

Process Framework for Involuntary Restrictions

11 December 2020

CEPF Grant: CEPF-110574

Society for Sustainability and Conservation Education for Rural Areas

***Building Capacity and Sustainable Partnerships for Biodiversity Mainstreaming in
Nigeria***

Nigeria

Grant Summary

1. Grantee organization: Society for Sustainability and Conservation Education for Rural Areas
2. Grant title: Building Capacity and Sustainable Partnerships for Biodiversity Mainstreaming in Nigeria
3. Grant number: CEPF-110574
4. Grant amount (US dollars): \$180,563
5. Proposed dates of grant: 1 February 2021 – 30 June 2022
6. Countries or territories where project will be undertaken: Nigeria
7. Date of preparation of this document: 11 December 2020

The Process Framework will describe the project and how restrictions of access to natural resources and measures to assist affected communities. Affected communities should have the opportunity to participate in the drafting of the Process Framework. Typically, the Applicant will prepare a draft Framework that will then be shared and discussed with local communities and other relevant stakeholders. Based on the consultations, a final Framework will be prepared. CEPF may provide guidance on development of the Framework and will review and approve the final Framework prior to approving the final project proposal application. The Process Framework should include the following elements:

A. Project background

Nigeria, the most populous country in Africa has a land area covering 923,768km², with a total forest area of 90,410 km², out of which only 28% (derived from the CEPF Ecosystem Profile) is under some form of protection. The country's diverse ecosystems range from freshwater swamp forest, mangrove forest and coastal vegetation, lowland forest, savannah, to montane ecosystems and hosts a rich variety of species of fauna and flora, including over 7,000 plant species, about 20,000 insects and 1,000 bird species, more than 1,000 fish species, close to 250 mammals and over 120 reptiles. A number of these species have become threatened and remaining populations depend on protected areas for their survival. However, the country has suffered from severe environmental threats that have led to the loss of biodiversity driven by large scale forest conversion, unsustainable forest management and harvest of natural resources, pollution, invasive alien species and climate change.

Protected areas are equally under threat from competing land-use. Okomu National Park (NP), the smallest of the country's eight national parks, located in the Niger Delta region of Nigeria, is one of those under threats from agricultural expansion. Okomu NP had an original size of 777 km² at the time of its gazettement in 1912, and was the largest remaining rainforest in the southwest of Nigeria. However, the park has shrunk to its current size of 181 km² due to the park being declassified to accommodate agricultural concessions, in particular the country's main oil palm producer, Okomu Oil Palm Company Plc. (OOPC) and rubber plantations. The oil palm concession, which initially covered an area of about 156 km² at inception, now covers an area of over 330 km², with plans to take up another 40 km² for further development. The expansion and increase in productivity of the OOPC has not come without significant social and biodiversity impacts, with associated agitation from civil society groups and environmentalists protesting the infringement of communities' land rights and decline in important species populations due to habitat loss.

Okomu NP, despite its significantly reduced size still hosts a number of globally threatened species. It remains one of the strongholds of the African forest elephant (Vulnerable, IUCN) in Nigeria, as recognised by the Elephant Protection Initiative (EPI) and hosts a number of other threatened species, including the Nigeria-Cameroun chimpanzee (Endangered, IUCN) and the red-bellied monkey (Vulnerable, IUCN), and a variety of globally important bird species – having being recognised as a Key

Biodiversity Area and an Important Bird Area by BirdLife International, with a total record of 33 mammal species and 150 bird species, including the yellow-casqued hornbill (Vulnerable, IUCN).

Nigeria revised its National Biodiversity Strategy and Action Plan (NBSAP) in 2016 and according to the NBSAP, “*Biodiversity issues have been relegated into the background and have only been the concern of conservationists, scientists and environmentalists despite its significant contribution to the livelihoods of rural and peri-urban communities and the ecosystem services it provides*”.

This project aims to promote biodiversity and ecosystem values and to support the government of Nigeria in strengthening enforcement of EIA legislation and regulations, and integration of biodiversity considerations into national policies, in particular agricultural policies, as well as in the practice of the private sector, using the country’s main oil palm company, adjacent to the Okomu NP as a case study.

B. Participatory implementation

This project will ensure a strong participatory process. SCERA has attempted to consult several stakeholders and partners on this project, some of whom have made direct inputs to project design and endorsed the project. While no community consultations have been held so far, we will endeavor to hold community consultations at the start of the project, during the first month of commencing the project.

At the beginning of the project, several consultative meetings will be held with the 11 target communities, which have been identified for involvement in the project based on their proximity to the park. During the meetings, the approval and consent of communities will be sought to ensure their support for and participation in the project. Community volunteers from across the 11 communities will be selected to participate in various aspects of the project, including the training in biodiversity and environmental monitoring, implementation of rapid biodiversity assessments and the establishment of a biodiversity stakeholders’ platform.

This project will leverage and build on existing partnerships within the Okomu National Park. SCERA is currently on the Steering Committee for the Okomu National Park Management Plan, a working group established to coordinate the development and implementation of the management plan of the national park. SCERA will build on these existing relationships and in collaboration with these stakeholders develop a roadmap for the successful implementation of this project. The Steering Committee, which comprises of park management, government, civil society, communities, private companies and donors, is already informed about and is in support of this project. They will be a key resource in the establishment of the Okomu Biodiversity Stakeholders Platform (BSP), ensuring that all relevant stakeholders including local men and women and marginalised groups are represented on the biodiversity platform and are part of decision making. A minimum of 30% women representation will be encouraged.

The BSP will serve as a platform to support communities to hold natural resource companies accountable for negative environmental and social impacts and to ensure that there is minimal or no negative impact, and at best a net positive impact on biodiversity. It will form a platform for participatory and sustainable management of the park. The project will ensure that information and proceedings from the BSP, as well as the outcomes of biodiversity and social impact assessments will feed into the development of the management plan. We will work with stakeholders to develop a terms of reference and guiding principle for participatory implementation of the objectives of the BSP.

SCERA is currently developing a project under a different donor to conduct a site-level assessment of governance and equity (SAGE) for the Okomu NP stakeholders. Complementing the social impact

assessments carried out under this project, the SAGE, which will be carried out mid-way into this project will help to assess the social impacts, governance and equity of conservation efforts by stakeholders, identify governance challenges and help the monitoring of progress of stakeholder engagement.

C. Criteria for eligibility of affected persons

The project will mainly affect natural resource companies and other resource users having a negative impact on the forest. Environmental guidelines will be developed to prohibit environmentally detrimental practices. However, the park already places restrictions which prohibit certain illegal activities such as hunting, logging etc. Only collection of non-timber forest products (NTFP) are allowed and NTFP collection is mostly carried out by women.

The African Development Bank (AfDB) Group (African Development Fund - ADF) define displaced (affected) persons using two criteria:

- a) Those who have formal legal rights to land or other assets recognized under the laws of the country. This category will generally include people who are physically residing at the project site and those who will be displaced or may lose access or suffer a loss in their livelihood as a result of the project activities;
- b) Those who may not have formal legal rights to land or other assets at the time of the census but can prove that they have a claim such as land or assets that would be recognized under the customary laws of the country. This category may also include those people who may not be physically residing at the project site or persons who may not have any assets or direct sources of livelihood derived from the project site, but who have spiritual and/or ancestral ties with the land (e.g. graveyards, sacred forests, places of worships). This category may also include sharecroppers or tenant farmers, seasonal migrants or nomadic families losing user rights, depending on the country's customary land use rights.

A third group are also considered:

- c) Those who have no recognizable legal right or claim to the land they are occupying in the project area and who do not fall in any of the two categories described above.

Most of those who will be affected by this project will fall under the third category.

Reference

AfDB (2003) African Development Bank Group's African Development Fund Involuntary Resettlement Policy. November 2003.

D. Measures to assist the affected persons

While the project itself does not restrict or prohibit activities, SCERA aims to source funding from other sources to support sustainable livelihood activities, and under this project will work with park management and the BSP to ensure clear communication on the importance of biodiversity. Awareness will be created on the impact of negative environmental activities/practices on biodiversity and the consequences of biodiversity loss (including emerging infectious diseases) on humans, to enable local people understand the need to protect biodiversity.

E. Conflict resolution and complaint mechanism.

A grievance redress mechanism (GRM) will be developed and agreed by stakeholders on this project to collect, review, address and escalate (where necessary) complaints raised by affected persons and other stakeholders. While a detailed GRM will be developed, the process will include:

- Complaints will be lodged at SCERA's Okomu office, and the Project Coordinator (PC) will be the first port of call. The PC's contact details (email address and phone number) along with the contact details of the BSP Coordinator and the CEPF Regional Implementation Team (RIT) will be shared in outreach materials including posters, leaflets and notice boards.
- The PC will inform SCERA's National Program Coordinator immediately of any complaints lodged and she will consult with the BSP to come up with recommendations for resolving the conflict. The BSP will assist in sensitizing local people about the existence and procedure for the GRM and will encourage people to use this as a positive means of channeling complaints. If the BSP is unable to resolve the issue, the complaint will be escalated to the Steering Committee of the Okomu Management Plan. SCERA will keep a log of the complaint and responses provided to address the complaint and responses will be provided within a reasonable time period.
- SCERA will share all grievances – and a proposed response – with the Regional Implementation Team and the CEPF Grant Director within 15 days. If the claimant is not satisfied following the response, they may submit the grievance directly to the CEPF Executive Director at cepfexecutive@conservation.org or by surface mail. If the claimant is not satisfied with the response from the CEPF Executive Director, they may submit the grievance to the World Bank at the local World Bank office. The contact details of the CEPF Executive Director and the local World Bank office will also be provided in outreach materials.

F. Implementation Arrangements

A project team will be established on ground, including a Project Coordinator and Project Officer. The Project Coordinator will lead on implementation on ground, engaging various stakeholders and ensuring that implementation of activities is on course. They will facilitate the activities of the BSP in collaboration with the park management, community and other local stakeholders. The Project Officer will be the liaison with local communities, and support community mobilization and engagement. In collaboration with the Project Coordinator, they will organize awareness raising and outreach events.

Communities will be approached from the start of the project to obtain their consent and support for the project. They will be informed of proposed activities and will be requested to identify and appoint volunteers who will work on the project. Engagement with communities will be carried out throughout the project to ensure that they are carried along at every stage.

The BSP will serve as the main platform through which information will be disseminated. The BSP will emphasize the grievance redress mechanism and support communities to understand the process.

A Monitoring and Evaluation Team, led by the Technical Program Coordinator will track project indicators and impacts. The Technical Program Coordinator in collaboration with the National Program Coordinator and Project Coordinator will design M & E tools, including pre- and post- training questionnaires, indicator/deliverables tracking forms, participant attendance sheets etc., ensuring that they are disaggregated by gender and other appropriate parameters such as community, age group, educational level etc. where possible/applicable.

A KAP survey will be carried out at the beginning and end of the project to evaluate the impact of key project outcomes. The Technical Program Coordinator will pay quarterly (monthly at the initial stage to support project kick off) monitoring visits to the park to ensure that the project is on track to meet its targets.

The social impact assessment carried out at the beginning and SAGE conducted mid-way into the project, will enable stakeholders re-assess their efforts and come up with strategies and actions for improvement.