Nukualofa. Several volcanoes, some of which are still active, exist along the western ridge, while many coral islands have formed along the eastern ridge, amongst them are the Vava'u and Ha'apai island groups. Coral islands are in two categories, the low (true atoll islands) and raised coral limestone islands. The geological history of Tonga is complex. Tongatapu Island with the capital Nuku'alofa, is a good example of this complexity; it is a former low-lying atoll that has been raised and tilted down towards the north<sup>7</sup>. The tilting has resulted in today's landscape consisting of a relatively flat island surface with inaccessible steep limestone cliffs tens of meters high on the southern shores and gradual shallowing towards the northern shoreline. However, the northern shore land/sea boundary differs as very low laying swampy nearshore land, protected by a large shallow lagoon and characterised by extensive intertidal reef and mud flats and mangrove wetlands.



Figure 5 Landform features of Tongatapu (showing also the location of the national capital Nuku'alofa on the low laying northern shore)

### 1.3.1.3 Climate

Tonga's climate is tropical with a wet season usually from November to April that has both moderate and variable rainfall, and dry season from May to October. Mean annual precipitation has averaged 1,666 millimetres (mm) over the period 1901–2019<sup>8</sup>. While, mean annual temperature in Tonga varies from 23°C to 26°C (World Bank, 2021b). Tonga's weather is governed by a number of factors that include the trade winds and the movement of the South Pacific Convergence Zone (SPCZ), a zone of high-pressure rainfall that migrates across the Pacific south of the equator. Year-to-year variability occurs under the influence of the El Niño Southern Oscillation (ENSO) in the south-east Pacific, which

<sup>7</sup> Schofield, J. C. (1967). Notes on the geology of the Tongan Islands. *N.Z. J. Geol. Geophys.*, 10, 1424–1428.

<sup>8</sup> <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/099900212142210482/P177189022159803d0834e0ae94a2732881>

can bring prolonged drought conditions and contribute to a depletion of potable water, and tropical cyclones that occur during the wet season, causing extensive damage to local infrastructure, agriculture, and major food sources.

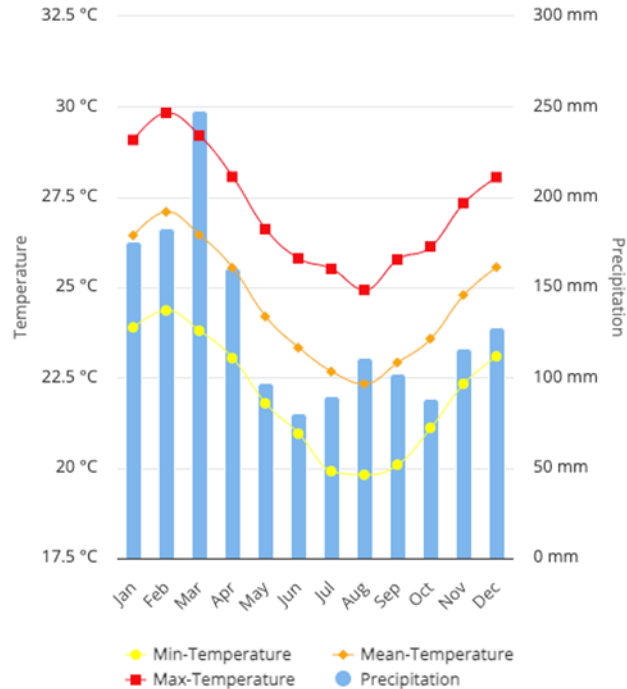


Figure 6 Monthly climatology of min-temperature, mean-temperature, max-temperature and precipitation 1991-2020 (World Bank 2021b)

Due to the spatial distribution of the islands of Tonga, there is a disparity in the nature of rainfall in the country. Tonga’s Third National Communication to the UNFCCC reports the annual mean rainfall at the five meteorological stations in Tonga between 1971–2007: Tongatapu reported an average of 1,721 mm, Vava’u an average of 2,150 mm, Ha’apai an average of 1,619 mm, Niua Fo’ou an average of 2,453 mm and Niua Toputapu an average of 2,374 mm (MEIDECC, 2019). All of the Tongan archipelago islands therefore receive significant annual rainfall.

### 1.3.1.4 Biological Environment

#### 1.3.1.4.1 Terrestrial

##### Flora

The flora of Tonga is very similar to that of the adjacent islands and archipelagos, particularly Samoa. It is estimated to comprise 340 native angiosperm species, only 3% (15 species) of which are thought to be endemic to the archipelago. No genera are endemic to Tonga.’ Of the species endemic to the archipelago, only four were reported as occurring in Tongatapu: *Pittosporum yunckeri*, *Polyalthia amicorum*, *Robiquetia tongensis*, *Xylosma smithiana*<sup>9</sup>. An additional consideration is to avoid the introduction or proliferation of invasive or potentially invasive plant species. In this regard the Pacific Island Ecosystems at Risk project (PIER) has developed a list of ‘PIER plant species present in the Tongatapu Group listed by scientific name’<sup>10</sup>.

Tropical lowland rain forests predominate below 500 meters elevation. Evergreen trees form a continuous canopy up to 30 meters in height. Common canopy trees include *Diospyros* spp., *Rhus taitensis*, *Alphitonia zizyphoides*, *Calophyllum neo-ebudicum*, *Cryptocarya turbinata*, *Elattostachys apetala*, *Litsea mellifera*, *Maniltoa grandiflora*, *Myristica hypargyrea*, *Zanthoxylum pinnatum*, *Garcinia myrtifolia*, *Neonauclea forsteri*, *Didymocheton tongensis* (on 'Eua), *Podocarpus pallidus*, *Inocarpus*

<sup>9</sup> Suitability or otherwise for coastal protection of this species has not been established in the current study.

<sup>10</sup> Available at: [http://www.hear.org/pier/locations/pacific/tonga/tongatapu\\_group/specieslist.htm](http://www.hear.org/pier/locations/pacific/tonga/tongatapu_group/specieslist.htm)

*fagifer*, *Erythrina fusca*, *Pisonia grandis*, *Pittosporum arborescens*, *Garuga floribunda*, *Ficus obliqua*, *Pleiogynium timoriense*, and *Cynometra grandiflora*. The understory includes dense clumps of the fern *Dicranopteris linearis* and the shrubs *Piper puberulum* and *Psychotria insularum*.

On coastal dunes and relatively recent lava and ash deposits where soils are thinner and drier, forests of *Casuarina equisetifolia* predominate, with low trees and shrubs including *Pandanus tectorius*, *Syzygium dealbatum*, *Hibiscus tiliaceus*, and *Scaevola taccada*.

Littoral forests of *Hernandia nymphaeifolia*, *Barringtonia asiatica*, and *Casuarina equisetifolia* grow closest to the coast in areas with salt spray. Immediately inland are coastal forests with *Pisonia grandis* and *Excoecaria agallocha* as the predominant trees.

Mangrove scrub and mangrove forest are found in saltwater wetlands on coral atolls and around the shores of the larger islands' coastal lagoons. Mangrove scrub is found on estuaries and reef flats and on the edges of mangrove forests. The small- to medium-sized trees *Rhizophora mangle*, *Rhizophora stylosa*, and *Lumnitzera littorea* are dominant. Where conditions are favorable mangrove forests dominated by *Bruguiera gymnorrhiza* with *Xylocarpus moluccensis* and *X. granatum* replace the mangrove scrub.

Plants endemic to Tonga include *Alphitonia franguloides* var. *obtusa*, *Arytera bifoliata*, *Grewia amicornum*, *Grewia populoides*, *Guioa lentiscifolia*, *Meiogyne amicornum*, *Oldenlandia debilis*, *Pandanus amicalis*, *Pandanus tongatapuensis*, *Pandanus vavauensis*, *Phyllanthus amicornum*, *Pittosporum yunckeri*, *Psychotria euaensis*, *Scaevola porrecta*, and *Xylosma smithiana*.

Several species are endemic to one or two islands:

- *Phyllostegia tongaensis* is endemic to 'Ata
- *Aglaiia heterotricha*, *Didymocheton tongensis*, *Hedycarya alternifolia*, *Ixora yunckeri*, *Plantago euana*, and the fern *Thelypteris macroptera* are endemic to 'Eua
- *Dennstaedtia parksii* and the orchid *Robiquetia tongaensis* are endemic to 'Eua and Tongatapu
- the conifer *Podocarpus pallidus* is endemic to 'Eua and Vava'u
- *Psychotria kaoensis* and *Selaginella yunckeri* are endemic to Kao
- *Atractocarpus crosbyi*, *Casearia buelowii*, and the palm *Pritchardia pacifica* are endemic to Vava'u.

Most native habitat on Tonga's 170 islands has been cleared through thousands of years of settlement and subsistence agriculture. A few uninhabited and steep volcanic islands, such as the islands of Late, Kao-Tonga, and Tofua still support large areas of native forest. 'Eua also retains native forest on sizeable areas around its steep terrain. Even on uninhabited islands, there is ongoing clearing for subsistence agriculture and commercial kava plantations. Invasive rats and cats greatly impact populations of native species, such as nesting birds, invertebrates, lizards, and native plants (through seed predation).

#### Fauna

There are 20 species of terrestrial and sea birds, two of which are endemic to Tonga and near-threatened, such as the Tongan Whistler and Polynesian Megapode. The endemic Tongan megapode is the only remaining bird of the four species in its family: these flightless birds with large eggs were very vulnerable to hunting by human and introduced predators after their arrival on the islands. There has been effort to conserve their declining population by translocating their eggs to nearby Fonualei and Late islands.

The islands are home to numerous seabirds, including brown noddy (*Anous stolidus*), Phoenix petrel (*Pterodroma alba*), and bristle-thighed curlew (*Numenius tahitiensis*). Seabird breeding colonies are mostly limited to offshore islets free of rats, which prey on eggs and chicks.

There are 20 known species of reptiles in the ecoregion. They include the Lau banded iguana (*Brachylophus fasciatus*), the boa *Candoia bibroni*, nine species of gecko, and nine species of skink..

There are no native land mammals in the ecoregion. Native bats include the Pacific flying fox (*Pteropus tonganus*) and Pacific sheath-tailed bat (*Emballonura semicaudata*). The black rat (*Rattus rattus*) and brown rat (*R. norvegicus*) were introduced to the islands by humans, and have decimated the island's birds.



Figure 7 Manuka to Kolonga shoreline and surrounding vegetation

1.3.1.4.2 Marine

Tonga contains many marine ecosystems, from globally significant coral reefs to mangroves, seagrass areas, seamounts and deep-sea trenches supporting at least 1,142 fish species, including sharks and rays, as well as whales, dolphins and sea turtles.

The marine environment in Tonga can be divided into four main ecological zones, all of which are recognised in the vernacular vocabulary: 1) the shore that is exposed at low tide, 2) the lagoon and tidal flats, 3) fringing reefs and barrier reefs, and (4) the open sea.

The nearshore and intertidal areas of Tongatapu consist of a wide range of habitats including mangroves, rock terraces, sand beaches, saline wetlands, estuary and mudflats, reef flats and coral reefs (barrier, fringing and submerged). The tidal range at Tongatapu is 1.8m (BoM, 2023a),

The coastal area Manuka - Kolonga to the west of Kolonga village remains a natural system and has never been protected by revetment. Unlike areas further west it has numerous raised outcrops of limestone bedrock



Figure 8 Existing shoreline for Manuka to Kolonga

**1.3.1.5 Water and groundwater**

There are no rivers in Tonga and groundwater serves as the primary water source. However, Tongans also use rain and desalinated water. The groundwater is both spatially and temporally of variable quality for drinking due to its mixing with underlying seawater and the impacts of overlying human settlements. There are, therefore, a range of natural, anthropogenic as well as institutional factors that contribute to the vulnerability of groundwater in Tongatapu.

**1.3.1.6 Natural hazards**

**1.3.1.6.1 Volcanism and seismic activity**

The islands of Tonga are associated with the Tonga-Kermadec Ridge and Tonga Trench, which is a large submarine subduction zone and also one of the fastest moving and most tectonically active on Earth, forming part of the “Pacific Ring of Fire” of intense seismic activity. Tonga has several active sites of volcanism and is subject to frequent tremors and earthquakes. Individual and island groups have been subject to tectonic uplift, subduction and tilting; however, limited monitoring infrastructure make evaluation of these dynamics very hard to determine.

**1.3.1.6.2 Tsunamis**

Tsunami inundation modelling shows that Tonga’s islands are critically exposed to tsunamis given their location along the Tonga Trench. Tsunami modelling undertaken for Tongatapu Island in 2011<sup>11</sup> and then in 2021<sup>12</sup> shows that tsunami is also likely to impact the northern coastal areas of Nuku’alofa, and particularly Nukuleka, Talafo’ou, Navutoka, Manuka and Kolonga. Though not directly related to climate change, tsunamis pose an additional coastal hazard that is exacerbated by sea level rise and requires a similar adaptive response.

Critically, Tonga’s seismological activity resulted in the January 2022 violent eruption of the Hunga Tonga-Hunga Ha’apai submarine volcano 65km north of Tonga’s capital Nuku’alofa, which produced a tsunami affecting Tongatapu and other islands of Tonga, as well as affecting Fiji, American Samoa, Vanuatu, New Zealand, Japan, the US, far-eastern Russia, Chile and Peru. Hunga Tonga–Hunga Ha’apai’s plume reached a peak height of 58 kilometres into the atmosphere and sustained heights greater than 30 km. The eruption generated ocean-wide tsunamis, never before recorded in the Pacific instrumental record, and which were also undetected by tsunami warnings, given that volcanically generated tsunamis still remain a ‘blind spot’ in our understanding of tsunami hazards. Tsunami waves with run-up heights up to 45m struck the uninhabited island of Tofua in Tonga, and a 1.2m tsunami struck Nuku’alofa on Tongatapu (BoM, 2022).

**1.3.1.6.3 Tropical Storms and Cyclones**

The entire Tongan Archipelago is subject to direct land fall of tropical cyclones. These can generate locally raised sea levels and large wave conditions, heavy rainfall, and wind speeds more than 200km/h. The World Bank Tonga Climate Risk Country Profile indicates there were 85 cyclones developing within or crossing the Tongan archipelago between the years 1969 – 2011 with an approximate average of 20 cyclones per decade. The report outlines there were 55 cyclones since 1981 and 19 of these were Category 3 or higher. There have been only three Category 5 tropical cyclones ever recorded in Tongan waters, TC Ron (1997) and TC Ian (2014), and TC Harold (2020); it is notable that these have all occurred in the last twenty-five years, and two within the last decade.

Table 1 The seven most destructive tropical cyclones to have affected Tonga since 1960

Name	Category	Month/Year	Area Affected
Severe Tropical Cyclone (un-named)	Category 4	March 1961	Vava'u
Severe Tropical Cyclone "Isaac"	Category 4	March 1982	Vav/Hap/Tongatapu

<sup>11</sup> Damlamian et al., 2011

<sup>12</sup> Borrero et al., 2021

<b>Severe Tropical Cyclone "Ron"</b>	<b>Category 5</b>	<b>January 1998</b>	<b>Niufo'ou</b>
Severe Tropical Cyclone "Waka"	Category 4	January 2002	Vava'u
<b>Severe Tropical Cyclone "Ian"</b>	<b>Category 5</b>	<b>January 2014</b>	<b>Ha'apai</b>
<b>Severe Tropical Cyclone "Gita"</b>	Category 4	February 2018	Tongatapu
<b>Severe Tropical Cyclone "Harold"</b>	<b>Category 5</b>	<b>April 2020</b>	<b>Eua/Tongatapu</b>

### 1.3.2 Social and Built Environment

#### 1.3.2.1 Land tenure

The land tenure in Tonga and predominantly in the project area is owned by the Government of the Kingdom of Tonga. Importantly, under section 109 of *The Act of Constitution of Tonga 1990*, all land which is 50 feet (15.24 metres) above the high-water mark as belonging to the Crown. Such beach frontage land can only be leased by the Minister of Lands with the consent of Cabinet for the construction of a store, jetty or wharf.

#### 1.3.2.2 Demographics

Tongatapu is Tonga's most populous island, with the highest population density. Of Tonga's total population of 100,179 people, around 74% (74,320) reside on Tongatapu Island, approximately half of which are concentrated within Tonga's capital city in the greater Nukualofa area.<sup>13</sup> The Island of Tongatapu has the largest land area of Tonga's islands (approximately 270km<sup>2</sup>) and given the location of the main city of Nuku'alofa, Tongatapu also has the largest accumulation of built assets and infrastructure, including the main airport and seaport. Despite being a raised atoll, Tongatapu Island is agriculturally highly productive land with an upper layer of volcanic soils derived from ancient volcanic ash falls.

Of 31,000 employed in the country, approximately 19.4 per cent work in agriculture, 30.9 per cent in industry and 49.8 per cent in services. However, remittances from families overseas (most often in Australia and New Zealand) have been the largest contributor to Tonga's Gross National Product and are a major source of its foreign exchange year-by-year.<sup>14</sup> In Tonga, the number of workers participating in the seasonal schemes in Australia and New Zealand is so considerable that it has led to a shortage of agricultural labour in some sending communities, especially during peak harvest time.<sup>15</sup> However, remittances are critical to strengthening resilience at the household, community and national levels and potentially constitute an alternative source of climate finance to build climate-resilient houses, improve the general quality of houses, purchase water tanks, improve seawalls at their property, and increase the overall resilience of households as well as climate-proof community infrastructure (IOM & ILO, 2022). Still, while international migration (out of Tonga) is significant, with the Tongan diaspora estimated to be 126,540 (more than the population residing within Tonga) (TWG MSDP, 2021), the population continues to grow with an annual average population growth of 0.3 per cent per annum over the last decade (ILO, 2022).

The population of Tongatapu is projected to grow over the next decade, with Tongans commonly relocating from the outlying islands to Tongatapu. While all forms of internal migration occur in Tonga

<sup>13</sup> <https://tongastats.gov.to/census-2/>

<sup>14</sup> Base. (2022, February 23). *Remittances for Recovery in Tonga*. BASE. <https://energy-base.org/news/remittances-for-recovery-dealing-with-the-aftermath-of-tongas-volcanic-eruption/>

<sup>15</sup> [http://www.ilo.org/suva/publications/WCMS\\_856083/lang--en/index.htm](http://www.ilo.org/suva/publications/WCMS_856083/lang--en/index.htm)

(rural to urban, rural to rural, urban to rural and urban to urban) the predominant trend in Tonga (and indeed globally) is rural to urban.<sup>16</sup>

#### 1.3.2.3 Gender

In Tongan society, women have traditionally held a high social status within communities thanks to the 'Fahu' system within families, which marks the eldest or another 'chosen' sister to hold a position of influence and respect within the family. The 'Fahu' system grants the power of decision-making within families, and in some contexts it ranks sisters above brothers. Gender stereotypes about Tongan women remain pervasive with traditional customs and Christian values that have been interpreted as justifying paternalistic social hierarchy. In Tonga, the age of consent for girls is 15. There is no minimum age of consent for boys. Under the Criminal Offences Act 1988 and subsequent Amendments, rape is an offence that can only be committed by a man against a woman or girl. Marital rape was criminalised in Tonga 1999. Gender specific offences, such as 'enticing a woman to desert her husband', 'procuring the defilement of females' and 'abduction of women' are contained within the Criminal Offences Act.<sup>17</sup>

Consensual same-sex sexual activity is criminalised in Tonga under the 1988 Criminal Offences Act.. In practice, the law has not been used to prosecute same-sex sexual conduct between consenting adults in recent years.<sup>18</sup> Same-sex marriage is not legally recognised in Tonga.

#### 1.3.2.4 Economy and Employment

Tonga has one of the world's smallest economies, as measured by GDP (World Bank 2023). Remittances have been the largest contributor to Tonga's Gross National Product and a major source of its foreign exchange year-over-year (Base, 2022),

Overall, aside from the contribution from remittances, Tonga's economy is highly dependent on climate-sensitive sectors such as agriculture, fisheries and tourism and a limited resource base that is sensitive to external shocks. In 2022, agriculture contributed 19.93% of GDP, industry contributed 19.44%, and services 60.63%.<sup>19</sup>

The Services sector employs the majority of Tonga's population at 43%. However, the agricultural sector, which includes fisheries and forestry, is then the leading productive sector in Tonga. The agricultural sector supports the majority of the population for subsistence and for cash income, employing a third of the labour force and accounting for at least 50% of the export earnings. Climatic conditions, concern for food security, availability of labour and technology, lack of technology and innovative practices, and market access are all issues affecting agricultural production. The performance of the fisheries sector has fluctuated over time according to the boom-and-bust cycles due to the migration of the tuna species, market access, fish prices, and policy.

Although incidence of absolute poverty is low in Tonga, many experience economic hardship. The national revenue base is heavily influenced by the fluctuations of the global economy, relying heavily on remittance payments and foreign donor aid. Remittances are vulnerable to the economic fluctuations in countries where the Tongan diaspora mostly live (e.g., the US, Australia, and New Zealand), when downturns occur in these countries, remittances reduce and have a negative impact on Tongans both at the family level and for the broader economy.

Donor funds also contribute significantly to the government budget and are primarily used for funding developmental projects and programmes that the government does not have sufficient resources to implement. However, Tonga is also rated 'high' in terms of the overall risk of debt distress (World Bank-IMF, 2021), with a high level of public debt, around half of which is owed to China, with a sharp spike in debt repayments due from FY2024 onwards.

Tonga's economic instability has been further compounded by its exposure to natural disasters. Overall, Tonga is considered highly vulnerable to disasters and climate change impacts, the Global

<sup>16</sup> <https://crisisresponse.iom.int/sites/g/files/tmzbd11481/files/appeal/documents/Tonga%20Migration%20and%20Sustainable%20Development%20Policy.pdf>

<sup>17</sup> [https://asiapacific.unwomen.org/sites/default/files/2022-12/UN\\_WOMEN\\_TONGA.pdf](https://asiapacific.unwomen.org/sites/default/files/2022-12/UN_WOMEN_TONGA.pdf)

<sup>18</sup> *ibid*

<sup>19</sup> <https://www.adb.org/publications/key-indicators-asia-and-pacific-2023>

Climate Risk Index 2020 cited Tonga as one of the countries experiencing the highest levels of climate-related loss as a percentage of GDP over the period 1999 - 2018.

#### *1.3.2.5 Governance*

Tonga is a constitutional monarchy with two levels of government, local and national. The legislative assembly is a unicameral Parliament appointed every four years in a first-past-the-post system. Prior to constitutional reform in 2010, only nine seats were popularly elected – for a maximum period of three years – whilst a further nine seats were reserved for members of the aristocracy who were appointed by the monarch with an indefinite tenure. Following election reform, there are now 17 People’s Representatives who are voted for by the general population and nine noble members who are elected to represent the 33 hereditary nobles of Tonga. In addition to this, the Prime Minister may appoint up to four Cabinet members who have not been elected to the legislative assembly. Women cannot be appointed to any of the nine reserved noble seats, as the required aristocratic titles can only be inherited by men.

There is no constitutional provision for local government and the main legislative texts that cover local government are the Fonos Act 1988 and the District and Town Officers Act 1988. Local governance in Tonga consists of district and town officers who are elected every three years. The 23 district officers and 156 town officers are elected by popular vote every three years and report directly to the Prime Minister’s Office, or the governor in the case of Ha’apai and Vava’u divisions.<sup>20</sup>

#### *1.3.2.6 Infrastructure and Water Resources*

Most buildings and major infrastructure developments in urban and rural areas throughout Tonga occur on vulnerable, low lying coastal areas that are at risks to climate change. Tonga's road and other drainage systems remain underdeveloped and ill-suited to cope with intense and frequent rainfall, or storm surge. The lack of appropriate drainage on some roads in Vava'u, for example, also causes large amounts of sedimentation to flow into coastal waters during heavy rain.

<sup>20</sup> [https://www.cgf.org.uk/default/assets/File/Country\\_profiles/Tonga.pdf](https://www.cgf.org.uk/default/assets/File/Country_profiles/Tonga.pdf)



## 2 SOCIAL AND ENVIRONMENTAL SCREENING

As this project is supported by UNDP in its role as a GCF Accredited Entity, the project has been screened against UNDP’s Social and Environmental Standards Procedure. The Social and Environmental Screening Procedure was undertaken, and the project deemed to be a Substantial (GCF Category B) risk project. Discussions on the impact assessment are provided in the Social and Environmental Screening Procedure, which provided the rationale for the project being classified as a substantial risk. This ESMF provides further discussion below.

### 2.1 SCREENING PROCEDURE

An impact risk assessment was undertaken using the UNDP Social and Environmental Screening Procedure to assess the probability (expected, highly likely, moderately likely, not likely) and the impact of the risk (critical, severe, moderate, minor, negligible). From this, a significance value was attributed to the potential impact (negligible, low, medium, high and extreme).

Table 2 Rating of probability and impact of risk

Score	Rating
5	Expected
4	Highly Likely
3	Moderately likely
2	Not Likely
1	Slight

Table 3 Rating of Impact of Risk

Score	Rating	Definition
5	Critical	Significant adverse impacts on human populations and/or environment. Adverse impacts high in magnitude and/or spatial extent (e.g. large geographic area, large number of people, transboundary impacts, cumulative impacts) and duration (e.g. long-term, permanent and/or irreversible); areas impacted include areas of high value and sensitivity (e.g. valuable ecosystems, critical habitats); adverse impacts to rights, lands, resources and territories of indigenous peoples; involve significant displacement or resettlement; generates significant quantities of greenhouse gas emissions; impacts may give rise to significant social conflict
4	Severe	Adverse impacts on people and/or environment of medium to large magnitude, spatial extent and duration more limited than critical (e.g. predictable, mostly temporary, reversible). The potential risk impacts of projects that may affect the human rights, lands, natural resources, territories, and traditional livelihoods of indigenous peoples are to be considered at a minimum potentially severe.
3	Moderate	Impacts of low magnitude, limited in scale (site-specific) and duration (temporary), can be avoided, managed and/or mitigated with relatively uncomplicated accepted measures
2	Minor	Very limited impacts in terms of magnitude (e.g. small affected area, very low number of people affected) and duration (short), may be easily avoided, managed, mitigated
1	Negligible	Negligible or no adverse impacts on communities, individuals, and/or environment

When undertaking the risk assessment, all activities were assessed, including, hard/soft infrastructure and livelihood interventions.

Table 4 UNDP Risk Matrix applied to the project

<b>Impact</b>	<b>5</b>	M	S	S	H	H
	<b>4</b>	L	M	S	S	H
	<b>3</b>	L	M	M	M	S
	<b>2</b>	L	L	L	M	M
	<b>1</b>	L	L	L	L	L
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Likelihood</b>						
<b>Low, Moderate, Substantial, High</b>						

## 2.2 POTENTIAL RISKS AND IMPACTS IDENTIFIED

Table 5 Table 4 shows the UNDP Principles and Standards that were identified as being triggered by the project and the level of risk associated with each.

Table 6 Table 5 describes the potential environmental and social risks identified by Output.

Table 5 UNDP Principles and Standards triggered by the project and the assessed risk

<b>Principles</b>	
Human Rights	
Gender Equality and Women's Empowerment	
Environmental Sustainability	
Accountability	
<b>Standards</b>	
Biodiversity Conservation and Sustainable Natural Resource Management	
Climate Change Mitigation & Adaptation	
Community Health, Safety	
Cultural Heritage	
Displacement and Resettlement	
Indigenous Peoples	
Labour and Working Conditions	
Pollution Prevention and Resource Efficiency	

Low	
Moderate	
Substantial	
High	

Table 6 Summary of potential social and environmental risks per Output according to the SESP

Output	Risk	UNDP safeguard principles and standards	Overall risk rating of the activity
1.1. Establish a national multi-stakeholder engagement platform for dialogue on co-creating long-term climate change adaptation strategies and solutions including voluntary retreat.	<p><u>Risk 12</u></p> <p>Outcome 1 may exacerbate existing discriminations against women and youth and potentially other minorities such as LGBTI, as they do not participate effectively in decision-making arena at the national nor local level, leading to maladapted governance decisions, especially regarding land-use planning.</p> <p>The project also involves regular interactions with project actors (e.g., information/training sessions, construction workers), which could create opportunities for SEAH.</p> <p><u>Risk 13</u></p> <p>The duty bearers of this project, in particular the contractors, may have low capacities through consultations with the general communities with specific understanding on the different risks that may be imposed with regards to gender, women, indigenous, people living with disabilities, elderly, youth, and the community at large.</p>	<p>Principle 1: P1; P2; P3; P4; P5; P6</p> <p>Principle 2: P8; P9; P10; P11</p> <p>Principle 4: P13; P14</p> <p>Standard 1: 1.3</p> <p>Standard 2 : 2.3</p> <p>Standard 4: 4.1; 4.2; 4.3; 4.4</p> <p>Standard 6: 6.1; 6.2; 6.3; 6.6; 6.9</p>	Moderate
1.2 Develop village and district level participatory climate risk informed plans.	<p><u>Risk 5</u></p> <p>The national land use policy could lead to the economic displacement of</p>	<p>Principle 1: P1; P2; P3; P4; P5; P6</p> <p>Principle 4: P13; P14</p>	Moderate

	<p>livelihood activities, including women's.</p> <p><u>Risk 11</u></p> <p>Better coastal governance and management, because of both activity 1.2 (land use policy) and 1.3 (construction of infrastructure) could lead to an increase in the demand for agricultural lands, in an area where communities depend on these lands for their livelihoods and where many are dependent on leases. This could particularly affect rural women, whose access is generally more difficult.</p>	<p>Standard 1 : 1.3</p> <p>Standard 4: 4.1; 4.2; 4.3; 4.4</p> <p>Standard 6: 6.1; 6.2; 6.3; 6.6; 6.9</p> <p>Principle 1: P1; P2; P3; P4; P5; P6</p> <p>Principle 2: P8; P9; P10; P11</p> <p>Principle 4: P13; P14</p> <p>Standard 1: 1.3</p> <p>Standard 2 : 2.3</p> <p>Standard 4: 4.1; 4.2; 4.3; 4.4</p> <p>Standard 6: 6.1; 6.2; 6.3; 6.6; 6.9</p>	
<p>1.3 Build the capacity of local government, village committees and NGOs to integrate climate risks and adaptation needs into community level planning, and inform future Community Development Plans (CDP)</p>	<p><u>Risk 5</u></p> <p>The project will offer climate smart solutions to protect the island coast and adapt its landscape This may change Tongans' relationship to their landscape, hence affecting their cultural heritage and traditional knowledge on coastal land management.</p> <p><u>Risk 12</u></p> <p>The project involves regular interactions with project actors (e.g., information/training sessions, construction workers), which could create opportunities for SEAH.</p> <p><u>Risk 13</u></p>	<p>Principle 1: P1; P2; P3; P4; P5; P6</p> <p>Principle 4: P13; P14</p> <p>Standard 1: 1.3</p> <p>Standard 4: 4.1; 4.2; 4.3; 4.4</p> <p>Standard 6: 6.1; 6.2; 6.3; 6.6; 6.9</p> <p>Principle 1: P1; P2; P3; P4; P5; P6</p> <p>Principle 2: P8; P9; P10; P11</p>	<p>Moderate</p>

	The duty bearers of this project, in particular the contractors, may have low capacities through consultations with the general communities with specific understanding on the different risks that may be imposed with regards to gender, women, indigenous, people living with disabilities, elderly, youth and the community at large.	Principle 1: P1; P2; P3; P4; P5; P6 Principle 4: P13; P14	
2.1 Strengthened mechanism for collecting and analysing data and information for better-informed climate risk monitoring and coastal adaptation planning			Low
2.2 Improve the knowledge base of multi-sectoral, multi-stakeholders on adaptation planning strategies for long-term resilient planning and transformative adaptation for Tonga based on climate risks and projections			Low
3.1. Building coastal protection measures along 4 km of coastline in Hahake	<p><u>Risk 1</u> Sediment movement during the installation of coastal protection infrastructure in Hahake could enter important marine habitats, including in the catchment of the Fanga'uta lagoon.</p> <p><u>Risk 2</u> The construction of coastal protection infrastructure may lead to loss of habitat, changes in hydrodynamic processes, potential increases in</p>	<p>Standard 1: 1.1; 1.2; 1.3; 1.4</p> <p>Standard 1: 1.1; 1.2; 1.3; 1.4; 1.11</p>	Substantial

	<p>erosion, included in areas adjacent to two coastal and marine reserves.</p> <p><u>Risk 3</u> The construction of coastal protection infrastructure (activity 3.1) could lead to sediment movement and may also expose acid sulphate soils within the mangrove areas.</p> <p><u>Risk 4</u> Entrainment, impingement and or entrapment of marine organisms could happen as the result of the construction of coastal protection infrastructures (activity 3.1)</p> <p><u>Risk 6</u> The national land use strategy could lead to the physical and economic displacement because of changes to traditional practices.  This may change Tongans' relationship to their landscape, hence affecting their cultural heritage and traditional knowledge on coastal land management.</p> <p><u>Risk 7</u> The construction of coastal protection infrastructure (Activity 3.1) could access shorelines, including for fishing and other livelihood activities. This could impact people's livelihoods, including women's and indigenous</p>	<p>Standard 1: 1.1; 1.2; 1.3; 1.4; 1.7; 1.11</p> <p>Standard 1: 1.1; 1.2; 1.3; 1.4; 1.11</p> <p>Principle 1: P1; P2; P3; P4; P5; P6 Principle 4: P13; P14 Standard 1: 1.3</p> <p>Principle 1: P1; P2; P3; P4; P5; P6 Principle 4: P13; P14 Standard 1: 1.3 Principle 2: P8; P9; P10; P11 Standard 4: 4.1; 4.2; 4.3; 4.4 Standard 6: 6.1; 6.2; 6.3; 6.6; 6.9</p>	
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	<p>peoples', and create conflicts over limited access.</p> <p><u>Risk 8</u></p> <p>Terrestrial and marine noise could happen because of the use of construction equipment and rock dumping.</p> <p><u>Risk 9</u></p> <p>Damages to the environment and risks related to the safety of workers could be associated with the quarries from where the stones will be sourced. This secondary risk on the project's area of influence includes deforestation due to the exploitation of the quarries, creation of waste and pollution from the quarry, and negative impact on the workers' health and safety.</p> <p><u>Risk 10</u></p> <p>The coastal constructions, though aiming at protecting the coast from the effects of climate change, are themselves inherently vulnerable to Climate Change and could be destroyed by natural disasters.</p> <p><u>Risk 14</u></p> <p>The project activities could lead to work-related accidents involving local workers during the construction of coastal infrastructure; if the infrastructures are damaged, they could also affect the safety of local communities.</p>	<p>Standard 3: 3.1 ; 3.2</p> <p>Standard 1: 1.1 Standard 3: 3.1; 3.2; 3.3 ; 3.8 Standard 8: 8.2</p> <p>Standard 2: 2.1; 2.2; 2.3</p> <p>Standard 3: 3.1; 3.2; 3.3 ; 3.8 Standard 7: 7.6</p>	
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	<p><u>Risk 15</u></p> <p>The rather small-scale influx of workers (30-40 persons max) into the area generated by the project to work on the coastal protection infrastructure has raised concerns regarding gender-based violence and young women’s safety.</p> <p><u>Risk 16</u></p> <p>The construction of coastal protection measures could lead to temporary relocation measures of neighbouring communities.</p> <p><u>Risk 17</u></p> <p>The main infrastructures (revetments, activity 3.1) will be completed with some mixed approaches, including planting. This activity could lead to the introduction of alien and/or invasive species if non-local species are used.</p>	<p>Principle 2: P12 Standard 7: 7.5</p> <p>Standard 5: 5.1</p> <p>Principle 1: 1.6; 1.8 Standard 6: 6.2</p>	
<p>3.2 Sharing of lessons learned and best practices in climate resilient coastal protection measures for scale-up at the national and regional level</p>			<p>Low</p>





## 2.3 POTENTIAL ENVIRONMENTAL AND SOCIAL IMPACTS AND MITIGATIONS

The table below summarises some of the potential environmental and social impacts that are likely to occur based on the outcomes of the screening undertaken to date. The table also includes proposed mitigation measures measures that could be applied to ensure that the impacts are avoided or minimized to a level that is acceptable.

Activity	Unmitigated Impacts	Avoidance and Mitigation Measures	Project Phase
<p><b>Outcome 1: Strengthened knowledge, capacity and engagement for incorporating climate risks into long-term adaptation planning supported through multi-sectoral, multi-stakeholder engagement and dialogue platform.</b></p>			
<p><i>Output 1.1: Establish a national multi-stakeholder engagement platform for dialogue on co-creating long-term climate change adaptation strategies and solutions including voluntary retreat.</i></p>			
	<p>Outcome 1 may exacerbate existing discriminations against women and youth and potentially other minorities such as LGBTI, as they do not participate effectively in decision-making arena at the national nor local level, leading to maladapted governance decisions, especially regarding land-use planning.</p> <p>The project also involves regular interactions with project actors (e.g., information/training sessions, construction workers), which could create opportunities for SEAH.</p>	<p>Broad and inclusive engagement (implement SEP) Implement GAP Operationalise GRM Ensure that vulnerable people are represented Transparency of operations – disclosure requirements Implement SEAH Action Plan</p>	<p>All phases</p>
	<p>The duty bearers of this project, in particular the contractors, may have low capacities through consultations with the general communities with specific understanding on the different risks that may be imposed with regards to gender, women, people living with disabilities, elderly, youth, and the community at large.</p>	<p>Capacity assessments Trainings Implement SEP and GRM Implement GAP</p>	<p>Planning And Implementation</p>
	<p>Potential complaints or grievances</p>	<p>Reduce risk through engagement – implement SEP Implement GRM</p>	<p>All phases</p>
<p><i>Output 1.2: Develop village and district level participatory climate risk informed plans.</i></p>			

Activity	Unmitigated Impacts	Avoidance and Mitigation Measures	Project Phase
	The national land use policy could lead to the economic displacement of livelihood activities, including women's.	Broad inclusive engagement to ensure all views and potential impacts are captured (SEP) LAP GAP	
	Better coastal governance and management, because of both activity 1.2 (land use policy) and 1.3 (construction of infrastructure) could lead to an increase in the demand for agricultural lands, in an area where communities depend on these lands for their livelihoods and where many are dependent on leases. This could particularly affect rural women, whose access is generally more difficult.	SESA to consider potential unintended downstream impacts Implement SEP and GRM GAP	Planning and Implementation
	Potential complaints or grievances	Reduce risk through engagement – implement SEP Implement GRM	All phases
<i>Output 1.3: Build the capacity of local government, village committees and NGOs to integrate climate risks and adaptation needs into community level planning, and inform future Community Development Plans (CDP)</i>			
	Training does not reach appropriate representative group.	Equitable representation Implement SEP and GRM Implement GAP	Implementation
	The project will offer climate smart solutions to protect the island coast and adapt its landscape. This may change Tongans' relationship to their landscape, hence affecting their cultural heritage and traditional knowledge on coastal land management.	Implement SEP Incorporation of traditional knowledge where appropriate	Implementation

Activity	Unmitigated Impacts	Avoidance and Mitigation Measures	Project Phase
	Involves regular interactions with project actors (e.g., information/training sessions, construction workers), which could create opportunities for SEAH.	Implement GAP GRM Implement SEAH Action Plan	Implementation
	Poor understanding of risks associated with gender, disabilities and other vulnerable groups that require consideration	Capacity assessments Training Implement SEP Implement GAP Implement SEAH Action Plan	Implementation
	Representation of women and other vulnerable groups poor	Implement Gender Assessment Action Plan Reduce risk through broad inclusive engagement – implement SEP	All phases
	Potential complaints or grievances	Reduce risk through inclusive engagement – implement SEP Implement GRM	All phases
<b>Outcome 2: Strengthened national and local capacities for effective monitoring and assessment of climate risks</b>			
<i>Activity 2.1: Strengthened mechanism for collecting and analysing data and information for better-informed climate risk monitoring and coastal adaptation planning</i>			
	Poor capacity of office bearers or others involved in project	Capacity assessment Training	Planning and implementation
	Information not well understood or disseminated	SEP	All phases

Activity	Unmitigated Impacts	Avoidance and Mitigation Measures	Project Phase
	Insufficient technical resources eg equipment, including IT for long-term storage of data	Identify potential resource gaps	Implementation
<i>Activity 2.2: Improve the knowledge base of multi-sectoral, multi-stakeholders on adaptation planning strategies for long-term resilient planning and transformative adaptation for Tonga based on climate risks and projections</i>			
	Women and vulnerable groups not appropriately represented	Equitable representation - ensure the representation of women and vulnerable groups in project activities, including empowering them as key resources for project implementation.  Implement GAP Implement SEP Operationalise GRM	All phases
	The national land use strategy could lead to the physical and economic displacement because of changes to traditional practices.	SESA to consider potential unintended downstream impacts  LAP	Implementation
	Potential complaints or grievances	Reduce risk through engagement – implement SEP  Implement GRM	All phases
<b>Outcome 3: Reduced vulnerabilities of coastal communities in Hahake to climate hazards through coastal protection measures</b>			
<i>Activity 3.1. Building coastal protection measures along 4 km of coastline in Hahake</i>			
	Erosion and sedimentation – excavation and removal of vegetation will leave ground exposed to erosion and potential movement of sediment, particularly into marine habitats.	Sediment and erosion controls to be employed (apply ESMP)	Construction

Activity	Unmitigated Impacts	Avoidance and Mitigation Measures	Project Phase
		Avoid earthworks when heavy rainfall is expected. Test for Potential Acid Sulfate Soils (PASS) where likely eg mangrove areas	
	The rather small-scale influx of workers (30-40 persons max) into the area generated by the project to work on the coastal protection infrastructure has raised concerns regarding gender-based violence and young women's safety.	Labour management – source local resources where possible to minimise influx Implement GAP Implement GRM Implement SEAH Action Plan	Construction
	The project activities could lead to work-related accidents involving local workers during the construction of coastal infrastructure; if the infrastructures are damaged, they could also affect the safety of local communities.	Occupational health and safety plans Ensure appropriate training Use of PPE	Construction
	Changes in hydrodynamic processes	Design to consider local hydrodynamic processes and seek to minimise any adverse impacts upon them.	Design
	Community OHS risk - Increased vehicular movement around and within the sites	High risk work sites to be fenced during their construction to minimise public access. Training to be given to drivers to ensure understanding of site requirements. Non-conforming drivers to be automatically replaced. Implement SEP and ESMP/OHS plan	Construction
	Disruption to traffic due to construction works eg due to machinery or movement of materials	SEP – to alert communities to increase risk and potential disruptions/changes to road conditions Traffic management	Construction

Activity	Unmitigated Impacts	Avoidance and Mitigation Measures	Project Phase
	Damages to the environment and risks related to the safety of workers could be associated with the quarries from where the stones will be sourced. This secondary risk on the project's area of influence includes deforestation due to the exploitation of the quarries, creation of waste and pollution from the quarry, and negative impact on the workers' health and safety.	Existing quarries to be used if possible ESIA to assess Permits to be obtained where required ESMP	Planning and construction
	Fire and emergency (safety)	Flammable and combustible liquids bunding/storage areas to be designed in accordance with appropriate international standards  Fire extinguishers are to be available on site  No open fires are permitted within the project area  Communication equipment and emergency protocols to be established prior to commencement of construction activities.  Train all staff in emergency preparedness and response (cover health and safety at the work site).  Check and replenish First Aid Kits  Use of Personal Protection Equipment	Construction
	The construction of coastal protection measures could lead to temporary disruption or changes to the way in which communities can use shoreline.	SEP and GRM  LAP	Construction
	Construction waste – solid waste will increase during construction eg bulk transport and packing waste, waste from construction camps, offcuts and scrap materials,	ESMP to include waste management.  Apply waste management hierarchy	Construction and O&M

Activity	Unmitigated Impacts	Avoidance and Mitigation Measures	Project Phase
	Lack of O&M can result in failure of infrastructure	Community management committees to be formed. Build capacity of management committees. O&M funds to be set up.  Designs to consider O&M and seek to minimise cost/requirement.	O&M
	Impacts to ecology by labourers and construction workers	Labourers and construction workers will be prohibited at all times from collecting native species during the construction contract.  SEP and GRM	Construction
	Potential complaints or grievances	Reduce risk through engagement – implement SEP  Implement GRM	All phases
	Construction impacts – air pollution, noise, waste, and community safety.	No burning of waste on site.  Construction to be limited to hours of 7am-6pm  Machinery to be fitted with required air and noise protection equipment and to be in good working order. Equipment to be sited to minimise impacts on sensitive receptors  Earthworks to be confined to times of year when soil moisture is high to minimise dust, wet dirt roads down if necessary.  Work force to be issued with appropriate PPE and training.  High risk work sites to be fenced to minimise public access.  Designated areas for storage of fuels, oils, chemicals or other hazardous liquids should have compacted impermeable bases and be surrounded by a bund to	Construction



Activity	Unmitigated Impacts	Avoidance and Mitigation Measures	Project Phase
	Increase in dust levels at sensitive receptors	<p>contain any spillage. Refuelling to be undertaken in areas away from water systems.</p> <p>Implement effective dust management measures in all areas during design, construction and operation.</p> <p>Manage dust/particulate matter generating activities to ensure that emissions do not cause an environmental nuisance at any sensitive locations</p> <p>Construction activities should minimise risks associated with climatic events (check forecasts)</p> <p>Implement scheduling/staging of proposed works to ensure major vegetation disturbance and earthworks are minimised.</p> <p>Locate material stockpile areas as far as practicable from sensitive receptors. Cover if appropriate.</p> <p>Rubbish receptacles should be covered and located as far as practicable from sensitive locations</p>	
	Increase in vehicle / machinery emissions	<p>Ensure vehicles/machines are switched off when not in use.</p> <p>Ensure only vehicles required to undertake works are operated onsite.</p> <p>Ensure all construction vehicles, plant and machinery are maintained and operated in accordance with design standards and specifications.</p> <p>Develop and implement an induction program for all site personnel, which includes as a minimum an outline of the</p>	Construction

Activity	Unmitigated Impacts	Avoidance and Mitigation Measures	Project Phase
		<p>minimum requirements for environmental management relating to the site.</p>	
	<p>Increased noise levels during construction</p>	<p>Specific noise reduction devices such as silencers and mufflers shall be installed as appropriate to site plant and equipment.</p> <p>Minimise the need for and limit the emissions as far as practicable if noise generating construction works are to be carried out outside of the hours: 7am-6pm</p> <p>Consultation with nearby residents in advance of construction activities particularly if noise generating construction activities are to be carried out outside of 'daytime' hours: 7am-6pm. Implement SEP.</p> <p>Provide a mechanism for receiving and resolving complaints (GRM)</p>	<p>Construction</p>
	<p>Habitat loss and disturbance of faun as a result of construction of coastal protection infrastructure</p>	<p>Limit vegetation clearing and minimise habitat disturbance through adequate protection and management of retained vegetation.</p> <p>Ensure that all site personnel are made aware of sensitive fauna/habitat areas and the requirements for the protection of these areas.</p> <p>Relocate where possible benthic macro-fauna that is sessile or slow moving eg giant clams and holothurians that could be impinged or entrapped as a result of construction of coastal protection measures.</p> <p>Minimise disturbance to on-site fauna and recover and rescue any injured fauna during construction and operation.</p>	<p>Construction</p>

Activity	Unmitigated Impacts	Avoidance and Mitigation Measures	Project Phase
		<p>Minimise noise levels and lighting intrusion throughout construction and operation in the vicinity of any sensitive locations.</p> <p>Revegetate disturbed areas using native species that have high habitat value.</p>	
	Potential for cultural heritage items within design/construction footprint	<p>ESIA to assess cultural heritage risk ie identify any assets.</p> <p>Design to seek to avoid where possible, if not, then a cultural heritage management plan to be developed and agreed with relevant government agencies and communities.</p>	Pre-construction
	Damage or disturbance to significant important Archaeological, Indigenous and/or Cultural Heritage during the earth disturbances and land clearing activities	Develop a Chance Finds Procedure as part of ESMP	Construction
<i>Activity 3.2 Sharing of lessons learned and best practices in climate resilient coastal protection measures for scale-up at the national and regional level</i>			
	Poor dissemination of information	SEP	Implementation

## 3 LEGAL AND INSTITUTIONAL FRAMEWORK

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### 3.1 INTERNATIONAL LEGAL FRAMEWORK

Tonga is signatory to the following international conventions of relevance to the project:

- The South Pacific Nuclear Free Zone Treaty (1965)
- International Convention on the Elimination of All Forms of Racial Discrimination (1972)
- Convention concerning the Protection of the World Cultural and Natural Heritage (1972)
- Vienna Convention for the Protection of the Ozone Layer (1985)
- Convention for the Protection of the Natural Resources and Environment of the South Pacific Region (1986)
- Convention on Biological Diversity (1992)
- Agreement establishing the South Pacific Regional Environment Programme (1993)
- Convention on the Rights of the Child (1995)
- Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997)
- Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region (2006)
- Protocol on Hazardous and Noxious Substances Pollution, Preparedness, Response and Cooperation in the Pacific Region (2006)
- Convention on the Rights of Persons with Disabilities (2007)
- Paris Agreement (2015)

### 3.2 NATIONAL LEGAL FRAMEWORK

#### 3.2.1 National legislation and policies

The following national legislation and policies are relevant to the project:

- Birds and Fish Preservation Act 1974
- Declaration of Parks and Reserves Act 1979
- Environmental Impact Assessment Act 2003
- Environmental Management Act 2010
- Fisheries Management Act 2002
- Fisheries Management Act 2002 (Special Management Area Order)
- Fisheries Conservation and Management Regulations 1994
- Fisheries (Coastal Communities) Regulations 2009
- Hazardous Wastes and Chemicals Act 2010
- Marine Pollution Prevention Act 2002
- Noxious Weeds Act (1917)
- Parks and Reserves Act 1976
- Preservation of Objects of Archaeological Interest Act 1969
- Waste Management Act 2005
- Criminal Offences Act (1926)
- Gender and Development (GAD) Policy

#### 3.2.2 Environmental Management Act 2010

The enactment of the *Environmental Management Act 2010* created a new overarching regulatory framework for the Kingdom of Tonga. The objectives of the Act are to:

- co-ordinate the role of Government in relation to all environmental management, including climate change issues, and decision-making processes
- promote meaningful public involvement in relation to issues of environment management, including climate change
- ensure the observance within the Kingdom of its international obligations relating to the protection of

the environment

- promote the concept of sustainable development in relation to the environment and natural resources of the Kingdom
- facilitate an assessment of the impacts on the environment of any activity likely to affect it, prior to a proposed activity taking place
- promote the understanding, management, conservation and protection of the biological diversity of the Kingdom
- facilitate implementation of measures to increase the resilience of the Kingdom and its environment to climate change.

### 3.2.3 Environmental Impact Assessment Act 2003

This *Environmental Impact Assessment Act 2003* requires that all major projects must be supported by an appropriate environmental impact assessment, conducted as required under the Act. In making an assessment with respect to a major project, the Minister (responsible for environment) must have due regard for, *inter alia*, whether any project is likely to:

- result in or increase pollution;
- result in the occurrence, or increase the chances of occurrence, of natural hazards such as soil erosion, flooding, tidal inundation, or hazardous substances;
- result in the introduction of species of types not previously present that might adversely affect the environment and biodiversity;
- have features, the environmental effects of which are not certain, and the potential impact of which is such as to warrant further investigation; or
- result in the allocation or depletion of any natural and physical resources in a way or at a rate that will prevent the renewal by natural processes of the resources or will not enable an orderly transition to other materials.

A major project cannot proceed unless the environmental impact assessment has been approved by the Minister. Under the Tongan regulatory framework, this being the *Environmental Impact Assessment Act 2003* and the *Environmental Impact Assessment Regulations 2010*, all development activities must be referred to the MEIDECC. With this notification, the proponent must complete a Determination of Category of Assessment Form, providing an overview of the proposed development and some specifics in relation to the existing environment and potential environmental impacts and mitigation measures. The Secretariat and the Minister determine whether the proposed development is a minor or major project and advises the proponent within 30 days. If it is a major project, the proponent then submits a full Environmental Impact Assessment for review by the Secretariat. The Secretariat makes recommendations to the Environmental Assessment Committee. The Minister receives an assessment report and issues the approval (with or without conditions), a request for further information, or a rejection.

Under the *Environmental Impact Assessment Act 2003*, a Schedule lists the projects considered as major projects. Project components that may trigger the need for an environmental impact assessment include (l) sand or gravel extraction from any beach within 50 metres of the high tide mark; (q) the removal of trees (including mangroves) or natural vegetation of any area more than half a hectare; and (r) construction of roads, wharfs, barrages, embankments or levees which affect the flow of tidal waters.

This ESMF provides the information required for the MEIDECC to undertake its assessment process as required under the regulations as any Major Project.

### 3.2.4 Biodiversity Conservation

The *Parks and Reserves Act 1976* of the Kingdom of Tonga established a Parks and Reserves Authority with members appointed by the Privy Council. Under the Act the Authority, with consent of Privy Council has the power to declare or cancel any area of land or sea as a park or reserve and draws up regulations to protect, preserve and maintain the natural, historical, scientific, or other valuable features of any park or reserve.

The *Birds and Fish Preservation Act 1974* sets the limit and prohibits the catching or injuring of certain species of fish, birds and turtles. The Act also establishes the legal authority for the enforcement of

the Act. Penalties for violation include as fine and imprisonment and confiscation of equipment used for capture. Declared protected areas under this Act are the two major lagoons of Tongatapu, Fanga'uta and Fanga Kakau.

### **3.2.5 Protection of Cultural Heritage**

The protection of physical cultural / archaeological items is enforced by the *Preservation of Objects of Archaeological Interest Act 1969* (revised in 1988). The Act establishes a permitting procedure for the search and removal of archaeological items and stipulates a procedure for reporting discoveries, with or without permit. The discovery should be reported without undue delay, indicating the precise site and the circumstances of the discovery, to the Committee.

### **3.2.6 Waste and Hazardous Waste Management**

The *Waste Management Act 2005* provides for the collection, disposal and management of all wastes in the Kingdom of Tonga. The act designates the Ministry of Health as the Authority for wastes for all areas of Tonga except Tongatapu which is under jurisdiction of another authority. The Act defines the waste management areas, the roles and responsibilities of the authority and Minister and sets the fees for waste management services.

The *Hazardous Wastes and Chemicals Act 2010* provides for the regulation and proper management of hazardous wastes and chemicals in Tonga in accordance with accepted international practices and the International Conventions applying to the use, transboundary movement, and disposal of hazardous substances and for related purposes.

### **3.2.7 Fisheries and Marine Protected Areas**

The *Fisheries Management Act 2002* deals with fisheries management, conservation, sustainable utilisation, and development. Under section 13, the Minister (responsible for Fisheries) can designate specific areas of fisheries waters to be special management areas for the purposes of coastal community management, application of certain conservation and management measures, subsistence fishing operations or other specified purpose.

The *Fisheries Management Act 2002 (Special Management Area Order)* demarcates fisheries waters that are protected as Special Management Areas. It also outlines the rights and responsibilities that coastal communities have over these protected areas.

The *Fisheries (Coastal Communities) Regulations 2009* set out the processes and rules by which coastal communities will exercise control over special management areas.

### **3.2.8 Environmental Standards**

Currently, Tonga has no legislated environmental standards, e.g. ambient air quality standards, pollution/emission standards, noise standards, water quality standards. As such, applicable international standards should be used.

### **3.2.9 Criminal Offences Act**

Tonga criminalises same-sex sexual activity between men and between women under the Criminal Offences Act. This provision carries a maximum penalty of ten years' imprisonment. Both men and women are criminalised under this law. Although never formally colonised, the law was inherited from the British while a protectorate state. Tonga retained the provision upon independence and continues to criminalise same-sex sexual activity today. There is no evidence of the law being enforced in recent years, however LGBT people are subjected to discrimination and violence.

### **3.2.10 Gender and Development (GAD) Policy**

Tonga has no domestic violence, sexual harassment, human trafficking, sex tourism or family legislation in place and has neither signed nor ratified the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). Tonga has no minimum age of sexual consent, so statutory rape is not a crime. The legal definition of rape is limited to acts amounting to sexual

intercourse, and the common law rules requiring proof of physical resistance in order to establish lack of consent is still applied. The defence of the reasonable belief that a victim was of legal age of consent is also still allowed.

Customary law has constitutional status in Tonga and the application of customary practices influence formal criminal procedures. Fault based divorce is practiced in Tonga, and division of matrimonial property in cases of divorce does not take non-financial contributions into consideration. Traditionally, police and community members are known to encourage reconciliation in cases of domestic abuse. In recent years, Tonga has pursued national planning measures in [support of its women](#).

A national Gender and Development (GAD) Policy was adopted in 2001 and reviewed in 2011. The policy notes that cultural attitudes that assign women a lower status than men persist, with some limited exceptions such as *mehakitanga* (eldest sisters). To address this issue, the GAD policy advocates awareness-raising and attention to the school curriculum as a way of overcoming stereotypes<sup>[1]</sup>. In 2010, the Government introduced a new policy [allowing women maternity protection in the civil service](#) and initiated nationwide consultation on the potential ratification of CEDAW. In 2011, the government directed the drafting of legislation covering violence against women.

### 3.3 UNDP ENVIRONMENTAL AND SOCIAL SAFEGUARD POLICY

The project covered by this ESMF will comply with UNDP's updated Social and Environmental Standards (SES), which came into effect on 1 January 2021. UNDP Safeguards are measures to protect or to avoid risks (do no harm), while promoting benefits (do good). The current ESMF, which forms part of the UNDP safeguards requirements, provides guidance to assess and manage the risks linked to potential harm induced by project activities, while providing guidance to ensure that these activities will actually promote benefits to the beneficiaries with respect to its objectives.

These standards underpin UNDP's commitment to mainstream social and environmental sustainability in its programmes and projects to support sustainable development and are an integral component of UNDP's quality assurance and risk-management approach to programming. Through the SES, UNDP meets the requirements of the GEF's Environmental and Social Safeguards Policy.

The objectives of the SES are to:

- Strengthen the social and environmental outcomes of programmes and projects
- Avoid adverse impacts to people and the environment
- Minimize, mitigate, and manage adverse impacts where avoidance is not possible
- Strengthen UNDP and partner capacities for managing social and environmental risks
- Ensure full and effective stakeholder engagement, including through a mechanism to respond to complaints from project-affected people.

Through the screening (SESP), the project was determined to trigger all the SES Principles and Standards.

#### 3.3.1 Overall Principle: Leave No One Behind

Leaving no one behind and reaching the furthest behind first is the central promise of the 2030 Agenda. As an overarching programming principle, leaving no one behind requires UNDP to prioritize its programmatic interventions to address the situation of those most marginalized, discriminated and excluded, and to empower them as active agents of the development process. All persons living in extreme poverty, in any form, are left behind, together with those enduring disadvantage(s) that deny or limit their choices and opportunities relative to others in society. In identifying who is being left behind, UNDP considers five key factors: discrimination, geography, vulnerability to shocks, governance and socio-economic status.<sup>21</sup> At the intersection of these factors, people face multiple reinforcing sources of deprivation and inequalities. Programming to leave no one behind should follow the rights-based approach to development, including the application of a gender perspective. Actions and decisions that improve the lives of poor, excluded and marginalized groups and that address inequalities and discrimination include advocacy, creating enabling environments, capacity

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<sup>21</sup> See [UNSDG, Leaving no one behind – A UNSDG operational guide for UN Country Teams](#) (interim draft April 2019).

development and support for civil society, community empowerment, and enhancing the quality and accessibility of services.

### **3.3.2 Principle 1: Human Rights**

UNDP recognizes the centrality of human rights to sustainable development, poverty alleviation and ensuring fair distribution of development opportunities and benefits and is committed to supporting “universal respect for, and observance of, human rights and fundamental freedoms for all.” UNDP adheres to the United Nations Development Group (UNDG) Statement of Common Understanding of the Human Rights-Based Approach to Development Cooperation and Programming (UN Common Understanding) which outlines that development programmes and policies should further the realization of human rights as laid down in the Universal Declaration of Human Rights and other human rights instruments. UNDP also recognizes the human rights-based approach as a key engagement principle in pursuing development outcomes. In furthering the realization of rights, UNDP shall both refrain from providing support for activities that may contribute to violations of a State’s human rights obligations and the core international human rights treaties and seek to support the protection and fulfilment of human rights. In its Programmes and Projects, UNDP will uphold the principles of accountability and the rule of law, participation and inclusion, and equality and non-discrimination, noting that prohibited grounds of discrimination include race, ethnicity, gender, age, language, disability, sexual orientation, religion, political or other opinion, national or social or geographical origin, property, birth or other status including as an indigenous person or as a member of a minority. UNDP will also ensure the meaningful, effective and informed participation of stakeholders in the formulation, implementation, monitoring and evaluation of Programmes and Projects. UNDP seeks to support State efforts to meet their human rights obligations as requested, however, UNDP does not have a monitoring role with respect to human rights. In the context of UNDP Programmes and Projects, UNDP’s due diligence obligations require UNDP to monitor compliance with its policies.

### **3.3.3 Principle 2: Gender Equality & Women’s Empowerment**

The promotion of gender equality and the empowerment of women are central to the mandate of UNDP and intrinsic to its human rights-based approach to development programming. This effort includes advocating for women’s and girls’ human rights, combating discriminatory practices, and challenging the roles and stereotypes that create inequalities and exclusion. UNDP Programmes and Projects will be gender-responsive in their design and implementation. UNDP will seek to identify and integrate the different needs, constraints, contributions and priorities of women, men, girls and boys into its programming. UNDP Programmes and Projects will promote gender equality and the empowerment of women. UNDP will seek to reduce gender inequalities in access to and control over resources and the benefits of development. Programmes and Projects will ensure that both women and men are able to participate meaningfully and equitably, have equitable access to Programme and Project resources, and receive comparable social and economic benefits. UNDP will ensure that its Programmes and Projects do not discriminate against women or girls or reinforce gender-based discrimination and/or inequalities.

### **3.3.4 Principle 3: Sustainability and Resilience**

Sustainable management, protection, conservation, maintenance and rehabilitation of natural habitats and their associated biodiversity and ecosystem functions are fundamental to UNDP’s efforts to develop and implement sustainable development pathways. UNDP seeks to address poverty and inequality while maintaining and enhancing natural capital. Sustainable management, protection, conservation, maintenance and rehabilitation of natural habitats and their associated biodiversity and ecosystem functions are fundamental to UNDP’s efforts to develop and implement sustainable development pathways. UNDP will ensure that environmental sustainability is systematically mainstreamed into its Programmes and Projects. In designing development cooperation activities, UNDP will seek to support Programme Countries and Implementing Partners to address the environmental dimensions (both opportunities and constraints) of major development issues and to strengthen environmental management and protection. UNDP uses and promotes a precautionary approach (17) to natural resource conservation and reviews its development cooperation activities to ensure they do not cause negative environmental effects. UNDP requires the application of relevant social and environmental standards to avoid adverse environmental impacts, or where avoidance is



not possible, to minimize, mitigate, and as a last resort, offset and compensate for potential residual adverse impacts. UNDP will assist Programme Countries and Implementing Partners to integrate low-emission, climate-resilient objectives into national and sectoral development plans and will ensure that supported Programmes and Projects enhance climate resiliency and avoid unwarranted increases in greenhouse gas (GHG) emissions, instead enhancing efficiency and reducing GHG intensity.

### **3.3.5 Principle 3: Accountability**

UNDP does not support activities that do not comply with national law and obligations under international law, whichever is the higher standard (hereinafter "Applicable Law"). UNDP promotes accountability to programme and project stakeholders by (i) enabling active local community engagement and participation in decision-making, particularly those at risk of being left behind; (ii) ensuring transparency of programming interventions through provision of timely, accessible and functional information regarding supported activities, including on potential environmental and social risks and impacts and management measures; (iii) ensuring stakeholders can communicate their concerns and have access to rights-compatible complaints redress processes and mechanisms; and (iv) ensuring effective monitoring—and where appropriate, participatory monitoring with stakeholders—and reporting on implementation of social and environmental risk management measures. UNDP's SES are underpinned by an Accountability Mechanism with two key components: (i) the Stakeholder Response Mechanism (SRM) that ensures individuals, peoples, and communities affected by projects have access to appropriate grievance resolution procedures for hearing and jointly addressing complaints and disputes related to the social and/or environmental impacts of UNDP-supported projects; and (ii) the Social and Environmental Compliance Unit (SECU) which investigates alleged non-compliance with UNDP's Social and Environmental Standards and screening procedure from project-affected stakeholders and recommends measures to address findings of non-compliance.<sup>22</sup>

### **3.3.6 Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management**

Conserving biodiversity, maintaining ecosystem services, and sustainably managing natural resources are fundamental to sustainable development. UNDP seeks to maintain and enhance the goods and services provided by biodiversity and ecosystems in order to secure livelihoods, food, water and health, enhance resilience, conserve threatened species and their habitats, and increase carbon storage and sequestration.

UNDP is committed to integrating biodiversity and ecosystem management into development planning and production sector activities, strengthening protected areas systems, and managing and rehabilitating ecosystems for adaptation to and mitigation of climate change. UNDP seeks to strengthen effective governance and decision-making systems affecting biodiversity and ecosystems, including strengthening the rights of affected populations including women, indigenous peoples and local communities to sustainable use of resources.

This Standard reflects the objectives of the Convention on Biological Diversity, including the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the use of genetic resources. UNDP promotes an ecosystem approach to biodiversity conservation and sustainable management of natural resources.

### **3.3.7 Standard 2: Climate Change Mitigation and Disaster risks**

Climate change is a fundamental threat to sustainable development and the fight against poverty. It has the potential to stall and even reverse human development through its impacts on key development sectors and activities, including agriculture and food production, water, ecosystems and other natural resources, disaster risk management and health. Climate change may exacerbate extreme weather events, increasing the risk of high-impact disasters. Communities that are already subjected to impacts from climate change may experience an acceleration and/or intensification of impacts due to Project activities that do not integrate and anticipate climate change risks.

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<sup>22</sup> For further information, visit [www.undp.org/secu-srm](http://www.undp.org/secu-srm).

UNDP supports countries to integrate low-emission, climate-resilient objectives into national and sectoral development plans, identify priority mitigation and adaptation measures, implement measures to reduce vulnerability and increase adaptive capacity and resilience.

UNDP will ensure that its Projects are sensitive to climate change risks and do not contribute to increased vulnerability to climate change. UNDP mobilizes resources to support Programme countries to finance their national adaptation costs.

UNDP strengthens the participation of women in decision-making processes on climate adaptation, mitigation and disaster risk reduction. UNDP supports countries to ensure that disaster risk reduction, climate mitigation and adaptation programmes specifically support women to strengthen their resilience, in part by securing rights and tenure to land, housing and other assets.

### **3.3.8 Standard 3: Community Health, Safety and Security**

The Community Health and Safety Standard recognizes that project activities, equipment, and infrastructure can increase community exposure to risks and impacts. Potential negative impacts affecting health and safety may arise from a broad range of supported activities, including from infrastructure development and construction activities, changes in the nature and volume of traffic and transportation, water and sanitation issues, use and management of hazardous materials and chemicals, impacts on natural resources and ecosystems, the influx of project labour, and potential abuses by security personnel. This Standard addresses the need to avoid or minimize the risks and impacts to community health, safety and security that may arise from project-related activities, with particular attention given to disadvantaged and marginalized groups.

### **3.3.9 Standard 4: Cultural Heritage**

UNDP recognizes the importance of Cultural Heritage for current and future generations and seeks to ensure that Cultural Heritage is protected during development activities. UNDP seeks to ensure equal participation, access and contribution of women and men in protecting and sharing the benefits of Cultural Heritage.

### **3.3.10 Standard 5: Displacement and Resettlement**

UNDP will seek to avoid physical and economic displacement in its Projects. In exceptional circumstances and where avoidance is not possible, displacement may occur only with full justification, appropriate forms of legal protection and compensation, and according to the following requirements.

Activities that involve physical and economic displacement, including through land acquisition or restrictions on land use or access to resources, pose impoverishment risks. Potential impacts may include loss of livelihoods, homelessness, food insecurity, and other adverse impacts. These impacts may lead to social unrest and political instability.

### **3.3.11 Standard 6: Indigenous Peoples**

Indigenous peoples, as distinct people, are equal to all other peoples. Indigenous individuals and indigenous peoples or communities are entitled to enjoy and exercise their human rights without discrimination. Indigenous peoples possess collective human rights which are indispensable for their existence, well-being and development as peoples. The special relationship that indigenous peoples have with their lands, resources, and territories is integral to their physical, spiritual and cultural survival.

The promotion and protection of the rights of indigenous peoples, especially concerning their lands, territories, traditional livelihoods, cultures and resources, are necessary to achieve UNDP's goals of advancing human rights, respecting indigenous peoples identities and improving their well-being.

### **3.3.12 Standard 7: Labour and Working Conditions**

The pursuit of inclusive and sustainable economic growth, full and productive employment and decent work for all requires the protection of workers' fundamental rights, their fair treatment, and the provision of safe and healthy working conditions. Project activities seek to enhance employment promotion benefits, development outcomes and sustainability by ensuring sound worker-management

relationships and cooperation in their design and implementation. The SES requirements have been guided by a number of international conventions and instruments, including those of the International Labour Organization (ILO) and the United Nations (UN).

### **3.3.13 Standard 8: Pollution Prevention and Resource Efficiency**

The Pollution Prevention and Resource Efficiency Standard recognizes that increased industrial activity, urbanization, and intensive agricultural development often generate increased levels of pollution (78) to air, water, and land, and consume finite resources in a manner that may threaten people and the environment at the local, regional, and global level. Pollution prevention and resource efficiency are core elements of a sustainable development agenda and UNDP Projects must meet good international practice in this regard.

This Standard outlines a project-level approach to pollution prevention and resource efficiency. Reduction of greenhouse gas emissions that contribute to climate change is addressed in [Standard 2: Climate Change Mitigation and Adaptation](#).

## **3.4 DISCUSSION**

As can be seen from the information provided in Sections 3.2 and 3.3, Tongan legislation alone is not sufficient to meet the requirements of the UNDP SES. As the more stringent standard, the UNDP SES requirements will be the minimum that will need to be satisfied by the project.

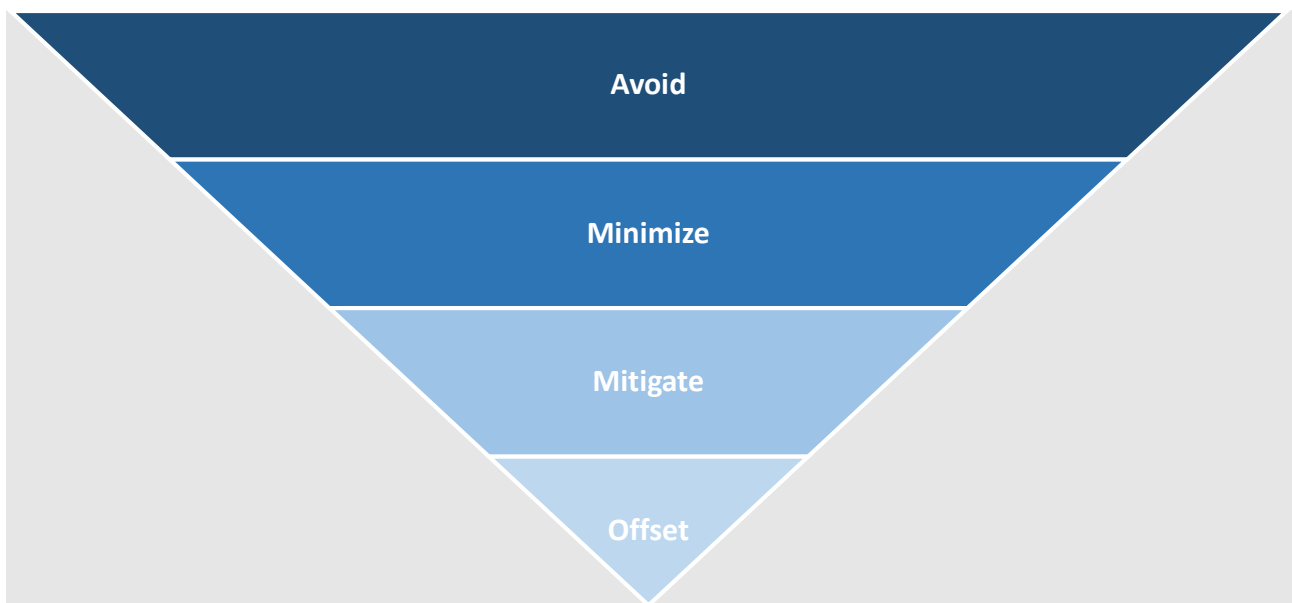
## 4 PROCEDURES FOR SCREENING, ASSESSMENT AND MANAGEMENT

The project will follow UNDP’s requirements and procedures for screening, assessment, and management according to its substantial-risk project categorization.

The following principles will guide the procedures:

- **Mitigation Hierarchy** - The project will first seek to *avoid* potential adverse impacts, then *minimize* them; where impacts remain, it will then apply *mitigation* measures; the *offset* of impacts that have not mitigated will be used as a last resort.
- **Precautionary Principle** - The lack of full scientific certainty shall not be used as a reason for postponing measures to prevent serious threats.
- **Direct, Indirect, and Cumulative Impacts** - The project will consider all relevant impacts, not just in the immediate project area but also in the project’s area of influence; it will also consider cumulative impacts from the project or from other relevant past, present, and reasonably foreseeable developments in the geographic area.
- **“Polluter pays”** - The cost of mitigation is borne by the agent causing the damage.

Figure 1: UNDP’s SES mitigation hierarchy



### 4.1 SOCIAL AND ENVIRONMENTAL SCREENING PROCEDURE (SESP)

The SESP was conducted during project design and proposal development and is summarized in Table 5 and available as annex to the ProDoc. The SESP was preceded by an initial Social and Environmental Risk Screening undertaken by the PPG team, then completed and finalized following the SES mission conducted by the PPG team’s Safeguards Consultant.

It has been conceived according to the following principles:

- **Do Not Assume Away Risks** - Impact and probability have been rated as if mitigation measures will not be applied, thinking “*worst case scenario*”.
- **Rate Risks Appropriately** - Risk significance levels have not been under-estimated – to be accurate, the most likely risk levels have been identified.

- **Categorize Based on Highest Risk** - The overall categorization has been accurately assigned by using the highest individual risk rating.

During implementation, the project will be re-screened with the UNDP SESP as needed in the course of required assessments; as prescribed by the project’s ESMP; when determined necessary by the respective Project Manager (after consideration of the advice from PMO staff with responsibility for safeguards), the Project Steering Committee, or UNDP CO; and/or when project circumstances change in a substantive or relevant way.

The activities that may potentially cause adverse social and environmental impacts (as noted in Table 5) may not proceed until they are screened and assessed and that appropriate management measures are in place, according to the rules and procedures of this ESMF.

Activities under Output 3 (mixed methods to be combined with the infrastructure) will be further defined during project implementation, on the basis of a comprehensive, field based, site specific assessment of potential interventions and on-going dialogue with local stakeholders (activity 2.3) and an ESIA which will be conducted during the first phase of project implementation (first six months).

The Project Management Unit is responsible for implementing screening procedures, assisting in scoping, evaluation and approval of the proposed interventions. The PMU will be in charge of safeguards screening (as per the SESP guidelines and using the SESP template) of each intervention and, based on that screening, determining whether further technical and feasibility studies are required before they are accepted and funded (or whether the given intervention should not be accepted due to the level/nature of the risks).

## 4.2 FEASIBILITY STUDY

A feasibility study was conducted in December 2021 and covered many of the screened risks related to the implementation of the Tonga Coastal Resilience Project. This feasibility study has been commissioned to provide background information and guidance for the elaboration of the first Tongan submission to the Green Climate Fund. The feasibility study treats the current and expected climate change impacts and examines the technical feasibility of each of the proposed solutions while assessing the feasibility of implementing these solutions within a single project framework. Simultaneously, considerations for gender responsiveness, impact potentials, sustainability potentials, and the possibility for transformational change have been examined carefully.

It proved to be necessary to appropriately design the project and remains to be completed by the ESIA (see below). The table below shows which of the standards were covered by the Feasibility study and/or by the GAP and SEP, also designed during the project design phase, and which ones remain to be covered by the ESIA.

Standards triggered by the project	Covered by the feasibility study	Covered by the GAP	Covered by the SEP	To be covered by the ESIA in addition to the feasibility study	Covered by SESA
P1		X	X	X	X
P2		X	X	X	X
P3	X	X	X	X	X
S1	X				X
S2	X				X
S3				X	
S4				X	X

S5				X	X
S6				X	X
S7				X	
S8	X				

### 4.3 ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN (ESMP)

In accordance with UNDP’s SES policy, substantial risk projects require comprehensive forms of assessment. An ESIA assesses the full range of social and environmental impacts, including alternatives analysis. It will be developed and carried out by independent experts in a participatory manner with stakeholders during the inception phase. As stated above, the feasibility study also covered part of the safeguard-related risks. The ESIA will further identify and assess, for the remaining standards and risks, social and environmental impacts of the project and its area of influence; evaluate alternatives; and design appropriate avoidance, mitigation, management, and monitoring measures. It will address all relevant issues related to the SES Overarching Principles and Project-level Standards including those related to GBV and SEAH. A key output of the ESIA is an ESMP, as described next.

The ESIA will be carried out during the first six months of the project by a team of one international safeguard expert (it is required that this expert is able to travel to the field) supported by one to two national experts. Such work conducted in parallel will allow the PMU to integrate exclusionary criteria when designing the activities of Output 3 (see Table 5 for the relevant activity). It is expected that these field activities would not start before 6 to 12 months after project launch. This period will allow sufficient time to conduct a full and comprehensive ESIA by the team of safeguard consultants, who will then design appropriate measures in the ESMP and appropriate plans.

The ESIA will include targeted assessments — aligned with the targeted management plans listed below (to be included in the ESMP) — and specific focus on moderate and substantial-risk activity typologies, though the ESIA will be holistic by considering all areas of risk (please see Table 5).

The ESMP will provide a set of avoidance, mitigation, monitoring, and institutional measures – as well as actions needed to implement these measures – to achieve the desired social and environmental sustainability outcomes. Complementing what has already been identified in the ProDoc, the ESMP will further identify project activities that cannot take place until the relevant mitigation measures are approved and put in place. The measures will be adopted and integrated into the project activities, monitoring and reporting framework and budget, and captured in a revised SESP for each project.

The ESMP (and ESIA report) will be the output of the ESIA (described above). Both the Social and Environmental Screening Procedure (SESP) and the Environmental and Social Management Framework (ESMF) completed during the project’s development phase will be used as the basis for the ESMP. An ESMP template can be found in the annexes.

Specific management plans will be developed during the ESIA/ESMP phase, including but not limited to:

- Livelihood Action Plan (LAP)
- Biodiversity Action Plan (BMP)
- GBV and SEAH Action Plan

In addition, the Stakeholder Engagement Plan will be completed by a FPIC protocol.

These plans are currently conceived as sections of the ESMP allowing for more background information and details on operational procedures, implementation steps for key measures related to the most substantial risks. The exact content of the ESMP will be determined based on the findings of the ESIA, and as required for SES compliance.

#### 4.3.1 Livelihood Action Plan (LAP)

The Livelihood Action Plan aims to define how the local communities and indigenous peoples' livelihoods will be preserved (do no harm) and enhanced (do good). It will include a benefit-sharing mechanism that will adequately address the needs and specificities of all beneficiaries. It also addresses economic displacement, hence completing the Resettlement Action Plan by offering livelihood analysis and solutions to economic impacts of the project. LAP includes elements specific to economic displacement resettlement, including issues related to participation of individuals and communities in decisions potentially impacting them and their livelihoods, compensation and rehabilitation assistance, and non-discrimination and attention to collective rights.

The LAP will address Outputs 1 and 3.

#### 4.3.2 Biodiversity Action Plan (BAP)

A Biodiversity Action Plan will be developed for the project area, with a particular focus on the neighbouring Protected Areas, to manage all risks associated with the activities. This includes Livelihood activities supported by the project, small infrastructure, and small-scale entrepreneurship.

The measures will aim to avoid or reduce adverse biodiversity impacts, following a mitigation hierarchy, seeking to achieve no net loss of biodiversity, where possible. Alternative project designs and locations are to be considered to avoid potential impacts. Mitigation and management measures need to meet (and ideally exceed) not only Applicable Law (i.e. national law and obligations under international law) but also the requirements specified in Standard 1.

The BAP will also allow to address current gaps in information for undertaking biodiversity-related actions related to the scope and impact of artisanal mining activities and to the nature and location of the livelihood activities, green entrepreneurship, and infrastructure to be supported by the project.

The BAP will address Output 3.

#### 4.3.3 FPIC protocol (as part of the Stakeholder Engagement Plan)

As Standard 6 applies to almost all the population of Tonga, it is considered that a separate Indigenous Peoples Plan is not required, rather the requirements of the standard can be integrated into the ESMP and Stakeholder Engagement Plan (SEP).

The SEP, which includes a Grievance Redress Mechanism, provides the mechanism for achieving Free Prior Informed Consent (FPIC), that is, the population of Tonga, and particularly those directly affected, will continue to be consulted and involved in providing consent for the ongoing delivery of the project.

The ESMP and the SEP, along with other project processes and documentation can enable the project to meet the objectives of Standard 6, as detailed in UNDP's guidance note on Standard 6<sup>23</sup>, that is:

- Recognize and fostering full respect for indigenous peoples' human rights
- Support Tonga in its promotion and protection of indigenous peoples' rights
- Be designed in a spirit of partnership with full and effective participation
- Be undertaken with free, prior, and informed consent where rights, lands, resources, and traditional livelihoods may be affected
- Promote greater control and management by indigenous peoples over developments
- Avoid adverse impacts and ensure equitable and culturally appropriate benefits and opportunities.

FPIC:

- **Free:** refers to a consent given voluntarily and absent of coercion, intimidation or manipulation.
- **Prior:** refers to a period of time in advance of an activity or process when consent should be sought, as well as the period between when consent is sought and when consent is given.
- **Informed:** refers mainly to the nature of the engagement and type of information that should be

<sup>23</sup> [https://ses-toolkit.info.undp.org/sites/g/files/zskgke446/files/SES%20Document%20Library/Uploaded%20October%202016/UNDP%20SES%20Indigenous%20Peoples%20GN\\_revFeb2022.pdf](https://ses-toolkit.info.undp.org/sites/g/files/zskgke446/files/SES%20Document%20Library/Uploaded%20October%202016/UNDP%20SES%20Indigenous%20Peoples%20GN_revFeb2022.pdf)

provided prior to seeking consent and also as part of the ongoing consent process.

- **Consent:** refers to the collective decision made by the rights-holders and reached through the customary decision-making processes of the affected peoples or communities.

The FPIC processes in the SEP include the following steps:

- Scoping
- Planning, research and assessment
- Consultation
- Negotiation
- Agreement
- Implementation.

The FPIC process annex in the SEP also summarises the elements that should be contained within an agreement.

In general, FPIC should not be sought for approval “of the project” but of specific activities, especially the ones impacting communities’ livelihoods. It is not appropriate for communities to consent to “the project” or “general aims” as the project is too big and contains too many elements. This is a usual flaw of conservation FPIC mechanisms. Consent should be sought separately – through separate documented agreements – for all specific activities that may affect communities.

The SEP will address the whole project, and FPIC will apply to Outputs 1 (1.1 and 1.2) and 3 (3.1).

#### 4.4 STRATEGIC ENVIRONMENTAL AND SOCIAL ASSESSMENT (SESA) AND PROCESS FRAMEWORK

A team of consultants will carry out a SESA to address the risks and potential negative impacts linked to Output 1 (see Table 5). SESA refers to a range of analytical and participatory approaches that aim to integrate social and environmental considerations into policies, plans and programmes (PPPs) and evaluate their interlinkages with economic considerations. Potential adverse risks and impacts associated with the development of the national land-use policy will be systematically examined (activities 1.1 and 1.2). SESA evaluates the effect of policy changes on a broad, cross-sectoral basis with the aim of making “upstream” development decision-making more sustainable. It will look at wider sustainability issues than project-level assessments.

However, the SESA will be carried out during the first six months of the project in parallel with the ESIA as there needs to be linkages between the two: information and strategies determined in a SESA should cascade down through tiers of decision-making.

The risk of future displacement is determined by the way in which policies and processes influence peoples’ exposure and vulnerability to hazards. Any remaining unavoidable risk related to physical displacement would lead to the need to design a Process Framework and potentially a Resettlement Action Plan.

The Process Framework would be required if the SESA determined that the National Land Use Strategy would lead to communities potentially being restricted from access to natural resources ie displacement. The Process Framework would follow the completion of the SESA. Refer UNDP SES Process Framework Template for guidance as to contents and structure of the framework.

If the Land Use Strategy and Process Framework outcomes result in the need for massive population relocation/displacement, then a Resettlement Action Plan will need to be developed to support the implementation of the Land Use Strategy.

#### 4.5 ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK (ESMF)

The present ESMF has been developed as part of UNDP’s due diligence process in the project cycle, following the screening of the present project with the SESP (see annex to the ProDoc). Based on the project risk categorization and its specific risks, the above and below procedures for screening, assessing, and managing those risks must be followed during the inception phase.



#### 4.6 STAKEHOLDER ENGAGEMENT PLAN (SEP)

A Stakeholder Engagement Plan has been developed during the project’s design phase. It constitutes an annex to the Project Document and will guide all actions pertaining to SES implementation. As already noted, the SEP covers standard 6 requirements and includes processes for obtaining FPIC for Outputs 1 and 3. As almost the entire Tongan population can be considered indigenous, then consultation with indigenous peoples has already commenced and will continue guided by the SEP. The FPIC processes will be applied to each activity under Outputs 1 and 3, as communities will be allowed to provide their consent to part of them, ask for modifications, or withdraw their consent.

The SEP also includes a detailed Grievance Redress Mechanism (GRM) (Appendix 2 of the SEP).

#### 4.7 GENDER ACTION PLAN (GAP) AND GBV/SEAH ACTION PLAN

A Gender Action Plan has been developed during the project’s design phase. It constitutes an annex to the ProDoc and will guide all actions pertaining to SES implementation.

The potential risks associated with GBV/SEAH were screened against a set of high-level indicators (refer Annex 2). The overall risk rating for SEAH associated with the project was determined to be moderate.

A SEAH Action Plan has been developed as part of the ESMF ([Table 7](#)~~Table 6~~) and should be implemented in conjunction with other safeguard plans.

SEAH and GBV risks at a sub-project level will be considered under each ESIA, which will include an assessment of potential for SEAH and GBV based on local to occur during both the implementation and operations of relevant activities in accordance with good practice principles, for example as outlined in the in GCF guidelines to assessing SEAH and GBV risk <sup>24</sup>. Management measures of identified risks at a sub-project level will be administered through each ESMP, which will require mitigative measures to be designed and implemented in alignment with the precepts of the GBV/SEAH Action Plan.

Table 7 SEAH Action Plan

Action to address SEAH risk	Timeline	Responsible Body	Monitoring
As part of the project’s stakeholder consultations, properly inform those affected by the project of SEAH risks and project activities to get their feedback on project design and safeguard issues.  Consultations need to engage with a variety of stakeholders (political, cultural or religious leaders, health teams, local councils, social workers, women’s organizations and groups working with children) and should occur at the start and throughout the implementation of the project.	Consultations need to be throughout the project cycle, not just during preparation.	IA	<ul style="list-style-type: none"> <li>Monitoring of implementation of SEP.</li> <li>Ongoing consultations, particularly when ESMP is updated.</li> </ul>
Disseminate information, in collaboration with GBV partners, on GBV referral pathway and the importance of timely seeking services	During implementation	IA	<ul style="list-style-type: none"> <li>Ongoing reporting</li> </ul>

<sup>24</sup><https://www.greenclimate.fund/document/sexual-exploitation-abuse-and-harassment-seah-risk-assessment-guideline>

Make certain of the availability of an effective GRM with multiple channels to initiate a complaint - Include specific procedures for SEAH (eg confidential reporting with safe and ethical documenting of SEAH cases).	Prior to contractor mobilizing.	IA	<ul style="list-style-type: none"> <li>Ongoing monitoring and reporting on GRM to verify it is working as intended.</li> </ul>
Map out SEAH prevention and response actors in project adjoining communities.	During preparation and implementation	IA UNDP to provide technical support as appropriate	<ul style="list-style-type: none"> <li>Update mapping as appropriate</li> </ul>
Clearly define the SEAH requirements and expectations in the bid documents.	Procurement.	IA.	
Define the requirements to be included in the bidding documents for a Code of Conduct which addresses SEAH.	Procurement.	IA	
Evaluate the contractor's SEAH Accountability and Response Framework in the ESMP and confirm prior to finalizing the contract the contractor's ability to meet the project's SEAH prevention and response requirements.	Procurement.	IA	<ul style="list-style-type: none"> <li>Review by UNDP</li> </ul>
Review ESMP to verify that appropriate mitigation actions are included	Implementation	IA	<ul style="list-style-type: none"> <li>Review by UNDP</li> <li>Review by GCF</li> </ul>
Review that the GRM receives and processes complaints in a timely manner referring to an established mechanism to review and address GBV complaints.	During project implementation		<ul style="list-style-type: none"> <li>Ongoing reporting</li> <li>Monitoring of complaints and their resolution</li> </ul>
<p>Codes of Conduct signed and understood</p> <p>1) Ensure requirements in CoCs are clearly understood by those signing.</p> <ul style="list-style-type: none"> <li>o Have CoCs signed by all those with a physical presence at the project site.</li> <li>o Train project staff on the behavior obligations under the CoCs.</li> <li>o Disseminate CoCs (including visual illustrations) and discuss with employees and local communities.</li> <li>o Create an appropriate Accountability and Response Framework.</li> </ul>	Initiated prior to contractor mobilization and continued during implementation.	Contractor, Consultant, IA.	<ul style="list-style-type: none"> <li>Review of SEA/SH risks during project supervision (e.g., Mid-term Review) to assess any changes in risk.</li> <li>Supervising Engineer reporting that CoCs are signed and that workers have been trained and understand their obligations.</li> <li>Monitoring of GM for SEA/SH complaints.</li> <li>Discussion at</li> </ul>

			public consultations.
Develop Training Materials/key messages for project workers sensitization, community awareness and for sensitization targeting Project management and Contractor management	At the start of the project		<ul style="list-style-type: none"> <li>• Training and communication materials developed, and strategies developed.</li> <li>• Training materials should include at least the following topics:</li> <li>• Definition of GBV, SEAH and how the project can exacerbate/contain GBV</li> <li>• Roles and responsibilities of project stakeholders.</li> <li>• Project staff Code of Conduct (CoC)</li> <li>• Case reporting mechanism, accountability structures, and referral procedures within agencies and for community members to report cases related to project staff; and</li> <li>• Services available for survivors of GBV.</li> </ul>
Have project workers and local community undergo training on SEA/SH.	Implementation	IA, Contractors, Consultants	Ongoing reporting
Undertake regular M&E of progress on SEA/SH prevention and response activities, including reassessment of risks as appropriate.	Implementation	IA, Contractors, Consultants	Monitoring of GRM Ongoing reporting
Implement appropriate project-level activities to reduce SEAH risks prior to civil works commencing such as: <ul style="list-style-type: none"> <li>• Have separate, safe and easily accessible facilities for women</li> </ul>	Prior to works commencing	Contractor (implementation) Supervising engineer	Ongoing reporting. o Reviews during implementation support missions.

<p>and men working on the site. Locker rooms and/or latrines should be in separate areas, well-lit and include the ability to be locked from the inside.</p> <ul style="list-style-type: none"> <li>• Visibly display signs around the project site (if applicable) that signal to workers and the community that the project site is an area where SEA/SH is prohibited.</li> <li>• As appropriate, ensure public spaces around the project grounds are well-lit.</li> </ul>		(supervising/enforcing contract)	
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The UNDP SES Policy integrates Gender-Based-Violence, and concerns about GBV were raised during the consultations, therefore, the ESIA will need to specifically investigate gender issues and GBV/SEAH risks and if necessary, update the GAP to integrate any additional measures necessary to address the risk.

## 4.8 SUMMARY OF MANAGEMENT PROCEDURES

Table 8 Summary of Management Procedures

:

<b>Document</b>	<b>Responsibility</b>	<b>Timing</b>
Environmental and Social Management Framework (ESMF)	UNDP CO	Project design phase – before submission to GCF
Stakeholder Engagement Plan (SEP)	UNDP CO	Project design phase –
Gender Action Plan and GBV/SEAH Action Plan (GAP)	UNDP CO	Project design phase – before submission to GCF  To be revised after completion of ESIA and SESA.
Environmental and Social Management Plan (ESMP) - Livelihood Action Plan (LAP) - Biodiversity Action Plan (BAP)	UNDP CO	To be prepared as an outcome of the ESIA and SESA. First six months of project implementation – before any activities that may cause adverse social or environmental impacts start (see table 1 and table 5)

## 5 INSTITUTIONAL ARRANGEMENTS AND MONITORING

### 5.1 GENERAL MANAGEMENT STRUCTURE AND RESPONSIBILITIES

A high-level PMU structure is shown in [Figure 9](#). The key roles are discussed below.

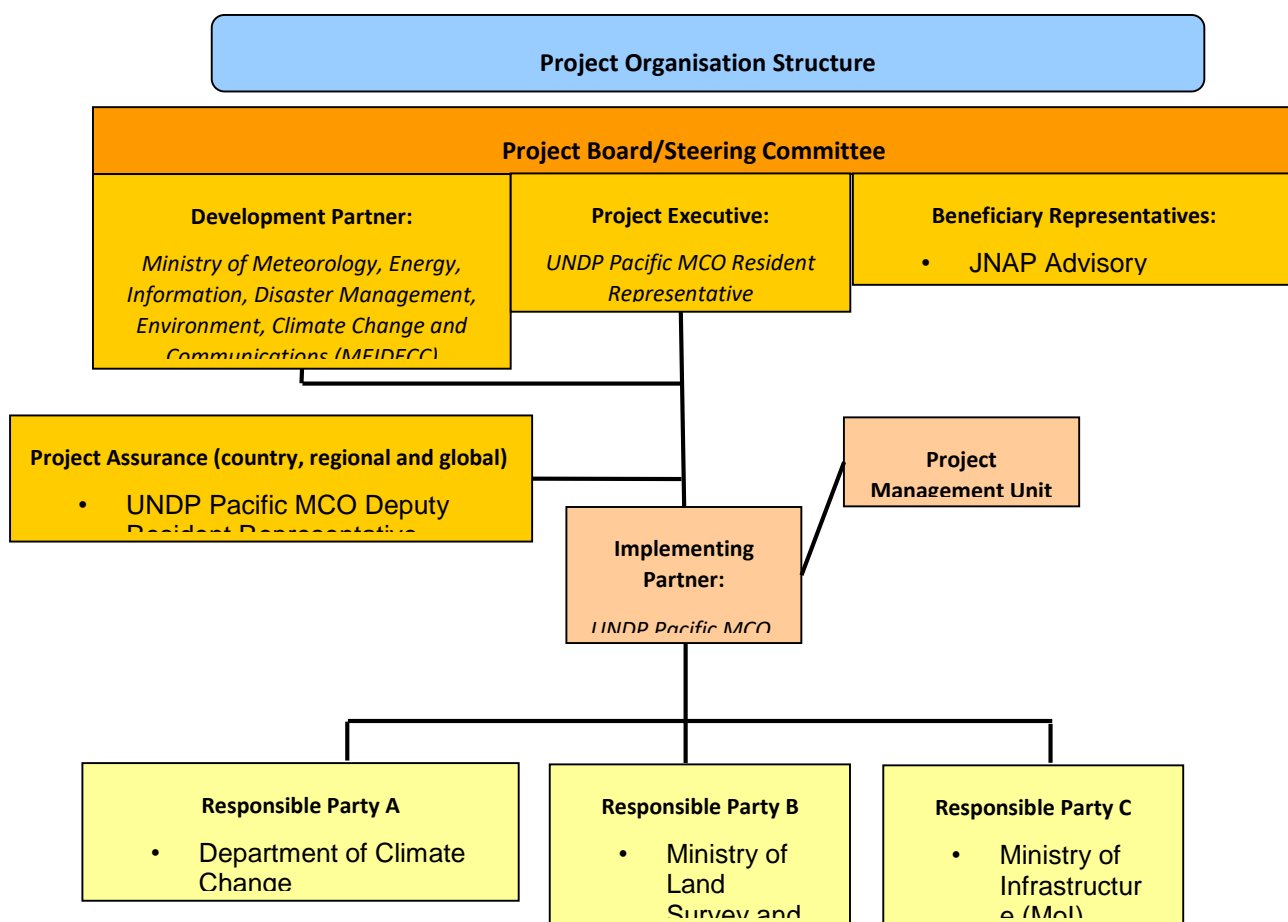


Figure 9 Project organisation structure

#### 5.1.1 Project Board

The Project Board is comprised of Implementing Partner and Responsible Parties. The Implementing Partner for this project is the MEIDECC. The MEIDECC is accountable to UNDP for managing the project, including the monitoring and evaluation of project interventions, achieving project outcomes, and for the effective use of UNDP resources.

#### 5.1.2 National Project Management Unit

The PMU will be established under the MEIDECC. The PMU will include the key roles identified in the organisation chart, in particular the Project Manager.

The Project Manager will run the project on a day-to-day basis on behalf of the MEIDECC within the constraints laid down by the Project Board. The Project Manager's function will end when the final project terminal evaluation report and other documentation required by the GCF and UNDP, has been completed and submitted to UNDP. The Project Manager is responsible for day-to-day management and decision-making for the project. The Project Manager's prime responsibility is to ensure that the project produces the results specified in the project document, to the required standard of quality and within the specified constraints of time and cost.

### 5.1.3 Project Assurance

The 'project assurance' function of UNDP is to support the Project Board by carrying out objective and independent project oversight and monitoring functions. This role ensures appropriate project management milestones are managed and completed. Project assurance has to be independent of the Project Manager; therefore, the Project Board cannot delegate any of its assurance responsibilities to the Project Manager. Furthermore, as the Senior Supplier, UNDP provides quality assurance for the project; ensures adherence to the NIM guidelines and ensures compliance with GCF and UNDP policies and procedures.

A UNDP Programme Officer, or Monitoring and Evaluation Officer, typically holds the Project Assurance role on behalf of UNDP.

## 5.2 PROJECT DELIVERY AND ADMINISTRATION

### 5.2.1 Project Delivery

The project will be delivered on the ground via the MEIDECC through its subsidiary departments and the MEIDECC. In addition, collaboration with atoll councils, existing NGOs and local communities is expected UNDP.

### 5.2.2 Administration of Environmental and Social Management Framework

As the implementing agency, MEIDECC will be responsible for responsible for the implementation with the ESMF via the delivery organisations.

The ESMF will be part of any tender documentation. The MEIDECC will be responsible for the revision or updates of this document during the course of work. It is the responsibility of the person to whom the document is issued to ensure it is the most up to date version.

The UNDP and MEIDECC are accountable for the provision of specialist advice on environmental and social issues to the delivery organisations (e.g. contractors and/or NGOs) and for environmental and social monitoring and reporting. The MEIDECC or its delegate will assess the environmental and social performance of the delivery organisations (e.g. contractors) in charge of delivering each component throughout the project and ensure compliance with the ESMF. During operations the delivery organisations will be accountable for implementation of the ESMF. Personnel working on the projects have accountability for preventing or minimising environmental and social impacts.

The Field Officer will be responsible for daily environmental inspections of the project/construction site. The MEIDECC or its delegate will cross check these inspections by undertaking monthly audits.

The delivery organisation e.g. contractor will maintain and keep all administrative and environmental records, which would include a log of complaints and/or grievances together with records of any measures taken to mitigate the cause of the complaints and/or grievances.

The delivery organisation will be responsible for the day to day compliance of the ESMF

### 5.2.3 Environmental procedures, site and activity-specific work plans/instructions

Environmental procedures provide a written method describing how the management objectives for a particular environmental element are to be obtained. They contain the necessary detail to be site or activity-specific and are required to be followed for all construction works. Site and activity-specific work plans and instructions are to be issued and will follow the previously successful work undertaking similar projects by the UNDP, Asian Development Bank, World Bank and EU as examples.

## 5.3 CAPACITIES

Delivery organisations have the responsibility for ensuring systems are in place so that relevant employees, contractors, and other workers are aware of the environmental and social requirements for construction, including the ESMF.

All project personnel will attend an induction that covers health, safety, environment, and cultural requirements.

All workers engaged in any activity with the potential to cause serious environmental harm (e.g. handling of hazardous materials) will receive task specific environmental training.

There is a need to provide a specific training on Environmental and Social Safeguards. The project is an opportunity for the PMU, the Ministry of the Environment and UNDP CO to build capacities and standardize SES practices at the national level.

Specialists with relevant expertise in social and environmental safeguards will be engaged to support the completion of the SESA and ESIA and targeted assessment. External expertise will also be sought to define the subsequent development of ESMPs and any stand-alone management plans. These experts will be required to offer a training session to all relevant stakeholders on safeguards policies and implementation.

UNDP will provide advice to project teams as needed to support the implementation of this ESMF and the preparation, implementation, and monitoring of social and environmental management plans/measures.

The PMU will have the final responsibility for the integration of ESMP/stand-alone management plan(s) in the execution of the project. The integration of those plans will need to consider particular institutional needs within the implementation framework for application of the ESMP, including a review of the required budget allocations for each measure, as well as the authority and capability of institutions at different administrative levels (e.g. local, regional, and national), and their capacity to manage and monitor ESMP implementation. Where necessary, capacity-building, and technical assistance activities will be included to enable proper implementation of the ESMP.

A specific capacity-building plan will be integrated into the ESMP to allow all stakeholders to adequately screen, assess, and manage the SES. It will address, but not be limited to, the topics included in table 6.

*Table 7: Timing and modules for capacity-building*

<b>STAKEHOLDER</b>	<b>MODULE</b>
UNDP CO, UNDP office, PMU, Steering Committee, Government	UNDP Social and Environmental Safeguards Grievance Redress Mechanism Monitoring, Reporting and Verification Gender Mainstreaming Stakeholder Engagement FPIC  Induction that covers health, safety, environment, and cultural requirements.
UNDP CO Project Management Support Unit	UNDP Social and Environmental Safeguards + a specific module on FPIC documentation management

## 5.4 MONITORING AND REPORTING

### 5.4.1 Environmental incident reporting

Any incidents, including non-conformances to the procedures of the ESMF/ESMP are to be recorded using an Incident Record and the details entered into a register. For any incident that causes or has the potential to cause material or serious environmental harm, the site officer shall notify the Project Manager as soon as possible. The delivery organisation/contractor must cease work until remediation has been completed as per the approval of MEIDECC.

#### 5.4.2 Daily and weekly environmental inspection checklists

A daily environmental checklist is to be completed at each work site by the relevant field officer and maintained within a register. A weekly environmental checklist is to be completed and will include reference to any issues identified in the daily checklists completed by the field officers. The completed checklist is to be forwarded to MEIDECC for review and follow-up if any issues are identified.

#### 5.4.3 Corrective Actions

Any non-conformances to the ESMP are to be noted in weekly environmental inspections and logged into the register. Depending on the severity of the non-conformance, the camp officer may specify a corrective action on the weekly site inspection report. The progress of all corrective actions will be tracked using the register. Any non-conformances and the issue of corrective actions are to be advised to MEIDECC.

#### 5.4.4 Review and auditing

The ESMF and its procedures are to be reviewed at least every six months by UNDP staff and MEIDECC. The objective of the review is to update the document to reflect knowledge gained during project delivery/construction and to reflect new knowledge and changed community standards (values).

The ESMF will be reviewed, and amendments made if:

- There are relevant changes to environmental conditions or generally accepted environmental practices; or
  - New or previously unidentified environmental risks are identified; or
  - Information from the project monitoring and surveillance methods indicate that current control measures require amendment to be effective; or
  - There are changes to environmental legislation that are relevant to the project; or
  - There is a request made by a relevant regulatory authority; or
  - Any changes are to be developed and implemented in consultation with UNDP Staff and MEIDECC.
- When an update is made, all site personnel are to be made aware of the revision as soon as possible e.g. through a toolbox meeting or written notification.

Reporting on progress and issues in the implementation of this ESMF will be documented in the project's quarterly reports and annual project implementation reports (PIRs). Until the ESMP and associated management plans are put in place, the responsible party will be tasked with compiling reports on the implementation of this ESMF, for reporting to the Project Steering Committee, to UNDP, and to GEF (as appropriate). Key issues will be presented to the Project Steering Committee during each committee meeting.

Implementation of the subsequent ESMP and management plans will be the responsibility of the Project Management Office, and other partners as agreed upon and described in those plans.

The ESMF monitoring and evaluation plan will accompany project monitoring as outlined below in Table 14. Stakeholder participation will be encouraged throughout MRE of the ESMF.

#### 5.4.5 Parameters to be measured

- Strategic indicators to be monitored by the Programme Steering Committee
  - Effectiveness of Environmental and Social Screening of Project Activities (SESP)
  - Effectiveness of environmental monitoring and reporting
  - Implementation of training programs on SES.
- Indicators to be monitored by the Implementation partner (UNDP)
  - Effectiveness of the insertion of environmental clauses in the execution files
  - Effectiveness of social measures for stakeholder engagement, FPIC implementation and gender-mainstreaming
  - Number of actors trained/aware in environmental and social management
  - Effectiveness of ESMP and Standalone management plans in place
  - Level of involvement of project stakeholders and target groups in monitoring the implementation of activities





GREEN  
CLIMATE  
FUND

## **Annex VI (b) – Environmental and Social Management Framework**

GREEN CLIMATE FUND FUNDING PROPOSAL

- Number of people affected by the programme
- Regularity and effectiveness of proximity monitoring
- Effectiveness of the GRM.

Table 8: ESMF Monitoring and Evaluation Plan

Monitoring Activity	Description	Frequency / Timeframe	Expected Action	Roles and Responsibilities	Cost (excl. staff time)
Track progress of ESMF implementation	Implementation of this ESMF coordinated for each project, and with results reported to each Project Steering Committee on an annual basis.	Quarterly (until ESMPs and management plans are in place)	Required ESMF steps are completed in a timely manner.	PMU	None
Monitoring of potential impacts identified in ESIA and per the subsequent ESMP, especially for activities 3.1 yet to be designed in detail.	Permanent and participatory implementation and monitoring of impacts and mitigation measures, in accordance with ESMP (to be prepared together with ESIA).	Continuous, once ESIA is completed and ESMP is in place	Implementation of ESMP; participatory monitoring of ESIA findings (i.e. identifying indicators, monitoring potential impacts and risks); integration of ESMP into project implementation strategies. Monitoring of environmental and social risks, and corresponding management plans as relevant (tendered to national institute, local consultant, CSO or service provider)	PMU	10,000
Learning	Knowledge, good practices and lessons learned regarding social and environmental risk management will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.	At least annually	Relevant lessons are captured by the project teams and used to inform management decisions.	PMU	None (see activity 3.2)
Annual project quality assurance	The quality of the project will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform management decision	Annually	Areas of strength and weakness will be reviewed and used to inform decisions to improve project performance.	UNDP CO	None

Monitoring Activity	Description	Frequency / Timeframe	Expected Action	Roles and Responsibilities	Cost (excl. staff time)
	making to improve the project.				
Review and make course corrections	Internal review of data and evidence from all monitoring actions to inform decision-making.	At least annually	Performance data, risks, lessons and quality will be discussed by the project steering committee and used to make course corrections.	PMU Steering committee (validation)	None
Annual project implementation reports	As part of progress report to be presented to the Project Steering Committee and key stakeholders, analysis, updating and recommendations for risk management will be included.	Annually	Updates on progress of ESMF/ESMP will be reported in the project's annual PIRs. A summary of the avoidance and mitigation of potential social and environmental impacts will be included in the program annual report, sharing best practices and lessons learned across the programme.	PMU	None
Project review	The Project Steering Committee will consider updated analysis of risks and recommended risk mitigation measures at all meetings.	At least annually	Any risks and/ or impacts that are not adequately addressed by national mechanisms or project team will be discussed in project steering committee. Recommendations will be made, discussed and agreed upon.	Steering committee	None

## 6 STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE

A Stakeholder Engagement Plan (SEP) has been developed and is available as an appendix to the ProDoc. The following provides a summary of the SEP.

### 6.1 PUBLIC CONSULTATION AND ENVIRONMENTAL AND SOCIAL DISCLOSURE

The ESMF includes public consultation through the implementation of the stakeholder engagement plan. The project was discussed with a wide range of stakeholders including relevant government departments, industry groups, NGOs, and individual community members and approved by Government. Extensive on-ground consultation has been undertaken during the design of the project (as well as during the earlier projects that this project is aiming to upscale) and consultation with affected communities will continue.

The UNDP and MEIDECC will develop and release updates on the project on a regular basis to provide interested stakeholders with information on project status. Updates may be via a range of media eg print, radio, social media or formal reports. A publicized telephone number will be maintained throughout the project to serve as a point of contact for enquiries, concerns, complaints and/or grievances. All enquiries, concerns, complaints and/or grievances will be recorded on a register and the appropriate manager will be informed. All material must be published in English and Tongan as appropriate.

Some enquiries, concerns, complaints and/or grievances may require an extended period to address. The complainant(s) will be kept informed of progress towards rectifying the concern. All enquiries, concerns, complaints and/or grievances will be investigated, and a response given to the complainant in a timely manner. A grievance redress mechanism has been included in the ESMF to address any complaints and/or grievances that may not be able to be resolved quickly.

Nominated PMU/contractor staff will be responsible for undertaking a review of all enquiries, concerns, complaints and/or grievances and ensuring progress toward resolution of each matter. A hotline and email will be established during implementation and the ESMF will be updated with these details accordingly.

### 6.2 COMPLAINTS REGISTER AND GRIEVANCE REDRESS MECHANISM

During the construction and implementation phases of any project, a person or group of people can be adversely affected, directly or indirectly due to the project activities. The grievances that may arise can be related to social issues such as eligibility criteria and entitlements, disruption of services, temporary or permanent loss of livelihoods and other social and cultural issues. Grievances may also be related to environmental issues such as excessive dust generation, damages to infrastructure due to construction related vibrations or transportation of raw material, noise, traffic congestions, decrease in quality or quantity of private/ public surface/ ground water resources during irrigation rehabilitation, damage to home gardens and agricultural lands etc.

A grievance redress mechanism has been included as part of the SEP for this project. The GRM allows those that have a complaint and/or grievance or that feel aggrieved by the project to be able to communicate their concerns and/or grievances through an appropriate process. The GRM will provide an accessible, rapid, fair and effective response to concerned stakeholders, especially any vulnerable group who often lack access to formal legal regimes.

The Grievance Redress Mechanism set out in the SEP has been designed to:

- be a legitimate process that allows for trust to be built between stakeholder groups and assures stakeholders that their concerns will be assessed in a fair and transparent manner;
- allow simple and streamlined access to the Complaints Register and Grievance Redress Mechanism for all stakeholders and provide adequate assistance for those that may have faced barriers in the past to be able to raise their concerns;
- provide clear and known procedures for each stage of the Grievance Redress Mechanism process, and provides clarity on the types of outcomes available to individuals and groups;

- ensure equitable treatment to all concerned and aggrieved individuals and groups through a consistent, formal approach that, is fair, informed and respectful to a concern, complaint and/or grievance;
- to provide a transparent approach, by keeping any aggrieved individual/group informed of the progress of their complaint and/or grievance, the information that was used when assessing their complaint and/or grievance and information about the mechanisms that will be used to address it; and
- enable continuous learning and improvements to the Grievance Redress Mechanism. Through continued assessment, the learnings may reduce potential complaints and grievances.

Eligibility criteria for the Grievance Redress Mechanism include:

- Perceived negative economic, social or environmental impact on an individual and/or group, or concern about the potential to cause an impact;
- clearly specified kind of impact that has occurred or has the potential to occur; and explanation of how the project caused or may cause such impact; and
- individual and/or group filing of a complaint and/or grievance is impacted, or at risk of being impacted; or the individual and/or group filing a complaint and/or grievance demonstrates that it has authority from an individual and or group that have been or may potentially be impacted on to represent their interest.

Local communities and other interested stakeholders may raise a complaint and/or grievance at all times to the MEIDECC. Affected local communities should be informed about the ESMF provisions, including its grievance mechanism and how to make a complaint and/or grievance.

#### **6.2.1 Complaints Register**

A complaints register will be established as part of the project to record any concerns raised by the community during construction. Any complaint and/or grievance will be advised to the UNDP and MEIDECC within 24 hours of receiving the complaint and/or grievance. The complaint and/or grievance will be screened. Following the screening, complaints and/or grievances regarding corrupt practices will be referred to the UNDP for commentary and/or advice along with the MEIDECC.

Wherever possible, the project team will seek to resolve the complaint and/or grievance as soon as possible, and thus avoid escalation of issues. However, where a complaint and/or grievance cannot be readily resolved, then it must be escalated.

A summary list of complaints and/or grievances received and their disposition must be published in a report produced every six months.

#### **6.2.2 Grievance Redress Mechanism**

The Grievance Redress Mechanism has been designed to be problem-solving mechanism with voluntary good-faith efforts. The Grievance Redress Mechanism is not a substitute for the legal process. The Grievance Redress Mechanism will be as far as practicable, try to resolve complaints and/or grievances on terms that are mutually acceptable to all parties. When making a complaint and/or grievance, all parties must always act, in good faith and should not attempt to delay and or hinder any mutually acceptable resolution.

The Grievance Redress Mechanism (GRM) is for people seeking satisfactory resolution of their complaints on the environmental and social performance of the Project.

Special attention will be placed on ensuring that grievances related to gender issues, such as GBV and SEAH, will be catered for, and that the grievance process has been designed in such a way that it facilitates access for women. The GRM includes a victim-centred approach for GBV/SEAH complaints.

To ensure smooth implementation of the Project and timely and effectively addressing of problems that may be encountered during implementation, a robust Grievance Redress Mechanism, which will enable to the Project Authorities to address the grievances of the stakeholders of the Project has been established.

All complaints regarding social and environmental issues can be received either orally (to the field staff and/or MEIDECC), by phone, in the complaints box or in writing to the UNDP, PMU or the Construction

Contractor. A key part of the grievance redress mechanism is the requirement for the PMU and construction contractor to maintain a register of complaints received at the respective project site offices. All complainants shall be treated respectfully, politely and with sensitivity, this includes specific procedures for SEAH (eg confidential reporting with safe and ethical documenting of SEAH cases). Every possible effort should be made by the PMU and construction contractor to resolve the issues referred to in the complaint within their purview. However, there may be certain problems that are more complex and cannot be solved through project-level mechanisms. Such complaints will be referred to the Grievance Redress Committee.

The Grievance Redress Mechanism has been designed to ensure that an individual and/or group are not financially impacted by the process of making a complaints and/or grievances. The Grievance Redress Mechanism will cover any reasonable costs in engaging a suitably qualified person to assist in the preparation of a legitimate complaint and/or grievance. Where a complaint and/or grievance is seen to be ineligible, the Grievance Redress Mechanism will not cover these costs.

Information about the Grievance Redress Mechanism and how to make a complaint and/or grievance must be placed at prominent places for the information of the key stakeholders.

The Communications Officer in the PMU or a designated person from the PMU will be designated as the key officer in charge of the Grievance Redress Mechanism. The Terms of Reference for these positions (as amended from time to time) will have the following key responsibilities:

- coordinate formation of Grievance Redress Committees before the commencement of constructions to resolve issues;
- act as the focal point at the PMU on Grievance Redress issues and facilitate the resolution of issues within the PMU;
- create awareness of the Grievance Redress Mechanism amongst all the stakeholders through public awareness campaigns;
- assist in redress of all grievances by coordinating with the concerned parties;
- maintain information on grievances and redress;
- monitor the activities of MEIDECC on grievances issues; and
- prepare the progress for monthly/quarterly reports.

The GRM is a two-tier system. The first tier redress mechanism involves the receipt of a complaint and/or grievance at the village/town and/or district level. The stakeholders are informed of various points of making complaints and/or grievances (if any) and the District/Town Officer or the Communications Officer from the PMU collect the complaint and/or grievances from these points on a regular basis and record them. This is followed by coordinating with the concerned people to redress the grievances. The Communications Officer of the PMU will coordinate the activities at the respective district and/or village level to address the grievances and would act as the focal point in this regard. The District/Town Officer or any officer given the responsibility of this would coordinate with the Communications Officer and MEIDECC in redressing the grievances. The designated officer of the Local Authorities is provided with sufficient training in the procedure of redress to continue such systems in future.

The grievance must be made orally (to the field staff) or in writing to the UNDP, Communications Officer, MEIDECC or the Construction Contractor. Complainants may specifically contact the Communication Officer and request confidentiality if they have concerns about retaliation. In cases where confidentiality is requested (i.e. not revealing the complainant's identity to UNDP, MEIDECC and/or the Construction Contractor). In these cases, the Communication Officer will review the grievances, discuss it with the complainant, and determine how best to engage project executing entities while preserving confidentiality for the complainant.

As soon as a complaint and/or grievance is received, the Communication Officer would issue an acknowledgement. The District/Town Officer receiving the complaint and/or grievance should try to obtain relevant basic information regarding the grievance and the complainant and will immediately inform the Communication Officer in the PMU.

The PMU will maintain a Complaint/Grievance Redress register at the District Level. Keeping records collected from relevant bodies is the responsibility of PMU.

After registering the complaint and/or grievance, the Communication Officer will study the complaint and/or grievance made in detail and forward the complaint and/or grievance to the concerned officer with specific dates for replying and redressing the same. The Communication Officer will hold meetings with the affected persons / complainant and then attempt to find a solution to the complaint and/or grievance received. If necessary, meetings will be held with the concerned affected persons / complainant and the concerned officer to find a solution to the problem and develop plans to redress the grievance. The deliberations of the meetings and decisions taken are recorded. All meetings in connection with the Grievance Redress Mechanism, including the meetings of the Grievance Redress Committee, must be recorded. The Communication Officer for the Grievances Redress Mechanism will be actively involved in all activities.

Managing complaints of SEAH requires different approaches than other types of complaints due to the sensitivity of the violence; the potential for survivors to experience stigma, rejection, or harm; and because of the reluctance of many survivors to come forward. Additional mechanisms are needed that create safe, enabling spaces for survivors to report SEAH that offer a safe, ethical, survivor-centred response. Thus, survivor safety, choice, confidentiality and consent must be systematically applied to all complaints of SEAH. For this reason, the GRM includes a specific pathway to receive and resolve complaints of SEAH related issues stakeholders may be adversely affected, directly or indirectly due to the project activities -refer section below.

For GBV/SEAH complaints, a victim-centred approach will be taken. The victim-centred approach puts the rights and dignity of victims, including their well-being and safety, at the forefront of all efforts to prevent and respond to sexual exploitation and abuse and sexual harassment, regardless of the affiliation of the alleged perpetrator.

In the event that the complaint relates to GBV/SEAH (either through the existing channels of the GRM process or via Tonga Women and Children’s Crisis Centre), the Communications Officer would notify a nominated staff focal point who are informed of all GBV services/referral focal points for their community and how to access them. The staff focal point will help reduce risk of exposure of GBV survivors and reduce undermining confidence. The SEAH focal point will assist SEAH survivors by referring them to the Tonga Women and Children’s Crisis Centre for support immediately after receiving a complaint directly from the survivor. Information in the GRM will remain confidential and will not be managed by the mainstream GRM process – for SEAH complaints, the GRM will serve primarily to: a) refer complainants to the GBV service provider; and b) record resolution of the complaint.

The first-tier Grievances Redress Committee would be formed to oversee all the grievances EXCEPT for grievances related to:

- SEAH
- Compensation for acquired land;
- Issue relating to engineering aspect; and
- Cases pending in court.

A Village/Town Level Project Implementation Committee would be formed to oversee the first tier of the Grievance Redress Mechanism. The Village/Town Level Project Implementation Committee would include:

- District Officer;
- Town Officer from specific village/town/island;
- Women Representative from the village/island;
- Youth Representative from the village/island;
- Director for Climate Change; and
- Project Manager. (Secretariat)

The resolution at the first tier will normally be completed within 15 working days and the complaint and/or grievance will be notified of the proposed response through a disclosure form. The resolution process should comply with the requirements of the Grievance Redress Mechanism in that it should, as far as practicable, be informal with all parties acting in good faith. Further, the Grievance Redress Mechanism should, as far as practicable, achieve mutually acceptable outcomes for all parties.

Should the grievance be not resolved within this period to the satisfaction of the complainant, the grievance will be referred to the next level of Grievance Redress Mechanism. If the social safeguard and gender officer feels that adequate solutions can be established within the next five working days, the District Officer/ Governor can decide on retaining the issue at the first level by informing the complainant accordingly. However, if the complainant requests for an immediate transfer to the next level, the matter must be referred to the next tier. In any case, where the issue is not addressed within 20 working days, the matter is referred to the next level.

Any grievance related to corruption, or any unethical practice should be referred immediately to the Tongan Office of the Attorney General, and/or the Tonga Office of the Commissioner for Public Relations and the Office of Audit and Investigation within the UNDP in New York.

The Grievance Redress Committee formed at every Island level would address the grievance in the second tier. A Grievance Redress Committee will be constituted on the Island by the circulars issued by the CEO of the MEIDECC, who would also be the Chairman of the Committee.

The Structure of the committee would be:

- CEO or a designated officer from MEIDECC (Chair);
- Director, Civil Society Forum of Tonga;
- CEO of the Ministry of Internal Affairs;
- CEO of the Ministry of Lands and Natural Resources;
- CEO of the Ministry of Infrastructure;
- CEO of the Department of Fisheries;
- National Project Director;
- Project Manager (Secretariat); and
- Communication Officer.

The Communication Officer from the PMU will engage the respective Director for Local Government in the Ministry of Internal Affairs and Director of Climate Change in MEIDECC, in getting these Committees constituted for each District/Town and Island levels and get the necessary circulars issued in this regard so that they can be convened whenever required.

The Grievance Redress Committee will hold the necessary meetings with the aggrieved party/complainant and the concerned officer and attempt to find a solution acceptable at all levels. The Communications Officer and/or a delegate would record the minutes of the Grievance Redress Committee meeting.

Grievance Redress Committee through the Communications Officer and/or a delegate will communicate proposed responses to the complainant formally. If the proposed response satisfies the complainant, the response will be implemented and the complaint and/or grievance closed. In cases where a proposed response is unsatisfactory to the complainant, the Grievance Redress Committee may choose to revise the proposed response to meet the complainant's remaining concerns, or to indicate to the complainant that no other response appears feasible to the Grievance Redress Committee. The complainant may decide to take a legal or any other recourse if s/he is not satisfied with the resolutions due to the deliberations of the tiers of the grievance redress mechanism.

### 6.2.3 SEAH Grievances

Survivor-centred guiding principles will be systematically applied through all steps and actions. These guiding principles are as follows:

- the safety of the survivor shall be ensured at all times. Potential risks to the survivor will be identified and action taken to ensure the survivor's safety and to prevent further harm including ensuring that the alleged perpetrator does not have contact with the survivor. If the survivor is an employee, reasonable adjustments may be made to the survivor's work schedule and work environment to ensure their safety, where possible these adjustments will alter the alleged perpetrator work schedule and environment rather than the survivor.
- all actions should reflect the choices of the survivor, but this does not stop the programme deciding on disciplinary measure relating to the alleged perpetrator.
- all information related to the case must be kept confidential and identities must be protected. Only those who have a role in the response to an allegation should receive case-level information, and then



only for a clearly stated purpose and with the survivor's specific consent.

- the survivor must provide informed consent to progress with each stage of the complaints process. Survivors may withdraw their consent during the process at any time. If this occurs, depending on the nature of the complaint and available information, the programme may be able to continue disciplinary procedures without the survivor's consent.

Any grievance related to a complaint of SEAH or domestic violence needs to be managed confidentially through the following process.

#### 6.2.3.1 *Step One Receive the complaints of SEAH*

Complaints of SEAH can be received by:

- the existing channels of the GRM Process.
- Tonga Women and Children's Crisis Centre

If the person making the complaint is the survivor (the person who the alleged violence was directed towards) and the complaint relates to SEAH, the person who received the complaint will:

- tell the survivor about how to access and the Tonga Women and Children's Crisis Centre and the service that they can provide.
- document and register the allegation.
- explain the SEAH complaints and reporting process to the survivor including:
  1. the process.
  2. that they (the survivor) can choose whether they want to make a formal complaint to the Communication Officer based in the PMU.
  3. that if they choose to make a formal complaint to the Communication Officer based in the PMU:
  4. they control whether and how information about the case is shared with other agencies or individuals.
  5. all information will be kept confidential. Only those who will respond to the case will be told about their complaint / situation.
  6. if they agree, another person (the Communication Officer who is a woman) will contact the survivor to talk with them more about their complaint. It should also be identified who this woman is in case there are concerns about speaking to a specific person (for example, if they are related to / close to the alleged perpetrator). If there is a potential conflict of interest or bias, another person with the PMU will be identified by the PMU to handle the complaint.
  7. The survivor can change their mind and withdraw their consent at any time. Depending on the nature of the complaint and the information available, while the survivor's participation in the process will stop, the Communication Officer based in the PMU may continue disciplinary proceeding against the alleged perpetrator.

Information about the complaint will be kept confidential. All information should not identify the survivor, perpetrator or include any other information that will identify the survivor or perpetrators of a specific situation.

If the survivor chooses to make a formal complaint to the GRM, communicate the allegation to the Communication Officer based in the PMU.

If the survivor chooses not to make a formal complaint to the GRM, they should be reminded about the Tonga Women and Children's Crisis Centre and told that if they change their mind, or if something else happens, they can always make a complaint in the future.

If the survivor of the alleged violence is a child, under the age of 18 years of age, while mandatory reporting does not apply to programme, it is considered good practice for any suspected or known harm to children to be reported to the Police or Department of Justice for further investigation. Where the alleged abuse is criminal, such as physical or sexual violence or neglect by parents or caregivers it should be reported to the Police.

If the person making the complaint is the survivor (the person who the alleged violence was directed towards) and the complaint relates to other forms of SEA and/or SH, the person who received the complaint will:

- tell the survivor about the Tonga Women and Children’s Crisis Centre;
- document and register the allegation
- If the complaint relates to a project worker using SEAH which is also a breach of the Code of Conduct, such as any form of SEAH, including domestic violence, that is a crime in Tonga, disciplinary action may also be taken against the project worker if they have broken the Code of Conduct. However, if the alleged perpetrator is not employed on the specific project under the programme, the role of the project is to refer the survivor of SEAH to service providers, and if necessary to ensure that there is no ongoing risks to the survivor related to the project, for example if they are employed by a project under the programme or a participant in a project under the programme.

If the person making the complaint is a third party (not the person who the alleged violence was directed towards such as a family member, community member, colleague, friend), the person who received the complaint will:

- 1 document and register the allegation.
- 2 explain that the project may not be able to take action without the survivor’s participation and that it would be better if the survivor themselves comes forward to enable the project to take all the action possible.
- 3 ask them to tell the survivor about the available options for reporting or accessing support services.

#### 6.2.3.2 *Step 2: Communicate with the Survivor – Ongoing*

The SEAH Focal Point should be the only person to communicate with the survivor. Where the survivor has chosen to speak to a woman (who has been trained in handling complaints of SEAH) will be delegated this role by the complaints specialist based in the PMU.

This communication should include:

- responding to any questions or concerns from the survivor.
- ensuring that the survivor has received appropriate support.
- asking for the survivor’s consent at each stage in the process.
- gathering any further information that may be required from the survivor.
- explaining that where the allegation involved a criminal offence the survivor should consider going to the Police.

The survivor will be provided ongoing feedback on the development and outcome of their case

#### 6.2.3.3 *Step 3: Assess if the Allegation is likely linked to the project*

The Communication Officer based in the PMU will determine the likelihood of the allegation being linked to a project under the programme.

If the allegation is determined to be likely linked to a project, the GCF will be notified within 48 hours of the determination being made of a) the nature of the allegation; b) if the alleged perpetrator is, to the survivor’s best knowledge, associated with the project (yes/no); c) the survivor’s age and/or sex (if available); and d) if the survivor was referred to services.

No further information, including name and contact details of the survivor or alleged perpetrator would be shared (except in the context of referral for services or verification, with the consent of the survivor).

#### 6.2.3.4 *Step 4: Verify and Act*

If an allegation is determined to be likely to be linked to a project under the programme, the Communication Officer based in the PMU will convene the ad hoc SEAH Grievance Committee who will:

- Convene a meeting to review the complaint and decide on the verification process within 48 hours of determining that the allegation is likely linked to the project. The goal of the verification is to:
  - i) determine the likelihood that the incident occurred.
  - ii) recommend disciplinary measures towards the alleged perpetrator of SEAH.

The SEAH Grievance Committee will be formed on an ad hoc basis where verification and action is required. It will be composed of:

- Communication Officer
- Senior officials (Deputy Chief Executive level or above) or designee from:
- MEIDECC
- Civil Society Forum of Tonga
- Department of Justice
- Representative of employer of the alleged perpetrator
- Tonga Women and Children’s Crisis Centre.

All verification steps and meetings must be documented with information kept confidentially.

In cases of SEAH related to the project, compensation will not be paid to the survivor or anyone else (e.g., their relatives or community) as such processes are most often not administered using a survivor-centred approach. This does not limit the survivor seeking available civil remedies from the alleged perpetrator, such as child support.

#### **6.2.3.5 Step 5: Document and Monitor Complaints of SEAH**

As for other complaints within the GRM system, each individual complaint of SEAH will be documented and registered and regularly reported to the PMU/Board. However, for SEAH complaints these reports should be numerical only and not contain any information with the potential of being identified, including names and contact details of survivors, their families, or of alleged perpetrators.

#### **6.2.4 External Accountability Mechanisms**

In addition to the project-level and national grievance redress mechanisms, complainants have the option to access UNDP’s Accountability Mechanism, with both compliance and grievance functions. The Social and Environmental Compliance Unit investigates allegations that UNDP’s Standards, screening procedure or other UNDP social and environmental commitments are not being implemented adequately, and that harm may result to people or the environment. The Social and Environmental Compliance Unit is housed in the Office of Audit and Investigations and managed by a Lead Compliance Officer. A compliance review is available to any community or individual with concerns about the impacts of a UNDP programme or project. The Social and Environmental Compliance Unit is mandated to independently and impartially investigate valid requests from locally impacted people, and to report its findings and recommendations publicly.

The Stakeholder Response Mechanism offers locally affected people an opportunity to work with other stakeholders to resolve concerns about the social and environmental impacts of a UNDP project. Stakeholder Response Mechanism is intended to supplement the proactive stakeholder engagement that is required of UNDP and its Implementing Partners throughout the project cycle. Communities and individuals may request a Stakeholder Response Mechanism process when they have used standard channels for project management and quality assurance and are not satisfied with the response (in this case the project level grievance redress mechanism). When a valid Stakeholder Response Mechanism request is submitted, UNDP focal points at country, regional and headquarters levels will work with concerned stakeholders and Implementing Partners to address and resolve the concerns. Visit [www.undp.org/secu-srm](http://www.undp.org/secu-srm) for more details. The relevant form is attached as Annexure Three.



## 7 BUDGET FOR ESMF IMPLEMENTATION

*Table 9: Budget for ESMF Implementation*

<b>Item</b>	<b>Cost USD</b>
Development of ESIA, SESA, ESMP	65,000
Travel and DSA for experts developing ESMP/ESIA	20,000
ESMP and ESIA report and protocols	5,000
Monitoring of Environmental and Social Safeguards including gender and stakeholder engagement	10,000
Safeguards Capacity-Building Plan	50,000
Auditing	
Staff time	
International Safeguards Specialist	\$227,274.58
International Gender Specialist	\$333,911.87
Safeguards Construction	\$227,274.58
National Gender and Safeguards Officer	\$135,221.80
National Communications Officer	\$128,894.29
<b>Total Budget</b>	<b>1,202,577.12</b>

Annex 1: Guidance for Submitting a Request to the Social and Environmental Compliance Unit and/or the Stakeholder Response Mechanism

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*Empowered lives.  
Resilient nations.*

Guidance for Submitting a Request to the Social and Environmental Compliance Unit (SECU) and/or the Stakeholder Response Mechanism (SRM)

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**Purpose of this form**

- **If you use this form, please put your answers in bold writing to distinguish text**
- **The use of this form is recommended, but not required. It can also serve as a guide when drafting a request.**

This form is intended to assist in:

- (1) Submitting a request when you believe UNDP is not complying with its social or environmental policies or commitments and you believe you are being harmed as a result. This request could initiate a 'compliance review', which is an independent investigation conducted by the Social and Environmental Compliance Unit (SECU), within UNDP's Office of Audit and Investigations, to determine if UNDP policies or commitments have been violated and to identify measures to address these violations. SECU would interact with you during the compliance review to determine the facts of the situation. You would be kept informed about the results of the compliance review.

and/or

- (2) Submitting a request for UNDP "Stakeholder Response" when you believe a UNDP project is having or may have an adverse social or environmental impact on you and you would like to initiate a process that brings together affected communities and other stakeholders (e.g., government representatives, UNDP, etc.) to jointly address your concerns. This Stakeholder Response process would be led by the UNDP Country Office or facilitated through UNDP headquarters. UNDP staff would communicate and interact with you as part of the response, both for fact-finding and for developing solutions. Other project stakeholders may also be involved if needed.

Please note that if you have not already made an effort to resolve your concern by communicating directly with the government representatives and UNDP staff responsible for this project, you should do so before making a request to UNDP's Stakeholder Response Mechanism.

**Confidentiality** If you choose the Compliance Review process, you may keep your identity confidential (known only to the Compliance Review team). If you choose the Stakeholder Response Mechanism, you can choose to keep your identity confidential during the initial eligibility screening and assessment of your case. If your request is eligible and the assessment indicates that a response is appropriate, UNDP staff will discuss the proposed response with you, and will also discuss whether and how to maintain confidentiality of your identity.





**Annex VI (b) – Environmental and Social Management Framework**

GREEN CLIMATE FUND FUNDING PROPOSAL

15. Would you like to work with other stakeholders, e.g., the government, UNDP, etc. to jointly resolve a concern about social or environmental impacts or risks you believe you are experiencing because of a UNDP project?

Mark "X" next to the answer that applies to you: Yes: No:

16. Would you like your name(s) to remain confidential during the initial assessment of your request for a response?

Mark "X" next to the answer that applies to you: Yes: No:

If confidentiality is requested, please state why:

17. Requests for Stakeholder Response will be handled through UNDP Country Offices unless you indicate that you would like your request to be handled through UNDP Headquarters. Would you like UNDP Headquarters to handle your request?

Mark "X" next to the answer that applies to you: Yes: No:

If you have indicated yes, please indicate why your request should be handled through UNDP Headquarters:

18. Are you seeking both Compliance Review and Stakeholder Response?

Mark "X" next to the answer that applies to you: Yes: No:

19. Are you unsure whether you would like to request a Compliance Review or a Stakeholder Response? Mark "X" next to the answer that applies to you: Yes: No:

**Information about the UNDP Project you are concerned about, and the nature of your concern:**

20. Which UNDP-supported project are you concerned about? (if known):

21. Project name (if known):

22. Please provide a short description of your concerns about the project. If you have concerns about UNDP's failure to comply with its social or environmental policies and commitments, and can identify these policies and commitments, please do (not required). Please describe, as well, the types of environmental and social impacts that may occur, or have occurred, as a result. If more space is required, please attach any documents. You may write in any language you choose

23. Have you discussed your concerns with the government representatives and UNDP staff responsible for this project? Non-governmental organisations?

Mark "X" next to the answer that applies to you: Yes: No:

If you answered yes, please provide the name(s) of those you have discussed your concerns with

Name of Officials You have Already Contacted Regarding this Issue:

First Name	Last Name	Title/Affiliation	Estimated Date of Contact	Response of Individual	from the
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**Annex VI (b) – Environmental and Social Management Framework**  
GREEN CLIMATE FUND FUNDING PROPOSAL



24. Are there other individuals or groups that are adversely affected by the project?

Mark "X" next to the answer that applies to you:    Yes:            No:

25. Please provide the names and/or description of other individuals or groups that support the request:

First Name	Last Name	Title/Affiliation	Contact Information
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Please attach to your email any documents you wish to send to SECU and/or the SRM. If all of your attachments do not fit in one email, please feel free to send multiple emails.

Submission and Support

To submit your request, or if you need assistance please email: [project.concerns@undp.org](mailto:project.concerns@undp.org)



Annex 2: GBV/SEAH Risk Screening

	Indicator	Risk Scoring Options	Risk rating	Comments
<b>Country-level violence</b>				
	Gender Development Index	Countries are grouped into five groups based on the absolute deviation from gender parity in HDI values, from 1 (closest to gender parity) to 5 (furthest from gender parity).  <b>Lowest risk</b> = Group 1 <b>Highest risk</b> = Group 5	Low	0.996 (2022) (Group 1)  ( <a href="https://hdr.undp.org/data-center/specific-country-data#/countries/TON">https://hdr.undp.org/data-center/specific-country-data#/countries/TON</a> )  Gender inequality index = 0.4654 (2022) -
1	Prevalence intimate partner violence (IPV)	<b>High Risk</b> is having national IPV prevalence above regional average per DHS  <b>Low Risk</b> is having national IPV prevalence below the regional average per DHS	Moderate	Tonga LPV = 37 % (WHO Western Pacific Region Fact Sheet – Violence Against Women Prevalence Estimates 2018).
2	Prevalence any form of sexual violence (SV)		High	79% of Tongan women and girls have experienced physical or sexual violence in their lifetime (2021) - <a href="https://pacificdata.org/data/dataset/pwl-national-study-on-domestic-violence-on-women-in-tonga">https://pacificdata.org/data/dataset/pwl-national-study-on-domestic-violence-on-women-in-tonga</a>
3	Prevalence of child marriage (defined as marriage before age 18)	High = The top 20 countries have prevalence of over 30%	Medium	0.4% of women aged 15-49 were married before the age of 15 ( <a href="https://asiapacific.unwomen.org/sites/default/files/2022-12/UN_WOMEN_TONGA.pdf">https://asiapacific.unwomen.org/sites/default/files/2022-12/UN_WOMEN_TONGA.pdf</a> )

				10% of girls and 3% of boys in Tonga are married before their 18th birthday ( <a href="https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/atlas/tonga/">https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/atlas/tonga/</a> )
4	State Department Trafficking in Persons report		Medium	Tier 2 Watch List (2022 <a href="https://www.state.gov/reports/2022-trafficking-in-persons-report/tonga/">https://www.state.gov/reports/2022-trafficking-in-persons-report/tonga/</a> )
5	Is the project in a fragile, conflict or violence affected (FCV) country?	High risk = yes	Low	Not listed - <a href="https://thedocs.worldbank.org/en/doc/608a53dd83f21ef6712b5dfef050b00b-0090082023/original/FCListFY24-final.pdf">https://thedocs.worldbank.org/en/doc/608a53dd83f21ef6712b5dfef050b00b-0090082023/original/FCListFY24-final.pdf</a>
<b>Legal Context</b>				
6	Laws on sexual harassment.		Medium	Yes – Gender specific offences, such as ‘enticing a woman to desert her husband’, ‘procuring the defilement of females’ and ‘abduction of women’ are contained within the Criminal Offences Act.
7	Laws on domestic violence and marital rape		Medium	Yes - Marital rape was criminalised in Tonga 1999
<b>Gender Norms and Beliefs</b>				
8	Justification of wife beating		High	56% of respondents (women and men) agreed with the statement that a husband could beat his wife if she was unfaithful ( <a href="https://pacificdata.org/data/dataset/pwl-national-study-on-domestic-violence-on-women-in-tonga">https://pacificdata.org/data/dataset/pwl-national-study-on-domestic-violence-on-women-in-tonga</a> )



## Annex VI (b) – Environmental and Social Management Framework

GREEN CLIMATE FUND FUNDING PROPOSAL

9	Prevalence of help seeking to stop violence		Low	
10	National-level capacity to respond to GBV		Low	
11	National action plan on addressing violence against women and girls/GBV			
12	GBV Working Group		Medium	Yes: In 2013, Tonga passed the Family Protection Act in 2013 to ensure the safety and protection of all persons including children who experience or witness domestic violence. The act was implemented the following year also leading to the establishment of the Family Protection Advisory Council (FPAC). In 2016, the FPAC Counselling sub-committee was established. In 2018 the Family Protection Act Trust Fund for Gender Based Violence service providers was implemented. The Tonga Family Protection Legal Aid Center was established following that and work began on consolidating Domestic Violence administrative data from frontline agencies. 2019 saw development of the Tonga Family Protection Counselling Framework and the establishment of the Tonga Police Domestic Violence Unit.
13	Does the country have a National referral pathway protocol for GBV service provision		High	Tonga's National Service Delivery Protocol launched in 2021, however very few practitioners to provide support
Project Implementation Areas				

14	Is the project in an area of the country with an active humanitarian or emergency situation?	<p><b>Low Risk</b> is when no project activities are implemented in areas experiencing a humanitarian</p> <p><b>High Risk</b> is when any project activities are implemented in areas of the country experiencing a humanitarian emergency</p>	Low	No, however there has been historic humanitarian emergencies in the area
15	Is the project in hard-to-supervise areas?	<p><b>Low risk</b> is when the AEs monitoring capacity is sufficient</p> <p><b>High risk</b> is when activities are implemented in areas where the AE's monitoring capacity is limited</p>	Low	No. The areas are all readily accessible.
Project Preparation Process				
16	Were consultations undertaken with women's groups?	<p><b>Low risk</b> is when there were stakeholder consultations with groups advocating for women, children and adolescent girls held separately from men.</p> <p><b>High risk</b> is when there were no stakeholder consultations with groups advocating for women, children and adolescent girls held separately from men</p>	Low	Women groups consulted
17	During stakeholder consultations, did groups advocating for women, children and adolescent girls raise concerns about the project's potential additional SEA/SH risks?	<p><b>Low risk</b> is when concerns related to project-related SEA/SH were not raised.</p> <p><b>High risk</b> is when concerns related to project-related SEA/SH risks were raised or when there were no effective consultations with groups advocating for women, children and adolescent girls.</p>	Moderate	Same sex relationships remain problematic in Tonga

Intervention Design				
18	Do mechanisms for the selection of beneficiaries create opportunities for individual project actors to sexually exploit or abuse beneficiaries?	<p><b>Low risk</b> is when individual project actors have limited or no decision- making power over beneficiary selection.</p> <p><b>Medium risk</b> is when individual project actors have some degree of decision-making power over beneficiary selection, but the process takes place in public or in the presence of community members or local authorities.</p> <p><b>High risk</b> is when individual project actors select beneficiaries with limited presence of external actors to validate the process.</p>	Low	
19	Do mechanisms for the verification of conditionalities create opportunities for project actors to sexually exploit or abuse project beneficiaries?	<p><b>Low risk</b> is when project actors have no decision-making power over verification of conditionalities or there is effective oversight</p> <p><b>Medium</b> when the verification of conditionalities is conducted by individual project actors in public or in the presence of community members/local authorities.</p> <p><b>High risk</b> is when the verification of conditionalities is conducted by individual project actors in private settings.</p>	Low	
20	Do mechanisms for the transfer of benefits (cash, vouchers, in-kind goods, stipends, wages, and scholarships) create opportunities for project actors to sexually	<p><b>Low risk</b> is when individual project actors have no direct control over transfer of benefits</p> <p><b>Medium risk</b> when the transfer of benefits is conducted by individual project actors in public or in the presence of community members or local authorities.</p>	Low	

	exploit or abuse project beneficiaries?	<b>High risk</b> is when project actors have direct control over transfer of benefits and transfers occur in private settings.		
21	Do project activities include regular interaction with project actors (e.g. participation in public works, attending regular information or training sessions, counselling), that could create opportunities for project actors to sexually exploit or abuse beneficiaries (or for sexual exploitation or abuse between beneficiaries)?	<p><b>Low risk</b> is when there are no such activities.</p> <p><b>High risk</b> is when there are such opportunities during regular interaction between beneficiaries and project actors.</p> <p><b>Very high risk</b> is when there is a residential component to the activity (such as boarding schools).</p>	Medium	
22	How much infrastructure, construction, upgrading or rehabilitation does your project entail?	<p>High risk = major scale</p> <p>Medium risk = medium scale</p> <p>Low risk = small scale</p>	High	
23	Risk profile of the labor influx		Medium	The scale of the activities is moderate in terms of civil projects. It is proposed to use local labour where possible to reduce labour influx is low.

24	During program implementation, do female project actors work with male project actors alone or with limited oversight?	<p><b>Low risk</b> is when female project actors do not work with male actors alone or there is oversight of the interactions.</p> <p><b>High risk</b> is when female project actors work with male project actors alone with no or limited oversight</p>	Medium	Not yet well defined. GAP will seek to minimise risk
25	Are military or paid security Forces being contracted as part of the project?	<p><b>Low risk</b> is when there is no direct contact between military or paid security forces and beneficiaries or there is oversight</p> <p><b>High risk</b> is when there is direct contact between military or paid security forces and beneficiaries with limited oversight</p>	Low	No
Project Management				
24	Does the implementing agency already have established codes of conduct explicitly prohibiting SEA/SH that would apply to project actors?	<p><b>Low risk</b> is when codes of conduct explicitly prohibiting SEA/SH do exist <b>High risk</b> is when codes of conduct prohibiting SEA/SH do not exist</p>	Low	UNDP CoC explicitly prohibits SEAH
25	Have these codes of conduct explicitly prohibiting SEA/SH been communicated to project actors?	<p><b>Low risk</b> is when codes of conduct explicitly prohibiting [SEA/SH] risks have been communicated to project actors. <b>High risk</b> is when codes of conduct explicitly prohibiting [SEA/SH] risks have not been communicated to project actors or where they do not exist.</p>	High	Contractors' workers will be required to sign Code of Conduct to prevent any SEA/SH issues.

### Annex 3: UNDP Indicative Outline for ESIA

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An ESIA report should include the following major elements (not necessarily in the following order):

- (1) Executive summary:** Concisely discusses significant findings and recommended actions.
- (2) Legal and institutional framework:** Summarizes the analysis of the legal and institutional framework for the project within which the social and environmental assessment is carried out, including (a) the country's applicable policy framework, national laws and regulations, and institutional capabilities (including implementation) relating to social and environmental issues; obligations of the country directly applicable to the project under relevant international treaties and agreements; (b) applicable requirements under UNDP's SES; and (c) and other relevant social and environmental standards and/or requirements, including those of any other donors and development partners. Compares the existing social and environmental framework and applicable requirements of UNDP's SES (and those of other donors/development partners) and identifies any potential gaps that will need to be addressed.
- (3) Project description:** Concisely describes the proposed project and its geographic, social, environmental, and temporal context, including any offsite activities that may be required (e.g., dedicated pipelines, access roads, power supply, water supply, housing, and raw material and product storage facilities), as well as the project's primary supply chain. Includes a map of sufficient detail, showing the project site and the area that may be affected by the project's direct, indirect, and cumulative impacts. (i.e. area of influence).
- (4) Baseline data:** Summarizes the baseline data that is relevant to decisions about project location, design, operation, or mitigation measures; identifies and estimates the extent and quality of available data, key data gaps, and uncertainties associated with predictions; assesses the scope of the area to be studied and describes relevant physical, biological, and socioeconomic conditions, including any changes anticipated before the project commences; and takes into account current and proposed development activities within the project area but not directly connected to the project.
- (5) Social and environmental risks and impacts:** Predicts and takes into account all relevant social and environmental risks and impacts of the project, including those related to UNDP's SES (Overarching Policy and Principles and Project-level Standards). These will include, but are not limited to, the following:
  - (a) Environmental risks and impacts*, including: any material threat to the protection, conservation, maintenance and rehabilitation of natural habitats, biodiversity, and ecosystems; those related to climate change and other transboundary or global impacts; those related to community health and safety; those related to pollution and discharges of waste; those related to the use of living natural resources, such as fisheries and forests; and those related to other applicable standards.<sup>25</sup>
  - (b) Social risks and impacts*, including: any project-related threats to human rights of affected communities and individuals; threats to human security through the escalation of personal, communal or inter-state conflict, crime or violence; risks of gender discrimination; risks that adverse project impacts fall disproportionately on disadvantaged or marginalized groups; any prejudice or discrimination toward individuals or groups in providing access to development resources and project benefits, particularly in the case of disadvantaged or marginalized groups; negative economic and social impacts relating to physical displacement (i.e. relocation or loss of shelter) or economic displacement (i.e. loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land or resource acquisition or restrictions on land use or access to resources; impacts on the health, safety and well-being of workers and project-affected communities; and risks to cultural heritage.
  - (c) Gender-specific risks*, including the potential for SEAH and other GBV to occur within the footprint of any proposed sub-project, based on local level baseline assessments and good practice methodology and should consider the: i) degree to which consultative processes have been undertaken with women and other vulnerable minorities in the development

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<sup>25</sup> For example, the Environmental, Health, and Safety Guidelines (EHSGs), which are technical reference documents with general and industry-specific statements of Good International Industry Practice. The EHSGs contain information on industry-specific risks and impacts and the performance levels and measures that are generally considered to be achievable in new facilities by existing technology at reasonable cost. Available at [www.ifc.org/ehsguidelines](http://www.ifc.org/ehsguidelines).



of the sub-project; ii) potential for the sub-project to exacerbate SEAH risks, based on the developed baseline, geographic location and extent of the proposed sub-project activities; iii) accessibility of reporting processes or similar grievance redress mechanisms for potential survivors of SEAH or GBV that prioritize the protection of survivors or individuals making any reports.

**(6) Analysis of alternatives:** Systematically compares feasible alternatives to the proposed project site, technology, design, and operation – including the "without project" situation – in terms of their potential social and environmental impacts; assesses the alternatives' feasibility of mitigating the adverse social and environmental impacts; the capital and recurrent costs of alternative mitigation measures, and their suitability under local conditions; the institutional, training, and monitoring requirements for the alternative mitigation measures; for each of the alternatives, quantifies the social and environmental impacts to the extent possible, and attaches economic values where feasible. Sets out the basis for selecting the particular project design.

**(7) Mitigation Measures:** Summary of (with attachment of full) Environmental and Social Management Plan (ESMP) (see indicative outline of ESMP below.) The ESMP identifies mitigation measures required to address identified social and environmental risks and impacts, as well as measures related to monitoring, capacity development, stakeholder engagement, and implementation action plan. The ESMP will include specific actions to manage and/or mitigate any identified SEAH risks, in alignment with the SEAH Action Plan developed at a project level.

**(8) Stakeholders.** Summarizes and links to project Stakeholder Engagement Plan or ESMP that includes plan for consultations. Includes summary of consultations undertaken for development of ESIA (see appendices).

**(9) Conclusions and Recommendations:** Succinctly describes conclusion drawn from the assessment and provides recommendations. Includes recommendation regarding the project's anticipated benefits in relation to its social and environmental risks and impacts.

**(10) Appendices:** (i) List of the individuals or organisations that prepared or contributed to the social and environmental assessment; (ii) References – setting out the written materials both published and unpublished, that have been used; (iii) Record of meetings, consultations and surveys with stakeholders, including those with affected people and local NGOs. The record specifies the means of such stakeholder engagement that were used to obtain the views of affected groups and local NGOs, summarizes key concerns and how these concerns addressed in project design and mitigation measures; (iv) Tables presenting the relevant data referred to or summarized in the main text; (v) Attachment of any other mitigation plans; (vi) List of associated reports or plans.

## Annex 4: UNDP Livelihood Action Plan Outline

A Livelihood Action Plan (LAP) details the **procedures** and **actions** that will be undertaken in order to ensure that the capacity, production levels, and standards of living of economically displaced people are improved or at least restored, and that displaced people are compensated adequately. This plan must be developed after it has been determined, following the process outlined in Standard 5, that displacement is unavoidable. The LAP reflects the commitment made by the Implementing Partner and UNDP to affected people and communities to meet obligations arising from economic displacement.

The LAP covers the following elements:

1. Introduction
  - Briefly describe the project and associated facilities (if any)
  - Describe project components requiring economic displacement; land acquisition and resettlement; give overall estimates of land and/or resources to which access has been restricted
  - Provide explanation of how economic displacement is necessary to achieve the project objectives, how the project is in the ‘public interest’ and how displacement is proportional to project outcomes
2. Minimizing Displacement
  - Describe the justification for the displacement. Please also discuss alternative project designs, including the “no project” scenario and if they may have avoided or reduced the resettlement.
  - Describe efforts and measures to minimize displacement, and expected outcomes of these efforts and measures
  - Describe how requirements of Indigenous Peoples Standard have been addressed if Indigenous Peoples are displaced.
3. Census and Socioeconomic Surveys/Social Baseline
  - Provide results of the census, assets inventories, natural resource assessments, and socioeconomic surveys and briefly describe how these were performed, i.e., techniques used, individuals interviewed, etc.
  - Identify all people and communities potentially affected by displacement activities and potential impacts to each. Be precise about the land titles or the lack thereof in the social baseline. Conduct a vulnerability assessment and outline what determines vulnerability (i.e. which criteria need to be met to consider someone vulnerable)
4. Legal Framework
  - Describe all relevant international, national, local, and community laws and customs that apply to displacement activities, with particular attention to laws and customs relating to tenure rights and highlight any potential conflicts e.g. between UNDP’s SES and national or regional law
  - Describe how free, prior, informed consent was obtained for displacement of indigenous peoples and tribal communities, if applicable
  - Describe project-specific mechanisms to address conflicts
  - Describe entitlement/compensation policies for each type of impact
  - Describe method of valuation used for affected structures, land, trees, and other assets
  - Prepare entitlement matrix, which includes budget and timeframe for payment of entitlements
5. Displacement-related Property
  - Describe how affected people have been involved in a participatory process to identify replacement property when they have lost access to property to which they have legitimate rights. Describe the advantages and disadvantages of the properties, including the property chosen.
  - Describe how affected people whose livelihoods are urban-based have been involved in a participatory process to identify livelihood replacement and support opportunities. Provide evidence of past consultation events, such as participation lists, photos and reports.
  - Describe how affected people whose livelihoods are land-based have been involved in a participatory process to identify lands they can access, including lands with productive potential, locational advantages, and other

factors at least equivalent to that being lost.

- Describe how affected people whose livelihoods are natural resource-based have been involved in a participatory process to identify resources they can access with equivalent livelihood-earning potential and accessibility.
- Describe how affected people whose access to legally designated parks and protected areas has been restricted have been involved in identifying and choosing measures to mitigate impacts.
- Describe the feasibility studies conducted to determine the suitability of chosen lands and/or natural resources described above, including natural resource assessments (soils and land use capability, vegetation and livestock carrying capacity, water resource surveys) and environmental and social impact assessments of the sites.
- Give calculations relating to land and resource availability
- Describe, as relevant, mechanisms for: 1) procuring, 2) developing and 3) allotting displacement property, including the awarding of title or use rights to allotted lands and/or resources. Indicate to whom titles and use rights will be allocated, including by gender.
- Provide detailed description of the arrangements for site development for agriculture, including funding of development costs
- If circumstances made it difficult to provide land or resources as described above, provide evidence of mutual agreement with affected people/communities on alternative measures.

#### 6. Income Restoration

- Are compensation entitlements sufficient to improve livelihoods and income streams for each category of impact? Attach independent review of opportunities to enhance incomes/livelihoods. What additional economic rehabilitation measures are necessary?
- Briefly spell out the restoration strategies for each category of impact and describe their institutional, financial, and technical aspects
- Describe the process of consultation with affected populations and their participation in finalizing strategies for income restoration
- How do these strategies vary with the area of impact?
- Provide a transparent methodology/formula that is understandable to project-affected people and can be verified for each case.
- Does income restoration require change in livelihoods, development of alternative farmlands or some other activities that require a substantial amount of training, time for preparation, and implementation?
- How are the risks of impoverishment to be addressed?
- What are the main institutional and other risks for the smooth implementation of the resettlement programs?
- Describe the process for monitoring the effectiveness of the income enhancement/restoration measures
- Describe any social or community development programs currently operating in or around the project area. If programs exist, do they meet the development priorities of their target communities? Are there opportunities to support new programs or expand existing programs to meet the development priorities of communities in the project area?

#### 7. Institutional Arrangements

- Describe the institution(s) responsible for delivery of each item/activity in the entitlement policy; implementation of income restoration programs; and coordination of the activities associated with and described in the livelihood action plan
- State how coordination issues will be addressed where displacement is spread over a number of jurisdictions or where displacement will be implemented in stages over a long period of time
- Identify the agency that will coordinate all implementing agencies. Does it have the necessary mandate and resources?
- Describe the external (nonproject) institutions involved in the process of income restoration (land development, land allocation, credit, training) and the mechanisms to ensure adequate performance of these institutions
- Discuss institutional capacity for and commitment to displacement
- Describe mechanisms for ensuring independent monitoring, evaluation, and financial audit of the LAP and for

ensuring that corrective measures are carried out in a timely fashion

8. Implementation Schedule

- List the chronological steps in implementation of the LAP, including identification of agencies responsible for each activity and with a brief explanation of each activity
- Prepare a month-by-month implementation schedule of activities to be undertaken as part of resettlement implementation
- Describe the linkage between resettlement implementation and initiation of civil works for each of the project components

9. Participation and Consultation

- Describe the various stakeholders
- Describe the process of promoting consultation/participation of affected populations and stakeholders in resettlement preparation and planning. Be specific about which kinds of documentation will have to be collected (photos, reports, attendance lists, etc.)
- Describe the process of involving affected populations and other stakeholders in implementation and monitoring
- Describe the plan for disseminating LAP information to affected populations and stakeholders, including information about compensation for lost assets, eligibility for compensation, displacement assistance, and grievance redress

10. Grievance Redress

- Describe the step-by-step process for registering and addressing grievances and provide specific details regarding a cost-free process for registering complaints, response time, and communication modes
- Describe how the mechanism ensured unrestricted access, transparency, accountability, how it documents cases and keeps the complainants informed and the institutional setup.
- Describe the mechanism for appeal
- Describe the provisions for approaching civil courts if other options fail

11. Monitoring and Evaluation

- Describe the internal/performance monitoring process. Ensure monitoring program seeks to measure whether displaced enjoy at least a standard of living and access to livelihoods equal to what they enjoyed before displacement
- Define key monitoring indicators derived from baseline survey. Provide a list of monitoring indicators that will be used for internal monitoring, including number and location of displaced persons
- Describe institutional (including financial) arrangements
- Describe frequency of reporting and content for internal monitoring
- Describe process for integrating feedback from internal monitoring into implementation
- Define methodology for external monitoring
- Define key indicators for external monitoring
- Describe frequency of reporting and content for external monitoring. Ensure monitoring program is regular and ongoing following project completion until durable solutions are reached
- Describe process for integrating feedback from external monitoring into implementation
- Describe arrangements for final external evaluation
- Describe need for updates to census, assets inventories, resource assessments, and socioeconomic surveys, if necessary, as part of LAP monitoring and evaluation

12. Costs and Budgets

- Provide a clear statement of financial responsibility and authority
- List the sources of funds for displacement and describe the flow of funds
- Ensure that the budget for displacement is sufficient and included in the overall project budget. Include provisions for non-anticipated adverse impacts.
- Identify displacement costs, if any, to be funded by the government and the mechanisms that will be established to ensure coordination of disbursements with the LAP and the project schedule. Prepare estimated budget, by cost and by item, for all displacement costs including planning and implementation, management and administration, monitoring and evaluation, and contingencies
- Describe the specific mechanisms to adjust cost estimates and compensation payments for inflation and

currency fluctuations

- Describe the provisions to account for physical and price contingencies
- Describe the financial arrangements for external monitoring and evaluation including the process for awarding and maintenance of contracts for the entire duration of displacement

Annexes

- Copies of census and survey instruments, interview formats, and any other research tools
- Information on all public consultation including announcements and schedules of public meetings, meeting minutes, and lists of attendees
- Examples of formats to be used in monitoring and reporting on LAP implementation
- Entitlement matrix
- Evidence of prior informed consent for indigenous peoples and tribal communities

## Annex 5: UNDP Elements of Biodiversity Action Plan

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Where biodiversity values of importance to conservation are associated with a project or its area of influence, the preparation of a Biodiversity Action Plan (BAP) provides a useful means to focus a project's mitigation and management strategy. For project activities that may affect natural habitats, critical habitats and protected areas, Standard 1 notes that a BAP needs to be in place. For projects solely designed to strengthen biodiversity and maintain or restore ecosystems in areas of critical habitat, the project document itself would constitute such a plan. Biodiversity plans are highly encouraged when also operating in modified habitats with biodiversity values of importance to conservation.

Targeted biodiversity-related mitigation and management measures may be integrated into more general Environmental and Social Management Plans (ESMPs) or related plans. However, a BAP provides focused attention to actions in ecologically critical areas. A BAP may be included as part of a broader ESMP.

As noted in the Section 2.1 of this guidance note, National Biodiversity Strategies and Action Plans (NBSAP) are the primary instruments for implementing the Convention on Biological Diversity at the national level. A BAP is a more targeted instrument for enhancing and conserving biodiversity and ecosystem services in particular habitats, demonstrated on an appropriate geographic scale. A BAP should seek to achieve net gains to the biodiversity values for which the critical habitat was designated. A BAP is highly context specific.

There is no one widely recognized, cross-sectoral framework for the development of a BAP. Typically a BAP will be undertaken to address significant gaps in information for undertaking biodiversity-related actions (such as insufficient baseline data or understanding of key biodiversity values) and would articulate a management plan where/when adequate information is available for developing appropriate actions.

General elements of a BAP include the following:

**(1) Description of biodiversity context:** Identifies national and/or regional biodiversity context; location of projects site/s; relevant physiography; general description of relevant ecosystems, habitats, flora, fauna; priority biodiversity features and components of elevated significance.

**(2) Objectives and targets biodiversity actions and mitigation:** Identifies measures and actions to enhance and conserve biodiversity and/or in accordance with the mitigation hierarchy avoid, minimize, mitigate, potentially significant adverse social and environmental impacts to acceptable levels. Describes – with technical details – each biodiversity-related action/mitigation measure, including the type of issue/impact to which it relates and the conditions under which it is required (e.g., continuously or in the event of contingencies), together with designs, implementation descriptions and operating procedures, as appropriate; takes into account, and is consistent with, other relevant mitigation plans (e.g. indigenous peoples, economic displacement).

**(3) Implementation action plan (schedule, cost estimates and source of financing):** Outlines an implementation schedule for measures that must be carried out as part of the project, showing phasing and coordination with overall project implementation plans; and the capital and recurrent cost estimates and sources of funds for implementing the BAP (i.e. budget). Describes institutional arrangements, identifying which party is responsible for carrying out the actions/mitigation and monitoring measures.

**(4) Stakeholder Engagement:** Outlines context-specific plan to engage in meaningful, effective and informed consultations with relevant stakeholders, including locally affected groups. Includes information on (a) means used to inform and involve affected people and description of effective processes for receiving and addressing stakeholder concerns and grievances regarding the project's social and environmental performance.

**(5) Monitoring and reporting:** Identifies monitoring objectives and specifies the type of monitoring, with linkages to the biodiversity actions and mitigation measures. Describes parameters to be measured, methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and definition of thresholds that will signal the need for corrective actions. Establishes reporting schedule and format.