**Sustainable Tourism Enhancement in Nepal's Protected Areas**

**Environmental and Social Management Framework**

**(Draft for Consultation)**



**National Trust for Nature Conservation**

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**Executive Summary**

**1. Description of the Project:** Tourism is one of the major contributors to the sustainable economy of Nepal.The direct contribution of the tourism sector in the national GDP was at 4% in 2017 and is forecasted to rise by 3.8% per annum to reach 4.2% in 2028 (World Travel and Tourism Council, 2018). Despite tremendous growth potential in tourism sector, Nepal stands as a low-cost tourist destination with much lower daily tourist spending than the regional average. This is a high time for Nepal to think about and harness high value nature-based tourism.

Nature based tourism is a key driver of Nepal's tourism, providing the sector both comparative and competitive advantages in the unique setting of rich topographic, biological and cultural diversity. In this context, the World Bank is supporting GoN to implement the project entitled “Sustainable Tourism Enhancement in Nepal's Protected Areas (STENPA)". The GoN has designated the National Trust for Nature Conservation (“NTNC”) as the Technical Agency responsible for the preparation of the project. The project focuses in enhancing nature-based tourism in Nepal and has included destination development and integrated tourism development in five protected areas as first batch destinations, viz Annapurna and Manaslu Conservation Area in the hills and mountains, and Bardia, Banke and Shukla Phanta National Park in western terai.

The Project Development Objective (PDO) is to establish favorable conditions to enhance the value creation, sustainability and tourism sector at selected destinations. The Project has four components: Component 1: Capacity development for NBT management and cooperation, Component 2: Enhancing access infrastructure, environmental management and tourism facilities for NTB diversification, Component 3:Upgrading tourism services provided by local communities and private sector suppliers and strengthening community engagement, and Components 4: Project management, monitoring and evaluation

**2. Overview of ESMF:** This ESMF has been developed as part of project preparation to ensure sustainable preservation of natural and cultural heritage and maintaining acceptable standards for avoiding/minimizing adverse impacts during the implementation of the Project. The ESMF provides clear steps, processes, procedures and responsibilities including various tools to be used during project implementation ensuring environmental and social integration in the planning and implementation of Project supported activities. The ESMF is prepared in line with the World Bank's environmental and social Operation Policies and Government of Nepal's national laws and regulations.

The four components of the projects have been formulated to meet the project development objective. The indicative sub-project activities linked with these components for the project's first year investments have been identified as 'no regret' activities. These include but not limited to activities such as preparing Detailed Project Reports (DPRs) for different physical works such as alternative round Annapurna trekking trail, Mardi Himal trail, Nilgiri trail, ancient salt trade route, and Ghandruk-ABC-Poon Hill model trek. Infrastructure works will include activities such as increasing accessibility to Bardia National Park by improving existing entry gate and establishing four additional gates, establishing visitor information centers at gateway cities and target destinations, waste management facilities, improve access to PAs, etc. Other activities such as provisioning of licensing and permits for commercial activities in destinations will also be carried out. The activities which poses significant environmental and social risks are excluded and are beyond the scope of this project. The detailed sub-project activities for the subsequent years will be planned and developed based on the priorities of the destinations in wider consultations with all the concerned stakeholders.

Table 1: Indicative List of Major Activities by Types and Components

|  |  |  |
| --- | --- | --- |
| **Components/**  **Sub-components** | **Major Activities by Types** | **Component Objectives** |
| **Component 1: Improving NBT management, planning and coordination** | | |
| Sub-component 1.1. Enhancing destination management capacity and coordination | Review and development of gender inclusive plans viz ITDPs, land zoning plans, tourism investment plans at the Project Destinations; establishment of DCF and capacity building of stakeholders. | * Promote a well-coordinated and integrated approach to managing and marketing the tourism potential. * Ensure that the tourism potential is strategically geared towards sustainability and higher value. |
| Subcomponent 1.2: Integrating NBT into national tourism policy and planning | Strengthen national-level strategic planning, monitoring and coordination; develop and upgrade services and operations in selected small airports and helipads; review, adapt and support implementation of the tourism act, implementing regulations; improve disaggregated data collection, statistics and research by gender and caste/ethnicities, branding and marketing of protected areas and parks. |
| **Component 2: Enhancing access infrastructure, environment management and tourism facilities for NBT diversification** | | |
| Sub-component 2.1. Enhancing access infrastructure | Rehabilitation/ maintenance of existing roads within targeted Project Destinations (e.g. national parks roads, provincial and municipal roads, last miles connections; development of small-scale facilities for improving public transport based on gender inclusive / universal access standard designs in the project area including gateway cities and municipalities. | * Enhance the overall quality of the Project Destinations as sustainable tourism destinations through better accessibility, connectivity, environmental sustainability, safety, and diversity of infrastructure for tourism activities. * Improve sustainability of tourism preserving their natural assets to future generations. * Enhance and diversify the infrastructure for NBT in the Project Destinations, diverse the tourist segments and reduce the pressure existing infrastructures. |
| Sub-component 2.2. Improving environmental management | Development of gender responsive small-scale sanitation facilities with priorities to women and local communities viz solid waste treatment, garbage collection, small-scale biogas and composting; rehabilitation and upgrading of solid waste disposal sites, water treatment and monitoring; bio-engineering works/ recycling/ reducing the use of plastic; capacity building of local government and PA management authorities. |
| Sub-component 2.3. Diversify NBT facilities and upgrading safety management | Development of tourist check posts, visitor information system; construction/renovation of trekking trails, fire lines, bridges and road crossings, safe drinking water stations, campsites, viewpoints and rest stops, trail signage and safety barriers (gabion box filling and fencing); construction/ renovation of safe wildlife sighting sites, view towers and others small infrastructures to facilitate diversification of tourism products. |
| **Component 3: Upgrading tourism Services provided by local communities and private sector suppliers and strengthening community engagement** | | |
| Subcomponent 3.1: Enhancing the skills of local workforce in NBT services | Drafting, implementation and enforcement of rules and guidelines of stakeholders; licensing and permits for commercial activities facilitating women entrepreneurs in undertaking/promoting such activities through grants/subsidies where possible | * Enhance the regulatory and incentive framework for tourism enterprise. * Improve the quality and variety of tourism services offered by private local providers in PAs and surrounding nature areas |
| Subcomponent 3.2:  Upgrading, diversifying and strengthening tourism offering and engagement by local communities in tourism | Establishment of networks for supporting the development of NBT; preparation of BDS; supports for MSMEs in targeted areas; improvement of market linkages along tourism value chains with priorities to women and support for compliance of tourism-related quality standards. |
| **Component 4. Project management, monitoring and evaluation** | | |
|  | Support for project management through gender balanced team at all levels ensuring coordinated and timely execution of project activities including oversight for fiduciary management, quality control, and environmental and social safeguards management. |  |

**3. Policies and Regulatory Framework:** The ESMF assess the prevailing policy and legal framework of the GON and applicable World Bank’s Safeguards policies for the implementation of the Project. The Project triggers OP 4.01 Environment Assessment, OP 4.04 Natural Habitats, OP 4.36 Forestry, OP 4.11 Physical Cultural Resources, OP 4.12 Involuntary Resettlement, OD 4.10 Indigenous Peoples, and OP/OD 4.20 Gender and Development. Comparison is also made between the relevant Nepalese laws and regulations and the World Bank policies and recommendations are provided to address the gaps. The major gaps noted are (i) lack of emphasis on detailed screening/assessment of impacts prior to subproject planning and implementation as required by the EPA, (ii) no directive for environment and social assessment in the EPR prior to seeking approval of the concerned authority in relation to impacts on physical cultural resources, (iii) absence of FPIC requirement on affected IPs in the NFDIN Act, (iv) no explicit definition to 'compensation' to the 'loss of income sources' in the Government’s legal framework (v) Nepal’s regulatory provision on 33% share of women participation which may be debatable to the principle of 'equal access' to women.

**4. Potential Environmental and Social Impacts and Mitigation Measures:** The proposed Project is classified as “B Category” and will not include any high-risk activities that may result in significant adverse environmental and social impacts to the environment, people and communities that are sensitive, diverse, or unprecedented. Nevertheless, the Project activities, particularly the civil works could cause some adverse environmental and social impacts warranting the Project to take appropriate mitigation and management measures. The main civil works envisaged for implementation with the Project’s supports are construction and rehabilitation of different physical facilities viz roads, trekking and scenic trails, solid waste management, upgrading of solid waste disposal sites, bio-engineering works and development of other facilities etc. in the conservation area as well as the parks and the buffer zones. The construction works, if not accompanied by careful plans, may result in environmental consequences viz landslides, loss of top soil/ soil erosion, improper disposal of construction waste, water contamination, vector proliferation, spread of water borne diseases, habitat destruction, loss of biodiversity and protected species, noise and air pollution etc. Possibility of induced impacts such as waste and pollution, new type of pollutants (plastics), encroachments, land use changes due to hotels/ new or expansion of settlement etc. can also be anticipated. Similarly, adverse social impacts likely to be triggered by the activities may involve various losses and impacts viz loss of land and shelter, livelihood sources, community facilities, use of child labor, discrimination in works and wage payment as well as adverse impacts to the indigenous and vulnerable people. This ESMF, which is developed in line of GON and World Bank’s legal and policy framework, provides full guidance to develop appropriate plans along with the mitigation measures that are to be complied fully by the Project.

**5. Resettlement Policy Framework:** The Resettlement Policy Framework (RPF) is developed as a precautionary tool to avoid, minimize and mitigate adverse impacts caused by involuntary resettlement. This policy covers direct economic and social impacts that both result from Bank-assisted investment projects and are caused by the involuntary taking of land and involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the people. As per this policy, displaced persons will be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. As per the framework, all project affected persons, irrespective of legal title such as encroachers /squatters will be eligible for compensation at replacement costs. The policy places emphasis on regular consultations with the affected groups and makes FPIC mandatory when vulnerable groups/IPs are affected by project activities. Valuation of assets is crucial to pay fair compensation and other assistances to the affected people and the process should be based on market value of land and assets. A comprehensive entitlement matrix has been developed as a crucial part of the RPF with all potential impacts, eligibility for entitlements and entitlement provisions spearheaded towards mitigating the impacts and livelihood improvement of project affected people.

**6. Vulnerable Community Development Framework:** During implementation, the project may affect indigenous and vulnerable people both positively and adversely. While the positive impacts will contribute to bring improvement in the livelihoods of the vulnerable people, the adverse impacts will lead to further impoverishment. The project interventions may also result in discriminatory impacts causing further hardships in the livelihoods of poor and vulnerable groups including indigenous people and *Dalits*, if the project activities/intervention are not aligned well with the needs and aspirations of these people.

Vulnerable Community Development Framework (VCDF) has been developed to apply in the projects/subprojects to be supported under the STENPA Project. The framework provides guidelines to help develop systematic procedure of identifying project's impacts on vulnerable people and develop mechanism for meaningful consultations, participation, information disclosure. The framework also outlines measures to develop culturally appropriate assistances and supports to the target groups in accordance with their priorities and needs. A framework for gender development is also outlined to mainstream gender development into the project and provides guidelines for designing and Gender Development Plan (GDP).

The project, because of its nature, could trigger a wide range of issues related to gender and gender- based violence in the project area. The civil works of varied infrastructures viz road, trails, hotels, lodge etc. involving women workers, both local and outsiders, could possibly result in different types of gender issues and violence in the construction sites. Besides, different service and commercial activities related to tourism viz women guide, women workers and entrepreneurs involved in trekking, hotel and restaurant business, could pose higher risks leading to violence against women and sex tourism. The close proximity of Indian border in case of Banke, Bardia and Shukla Phanta National Parks may pose further risk of trafficking of girls and child labor outside Nepal. Considering these potential issues and based on GBV Risk Assessment, different actions have been recommended to address GBV risks as per the “Good Practice Note” of World Bank. Similarly, a framework on gender has been developed to mainstream gender development into the project which provides guidance for preparing Gender Development Plan (GDP).

**7. Consultation, Communication and Citizen Engagement** Meaningful consultations and communications are key for effective planning and implementation of the activities to be implemented under the project. These are integral part of planning, design and implementation of activities as subproject level which will be useful for the Project in different ways such as informing the people about project benefits, flagging out people’s concerns and incorporating their knowledge into subproject planning/design and implementation. This chapter provides a framework pertaining to (i) stakeholder identification and consultation hierarchies, (ii) consultation strategies, (iii) future consolations, (iv) communication strategy, and (v) citizen engagement.

**8. Grievance Redressal Mechanism:** Effective grievance hearing and resolution is crucial to make project implementation effective. A functional grievance redress mechanism (GRM) will be put in place in the proposed project where any individuals or groups may file their grievances seeking fair decisions and actions. The mechanism involves a structure with different committees formed from unit to sub-project and Project Management Office (PMO) level. All these committees will be responsible for executing the GRM process which grievance filing, grievance review, decisions on the grievances and hearing within specific timeframe.

**9. Institutional Arrangement for ESMF Implementation:** The two Ministries - the Ministry of Forests and Environment (MoFE) and Ministry of Culture, Tourism and Civil Aviation (MoCTCA) will be the project implementing agencies at the central level. The Ministries will work in coordination with their respective departments viz DNPWC under MoFE, and DoT and NTB under MoCTCA. The DoT and NTB will have Implementation Units (IUs). There will also be Field Implementation Units working with the provincial and local counterparts. NTNC, under the close guidance and supervision of MoFE, will be responsible to implement the project at field level. At the centre, NTNC will have a PMO led by the Joint Secretary from MoFE. The PMO will have other technical staff of different disciplines outsourced from the market.

The implementation of safeguards plans will be the responsibility of PMO. Implementation of the sub-project activities will involve detailed environment and social screening which will determine the need for detailed environmental and social assessment. As prescribed by the assessment, appropriate safeguard instruments viz. ESMPs, IEE, RAP, VCDPs, etc. will be developed, integrated in the subproject designs and implemented. Regular monitoring and evaluation of safeguard requirements will be carried out by the dedicated teams at the Filed Implementation Units based at the destinations. Periodic supervision and monitoring will be carried out by the PMO's M&E and safeguard team. The key safeguards tasks will, include but not limited to the preparation of safeguard related guidelines, orientation to field staffs, carry out assessments, preparation of environmental and social safeguard plans, implement and monitor.

**E&S Safeguard Planning**

E&S planning will be carried out for all subprojects at site level and will involve the following procedures - (i) desk review followed by site visit for detailed E&S screening, (ii) preparation and submission of E&S screening report to PMO, (iii) preparation if ESMPs, Social Plans viz. RAP, VCDP, GAP ensuring that safeguard consideration are incorporated into design and bid document, (iv) approval of plans from concerned authority, (v) consultation and disclosure, and (vi) implementation and monitoring of E&S safeguard measures.

PMO will have the overall responsibility of E&S planning and implementation. There will be two Field Implementation Units (FIUs) based at the Bardia and Pokhara. The Bardia FIU will implement, monitor and supervise the E&S activities for Bardia, Banke and Shukla Phanta National Parks. Similarly, the Pokhara FIU will be responsible for ACA and MCA. The respective FIUs will constitute the team of staff as – civil engineer/overseer, E&S specialist & mobilizers, GESI specialist supported by finance/administration staff.

**10. Monitoring and Evaluation:** The Project will carry out two types of monitoring: i) internal monitoring, and ii) external/third party monitoring. Internal monitoring will be carried out by Project’s safeguards team on half yearly basis based on the environmental and social indicators in the ESMF and site/ subproject specific documents. Besides, the Project will conduct third party/ external monitoring on safeguards compliance through independent consultant. The third-party monitoring will be carried out twice: once during Project’s second year and the other at the fourth year of the Project. The PMO will assume the lead responsibility for the monitoring of safeguards plans and mitigation measures implemented under the project which will function within the overall M&E of the project. The key monitoring indicators, their verification, frequency of monitoring and monitoring responsibility related to the safeguards are briefly highlighted and a third-party monitoring is also provisioned.

**11.**  **Budget for Implementing ESMF:** The budget includes the cost for planning and implementation of safeguards activities. The budget covers the cost for environmental and social screening, implementation of ESMP, RPF, VCDP, GAP, E&S expert fees, GRM implementation, safeguard capacity building and M&E. The total estimated budget for the implementation of ESMF is NRs 107,075,000.

**Abbreviations**

ACA Annapurna Conservation Area

ABC Annapurna Base Camp

BaNP Banke National Park

BNP Bardia National Park

CFUG Community Forest User Group

DNPWC Department of National Parks and Wildlife Conservation

EA Environment Assessment

EHS Environment, health and safety

EIA Environmental Impact Assessment

ESMF Environment and Social Management Framework

ESMP Environment and Social Management Plan

FGD Focal Group Discussion

GDP Gross National Product

GESI Gender Equality and Social Inclusion

GoN Government of Nepal

IEE Initial Environmental Examination

IP Indigenous People

ITDP Integrated Tourism Development Plan

masl meters above sea level

MCA Manaslu Conservation Area

MoFE Ministry of Forests and Environment

NTNC National Trust for Nature Conservation

OP Operational Policy

PIU Project Implementation Unit

PMO Project Management Office

RPF Resettlement Policy Framework

VCDF Vulnerable Community Development Framework

UCO Unit Conservation Office

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# **Chapter 1: Introduction**

## 1.1 Background

Travel and tourism is one of the world's largest employers and a key job creator. According to the World Travel and Tourism Council, one in ten jobs in the world is currently in Travel and Tourism, with the sector creating one in every five new jobs in 2017. In Nepal, tourism contribution to the national GDP in 2017 was 4 percent, generating 6.6. percent of the total employment. At present, nature-based tourism remains a key driver of Nepal’s tourism. The country’s unique landscapes, rich biological diversity blended with culture and cultural heritage, and mountains attract nature lovers from all over the world. The importance of nature-based tourism is evidenced by the fact that about 60 percent of the total visitors to Nepal visit protected areas. Total incomes of protected areas from tourism in Nepal has increased by 68.32% over the last six years contributing substantially to poverty reduction, employment and income redistribution. However, Nepal is at the cross-roads and faces the risk of becoming a low-cost destination. The daily average spending per tourist remains low at US$ 54 in 2017, compared to a regional average of US$ 100 – 150. Nepal's tourism sector is lagging behind due to low quality of service, unhealthy competition among service providers, lack of adequate infrastructure and limited tourism products offering. This is a high time for Nepal to think about and harness high value nature-based tourism maintaining ecological and development balance with natural system to attract high class tourist to promote quality (value creation) tourism development in new destinations, sharing benefits to local people duly coordinating with stakeholders (local and international).

The World Bank is supporting the GoN to implement a project entitled “Sustainable Tourism Enhancement in Nepal's Protected Areas". The GoN has designated the National Trust for Nature Conservation (“NTNC”) as the Technical Agency responsible for the preparation of the project. The project will invest in enhancing access infrastructures, upgrading tourism services and improving destination management capacity, geared to improve the sustainability and value generation of nature-based tourism in selected destinations.

## Project Objectives and Components

The objective of the project is to improve the sustainability and value generation of nature-based tourism in selected destinations. The project will focus on a set of selected nature-based destinations with the aim of piloting an integrated approach that can be replicated across other PAs of Nepal. Destinations areas selected for Phase 1 of the project are Annapurna and Manaslu Conservation areas; and Bardia, Banke and Shukla Phanta National Parks and their buffer zone areas. It will also include activities for the promotion of nature-based tourism in the related gateway cities and surroundings with nature-based potential.

The project has three components as follows.

**Component 1: Capacity Development for NBT Management and Cooperation**

This component aims to promote an informed and coordinated approach to developing, managing, and marketing the NBT potential of the project destinations and Nepal as a whole, in a way that sustainable and strategically geared towards higher value. To this end, the component will provide expertise and tools for strengthening strategic planning and stakeholder coordination capacity, both at the destination level and at the broader national level. Importantly, the project will support the transition of PA management from a primarily conservation-oriented approach to one that treats them as the center of high-quality NBT destinations within the limits of ecological sustainability and cooperates with private sector operators to generate sustainable revenues to local stakeholders.

**Sub-component 1.1. Enhancing Destination Management Capacity and Coordination** This sub-component will aim to enhance NBT planning and management in Project Destinations and at the national level, through provision of expertise, training and equipment.

**Subcomponent 1.2: Integrating NBT into National Tourism Policy and Planning** Implemented under the supervision of MoCTCA and its subordinate agencies the Department of Tourism (DOT), and the National Tourism Board (NTB) in line with their respective mandates, this sub-component will support NBT planning and promotion by providing operational funds, expertise, training, and equipment.

**Component 2: Enhancing Access Infrastructure, Environmental Management and Tourism Facilities for NBT Diversification**

This component will enhance the overall quality of the project destinations in terms of accessibility and connectivity, environmental sustainability, safety, and infrastructure for diversified tourism activities. The component will follow the tourism development plan prepared for each project destination under Sub-component 1.1. The detailed tourism development plans for these PAs will be completed in the early phase of project implementation. Infrastructure investments under this Component will be designed with attention to resilience to climate change and natural disaster risks and guided by nature-based green approaches.

**Sub-component 2.1. Enhancing Access Infrastructure**

This sub-component will aim to make the NBT areas more easily accessible for tourists year-round and reduce the time to access the protected areas from the gateway cities and between different points within the project destinations, by investing in infrastructure and civil works using nature-based green approach, goods and expertise.

**Sub-component 2.2. Improving Environmental Management**

This sub-component will aim to improve the environmental sustainability of tourism in the project destinations to preserve their natural assets so future generations can equally enjoy and benefit from them. To this end, the project will invest in civil works, goods and expertise.

**Sub-component 2.3. Diversifying NBT Facilities and Upgrading Safety Management**

This sub-component will aim to increase the attractiveness of the project destinations to diverse tourist segments by increasing the variety of available NBT activities and instituting better systems for ensuring tourists’ safety. The project will support NBT facilities identified through a destination development planning process, and set up a competitive selection process for smaller projects presented by local beneficiaries; management of the small-scale infrastructure by non-governmental operators, in particular those trained and financed as Business Development Services (BDS) under component 3. Finally, the project will pilot small-scale support to community user groups for green tourism infrastructures in forests beyond protected areas, following specific guidelines and criteria.

**Component 3:** **Upgrading Tourism Services Provided by Local Communities and Private Sector Suppliers and Strengthening Community Engagement**

This component aims to improve the livelihood of communities and entrepreneurs who can benefit from the growing tourism sector in products and services with demonstrated demand such as accommodation, food and beverage, cultural events, guiding and adventure tourism activities as well as their related supply chains including agriculture, organic farming and handicrafts. The component proposes to enhance the integration of local enterprises and communities in the tourism value chain by: (i) developing relevant skills responding to tourism development needs, (ii) enhancing the quality and standards of the tourism offerings and strengthening local communities’ engagement in tourism.

**Subcomponent 3.1: Enhancing the Skills of Local Workforce in NBT Services**

This subcomponent aims to address the shortage of skilled workforce in the tourism sector mainly due to constant migration of the graduates abroad, as the graduates often seek paid-internships abroad to fulfill the certification requirements as well as get better pay.

**Sub- component 3.2 Upgrading, diversifying and strengthening tourism offerings and engagement by local communities in tourism**

This sub-component will improve the quality and variety of tourism services offered by local entrepreneurs and communities in the project destinations. PA dependent enterprises and community groups engaged in tourism (as direct suppliers as well as enterprises connected to tourism through supply chains) will be supported to upgrade the quality of their services to attract more tourism spending and thereby increase the income of local populations.

**Component 4. Project Management, Monitoring and Evaluation**

This component will finance supplemental support for project management, to ensure coordinated and timely execution of project activities. It includes project oversight and coordination; fiduciary management, including external/internal audits and accounting; quality control and assurance systems; environmental and social safeguards management; development and implementation of a communications and stakeholder engagement plan; and short-term training on project management. The component will also finance a monitoring and evaluation (M&E) system, which will be implemented to capture data on physical and financial progress, performance of implementing agencies and service providers, and the results achieved in terms of outputs and outcomes.

## Indicative List of Year 1 Investments

The components of the project are (i) capacity building for NBT management, (ii) enhancing infrastructure for access and NBT diversification and (iii) Improving Tourism Services by Local Community and Private Sector.

The Component 1 supports the interventions such as preparing DRPs for developing alternative round Annapurna trekking trail, Mardi Himal trail, Nilgiri trail, ancient salt trade route, Ghandruk-ABC-Poon Hill model trek.

The Component 2 supports the activities such as increasing accessibility to Bardia National Park by improving existing entry gate and establishing four additional gates, establishing visitor information centers at gateway cities and target destinations, waste management facilities, rehabilitation of existing roads, etc. are envisaged.

The Component 3 envisages provisioning of licensing and permits for commercial activities in destinations. However, the activities mentioned above will be finalized after broader consultations with the relevant stakeholders during execution of the subprojects. Detailed indicative list of subproject activities is presented in Table 1 below. The activities which poses significant environmental and social risks are excluded and are beyond the scope of this program can be referred in (Annex 1).

The Component 4 will be related to the quality control and smooth operation of the project by ensuring management, coordination and timely execution of project activities.

Table 1: Indicative List of Major Activities by Types and Components

|  |  |  |
| --- | --- | --- |
| **Components/**  **Sub-components** | **Major Activities by Types** | **Component Objectives** |
| **Component 1: Improving NBT Management, Planning and Coordination** | | |
| Sub-component 1.1. Destination Management Capacity and Coordination | Review and development of plans viz ITDPs ensuring gender inclusion, land zoning plans, tourism investment plans at the Project Destinations; establishment of DCF and capacity building of stakeholders. | * Promote a well-coordinated and integrated approach to managing and marketing the tourism potential. * Ensure that the tourism potential is strategically geared towards sustainability and higher value. |
| Subcomponent 1.2: Integration of Protected Areas Tourism Development into National Tourism and Civil Aviation Development Plans | Strengthen national-level strategic planning, monitoring and coordination; develop and upgrade services and operations in selected small airports and helipads; review, adapt and support implementation of the tourism act, implementing regulations; improve disaggregated data collection, statistics and research by gender and caste/ethnicities, branding and marketing of protected areas and parks. |
| **Component 2: Enhancing infrastructure for access and diversification** | | |
| Sub-component 2.1. Access infrastructure | Rehabilitation/ maintenance of existing roads within targeted Project Destinations (e.g. national parks roads, provincial and municipal roads, last miles connections; development of small-scale facilities for improving public transport based on gender responsive/universal access standard designs in the project area including gateway cities and municipalities. | * Enhance the overall quality of the Project Destinations as sustainable tourism destinations through better accessibility, connectivity, environmental sustainability, safety, and diversity of infrastructure for tourism activities. * Improve sustainability of tourism preserving their natural assets to future generations. * Enhance and diversify the infrastructure for NBT in the Project Destinations, diverse the tourist segments and reduce the pressure existing infrastructures. |
| Sub-component 2.2. Environmental management | Development of small-scale sanitation facilities with priorities to women and local communities viz solid waste treatment, garbage collection, small-scale biogas and composting; rehabilitation and upgrading of solid waste disposal sites, water treatment and monitoring; bio-engineering works/ recycling/ reducing the use of plastic; capacity building of local government and PA management authorities. |
| Sub-component 2.3. Tourism diversification and safety facilities | Development of tourist check posts, visitor information system; construction/renovation of trekking trails, fire lines, bridges and road crossings, safe drinking water stations, campsites, viewpoints and rest stops, trail signage and safety barriers (gabion box filling and fencing); construction/ renovation of safe wildlife sighting sites, view towers and others small infrastructures to facilitate diversification of tourism products. |
| **Component 3: Improving Tourism Services by Local Community and Private Sector** | | |
| Subcomponent 3.1: Upgrading of rules affecting commercial activities in PAs | Drafting, implementation and enforcement of rules and guidelines of stakeholders; licensing and permits for commercial activities facilitating women entrepreneurs in undertaking/promoting such activities through grants/subsidies where possible. | * Enhance the regulatory and incentive framework for tourism enterprise. * Improve the quality and variety of tourism services offered by private local providers in PAs and surrounding nature areas |
| Subcomponent 3.2: Quality of tourism services offered by local communities and MSMEs | Establishment of networks for supporting the development NBT; preparation of BDS; supports for MSMEs in targeted areas; improvement of market linkages along tourism value chains and support for compliance of tourism-related quality standards. |
| **Component 4. Project management, monitoring and evaluation** | | |
|  | Support for project management through gender balanced team at all levels ensuring coordinated and timely execution of project activities including oversight for fiduciary management, quality control, and environmental and social safeguards management. |  |

## Rationale and Approach for the Environment and Social Management Framework (ESMF)

The types of project activities at the subproject level are known but their locations and details are yet to be finalized. Formulation of specific safeguard instruments at this stage is difficult to ascertain and hence, a framework has been developed which presents generic assessment of potential impacts and mitigation by type of subproject activities, and provide guidance to steps, processes and procedures to follow during implementation in addressing the specific impacts at project sites. Therefore, the ESMF will apply to all the activities financed under the project to ensure compliance of safeguard standards.

The ESMF is prepared in line with the World Bank's OPs and in accordance with the Government of Nepal's national laws and regulations. Any activity to be prepared and undertaken by the project will be carried out in reference to the principles of sustainable development, including environmental, social and cultural, and economic considerations.

## 1.5 Objectives of ESMF

The objective of ESMF is to frame guidelines and procedures to address the environmental and social impacts associated with the implementation of this project. The specific objectives are as follows;

* Assess potential social and environmental risks and impacts from the project and project activities;

* Outline the clear steps, process, procedures and methodologies for screening, reviewing and monitoring environmental and social safeguards issues, risks and impacts;
* Define roles and responsibilities for supervision, management, reporting and monitoring environmental and social safeguard issues, risks, impacts and compliance;
* Provide a framework for consultation and information disclosure; and for preparing the environmental and social mitigation plans to address the adverse impacts; and
* Asses capacity and suggest capacity strengthening measures.

## 1.6 Method Applied to Prepare ESMF

The methodology adopted for preparation of this ESMF includes desk review, consultation, and review/insights, including from site visits and information obtained from potential subproject sites. In this process, relevant GoN environmental, land acquisition, tourism policies, tourism vision & development plans, WB operation guidelines etc. were reviewed. The other activities carried out during preparation of ESMF are:

* Destination Vision Investment Plans (DVIPs) for the selected destinations has been referred;
* Inputs from FGDs at selected destinations on E&S issues;
* Similarly, the feedbacks from the Ministries (MoFE and MOCTCA), provincial governments (P-MITFE and P-MPID) and park authorities has been incorporated and;
* Central level consultation with all concerned stakeholders is planned and the feedback received will be incorporated and finalized.

## 1.7 Sources of Information used in preparation of ESMF

At the project designing stage, the nature and magnitude of the potential environmental and social impacts that will arise cannot be precisely determined since they are influenced by the type, location sensitivity and scale of activities. Thus, this ESMF incorporates a broad framework considering all the possible environmental and social impacts that may result from the project. Using an array of available secondary sources of information, verified when possible through consultations at the field level, a comprehensive framework has been developed to ensure that project embraces the principle of sustainable development while undertaking project activities. The secondary sources of information are (i) protected area and buffer zone management plans, (ii) national documents (policies, legislations, strategies and plans), (iii) relevant social and environment policies, acts and guidelines, (iv) World Bank safeguard policies, (iv) similar projects documents and (v) relevant progress reports. A list of information sources used in preparation of this ESMF is provided in Annex 2.

## 1.8 Potential Users of this ESMF

This framework will mainly be used by the implementing agencies including the concerned Ministries (MoFE and MoCTCA), NTNC, NTB and DoT; and provincial and municipality/palika level stakeholders to fulfil the project's environmental and social responsibilities. The focal point within the PMO (NTNC) - Environment and Social Compliance Unit, who is responsible for supervising, monitoring and managing E&S aspects in all phases of project.

**Main Stakeholders and Users of the ESMF**

| **S.N.** | **Main Stakeholders and Users** | **Remarks** |
| --- | --- | --- |
| 1 | **Ministries and Departments at Federal Level**   * Ministry of Forest and Environment (MoFE); * Ministry of Culture, Tourism and Civil Aviation; * Department of Forest; * Department of National Parks and Wildlife Conservation (DNPWC); * Department of Environment; * Department of Tourism; * National Trust for Nature Conservation- responsible units for project development and execution   **Province Level**   * Minister for Industry, Tourism, Forest and Environment; * Division Forest Office (DFO);   **Local Level**   * Municipalities and Rural Municipalities. * Nepal Army; * Wardens. |  |
| 2 | **Consultants and Contractors**   * Environmental/EIA Consultants; * Social/SIA Consultants; * Technical/Engineering Consultants; * Legal Consultants; and * Construction Implementing Contractors. |  |
| 3 | **Community Level Stakeholders**   * Community Based Organizations; * Mother Groups; * CFUGs * I/NGOs; * Project Neighbors; * Conservation Activists; * Political Leaders and Representatives * Private Investors etc. |  |

## 1.9 Revision/Modification of the ESMF

The ESMF will be a ‘live document’, will be updated/revised, if needed during implementation, particularly if there is change in the scope of the project/activities, types of interventions and/ or changes /modification introduced in the legal/regulatory regime of the country or of the World Bank. Also, based on the experience of application and implementation of this framework, the provisions and procedures may need to be updated, as appropriate. Any update/ revision/ modification in the ESMF will be done only in agreement with the World Bank and the GoN’s implementing agency.

# **Chapter 2: Policies, Acts, Regulations, Guidelines and Conventions**

## 2.1GoN Relevant Polices[[1]](#footnote-1)

The Constitution of Nepal 2072 (2015 AD) has stated in the Article 30- **Right Regarding Clean Environment** that:

1. Each person shall have the right to live in a healthy and clean environment;
2. The victim of environmental pollution and degradation shall have the right to be compensated by the pollutant as provided for by law;
3. Provided that this Article shall not be deemed to obstruct the making of required legal provisions to strike a balance between environment and development for the use of national development works.

The Article 51 (l) **Policies Regarding Tourism** also stipulates that “Developing environment friendly tourism industry as an important basis of national economy by identifying, protecting, promoting and publicizing the historical, cultural, religious, archaeological and natural heritage sites of the country, and prioritizing local people in the distribution of benefits of the tourism industry”.

**Environment Protection Act, 1997 and Environment Protection Regulations, 1997:** According to the EPA 1997, all development projects and project under tourism sector, shall first be screened using criteria that are based on project type, size, location and cost, stipulated in the Regulation to determine the level of environmental assessment required (whether IEE or EIA or none). Schedule 1 and Schedule 2, sector F, pertaining to rule 3 of EPR, 1997 determines the level of EA (IEE/EIA) required for different categories under Tourism Sector. Usually, small projects which only require rehabilitation such as trekking trails in rural area are not expected to cause significant environmental damage and require only minor environmental assessment.

**Forest Act, 1993 and Forest Regulation, 1995:** The proposed projects need to comply with the provisions of forest Act and Regulation when the needs to acquire forestland for trail or bridge/or any other entities require construction/ improvements. Clause number 68 (1) allows implementation of development project of national priority in forested area, if it does not pose significant adverse impact to environment and if there are no other alternatives, after approval of government (District Forest Office - DFO) and local forest authority (e.g.; Community Forestry User Groups). The forest regulation allows implementation of priority projects within forested area with adequate compensation to affected people and prior permission. Plant species and forest products legally protected under Forest Regulations, are presented in Annex 18.

**Department of Forest Guidelines**

The Department of Forest has made public various guidelines with relevance to environmental assessment of the development projects which are as follows:

* Forest Products Collection, Sale and Distribution Guidelines, (1998);
* Community Forest Guidelines, (2009);
* Community Forest Inventory Guidelines, (2005);
* Guidelines for use of forest area for development works (2006).

The aforementioned guidelines detail the various procedures and formats for getting approval for vegetation clearance, delineation of lands for vegetation clearance, evaluation of wood volume among others and in developing the community forest through the active participation of the poor, disadvantaged, indigenous, Janajati, Madhesi, women, communities lagging behind due to various reasons. The Community Forest Inventory Guidelines details the processes and procedures for evaluating the forest stock and its harvesting potentials. The government offices and officials responsible for the approval, delineation and evaluation of the operational plans. Guideline for the use of the forest area for development projects reiterates the use of the forest area only if other options are not available.

**National Park and Wildlife Conservation Act, 1973**: This act prohibits any action that could be damaging to the park including; cutting of trees and other plants, any kind of residential structures, quarrying of materials, change in watercourse, etc. Activities prohibited in protected areas includes; hunting, damage or removal of forest products, grazing, mining, digging earth or any other similar material, block or divert river systems flowing through the park, construction or possession of house, huts or other structures, Any intervention within National Park and Wildlife Conservation Area requires permission from Ministry of Forests and Environment (erstwhile, Ministry of Forests and Soil Conservation) after recommendation from Department of National Parks and Wildlife Conservation. Wildlife species protected under the Act is given in Annex 17.

**The Buffer Zone Management Regulation, 1996**: Buffer zones are peripheral areas of the national parks/reserves which serves as buffer between the park and the human settlements. This area also provides controlled access to resources for the local people, minimizing park-people conflict and thus, ensuring coexistence between human and wildlife. Communities inside the buffer zones are economically active and regulated development of infrastructures are permitted in accordance to the buffer zone user groups' and local development committees' recommendations. The Buffer Zone Management Regulation, 1996 has authorized the park authorities to provide permission to carry out following activities within a buffer zone area:

* Occupying any land without legal ownership or cutting trees, clear forest or cultivate forestland;
* Any activity damaging forest resources or setting fire in the forest;
* Excavating stone, earth, sand or mine or removing minerals, earth or other such materials;
* Using any harmful poison or explosive substances into the river, stream or source of water flowing in the buffer zone; and
* Hunting illegally and any act damaging to the wildlife.

**Conservation Area Regulations, 1996; Conservation Area Management Directives, 1999:** Conservation area management rules 2053 relates specifically to the conservation area management. It mentions about delineation of conservation area, establishment of head office and appointment of chief and also lists down the functions and duties of different committees such as conservation area management committees. The CAMCs are authorized to design, and implement any activities for the protection of the natural environment, community development, development of natural heritage and its balanced management within own area by approving the work plan (operation plan) through the chief. They are also authorized to collect fees for, fishing, consuming of forest products, pasturing animal or using natural resources pursuant to these Rules and also to provide a license. The rules and regulations also mention about the list of prohibited activities within the conservation areas such as hunting, electrocution in rivers for fishing and using of illegal weapons. Any person shall take a license as prescribed to Schedule-5 from the Chief, paying the fee prescribed by the Chief, before doing commercial or any other activity by utilizing the natural resources of the government owned land of the Conservation Area or doing commercial activity in private owned land causing impact on the natural resources of such Area. Any person by making a contract with the Institution, may operate a hotel, lodge, public transport or similar other service business in any land within the Conservation Area.

**Soil and Watershed Conservation Act, 1982:** for the conservation and management of watersheds of Nepal, the Soil and Watershed Conservation Act, 1982 was enacted. Section 4 of the Act provides an authority to watershed conservation officer to implement the following works in protected watershed areas:

* Construct and maintain dam, embankment, terrace improvements, diversion channels and retaining walls;
* Protect vegetation in landslide-prone areas and undertake afforestation programs; and
* Regulate agricultural practices pertinent to soil and watershed conservation.

Under Section 10 of the Act, Watershed Conservation Officer has authority to grant permission to construct dams, drainage ditches, canals, cut privately owned trees, excavate sand, boulders and soil, discharge solid waste, and establish industry or residential areas within any protected watershed.

**Land Acquisition Act, 1977, Land Acquisition Regulations, 1969 and Land Acquisition for Infrastructure Development and Resettlement Policy (2015):** The Land Acquisition Act 1977 and the Land Acquisition Regulation 1969 clearly outline the procedures of land acquisition and compensation for public purposes. The act states that, if the government has already used the land for public purposes in the agreement of land owner then it is not required to follow acquisition process but can determine compensation as per the act (Section 26). Section 27 of the act clearly states that land for public purposes can be acquired through negotiation and in such case, procedure laid down by the act do not have to be followed. Therefore, section 26 and 27 are applicable for obtaining land for the project. The applicable provisions in the act are:

* Report to be submitted in respect to findings of preliminary action for obtaining land;
* Notification of land acquisition (at local project office, district government office, local government body, district land revenue office, at locality) with following information.

1. The purpose for which land is required;
2. Whether other assets will be acquired along with the land to be obtained;
3. location detail of the land to be obtained;
4. plot number, area of the land to be obtained;
5. Land ownership transfer and adjustment in the Records of District Land Revenue Office;
6. Devolution of Ownership of land to GoN.

GoN, in 2015, has approved a policy on land acquisition, resettlement and compensation for infrastructure projects which is fairly consistent with the international practices of major donors. Section 6.4.1, 6.4.2 and 6.4.3 of the policy clearly outlines about “no displacement or reduce displacement” of the people as a result of the Project. It also mentions that wherever displacement is unavoidable, the Project should create conducive environment to complete the project in stipulated time making the process of land acquisition, compensation, resettlement, and rehabilitation simple, easy, transparent, and just.

**Labor Act, 2074 (2017):** The Labor Act, 2048 (1992) has been replaced by the Labor Act, 2074 (2017) and is passed for provisions for the rights, interest, facilities and safety of workers and employees in enterprises of various sectors. Chapter 2 of the Act provides directives for fundamental provisions relating to workers which forbids forced labor, child labor and discrimination. This Act in Chapter 12 describes the Provisions Relating to Health and Safety of labors that a proprietor shall make to his employee. The Proprietor shall make the arrangements of clean and healthy working environment, arrangements of necessary preventive personal devices for protection of health from adverse any other source, to make provisions for sufficient supply of pure potable water during the working hours, to make provisions for separate toilets for male and female workers or employees at convenient place; necessary protective means shall have to be arranged for the protection of eyes and other organs of the workers and employees from injuries likely to be caused by dust or pieces while working in the Enterprise. This provisions under this Act are also in consistent with the International Labor Organization (ILO).

**Child Labor (Prohibition and Regulation) Act, June21, 2000 A.D.:** This Act prohibits engaging child labor (below 16 years) in factory, mines and other risky works. This act along with others defines the construction enterprises as one of risky works.

**Labor Rules, 2050 (1993)**: In chapter-3 of these rules describes that there will be no discrimination in remuneration to male or female worker or employee for engaging them in the works of the same nature of functions. This chapter also dictates regarding provision of compensation against injury, Compensation in case of grievous hurt resulting in physical disability, Compensation in case of death of any workers/ or employee.

**Environmental Guidelines:** The various Guidelines pertaining to infrastructure development works, provide guidance to project proponent on integrating environmental management and mitigation measures, particularly on the management of quarries, borrow pits, stockpiling of materials and spoil disposal, operation of the work camps, earthworks and slope stabilization, location of stone crushing plants, etc.

**Land Acquisition Guidelines:** The guideline describes the process of land acquisition according to provisions made by Land Acquisition Act 1977.

**Work Procedure to Provide Forest Area for other Purposes, 2006:** The work procedure mentions that if EPA/EPR is not applicable to a project, then necessary mitigation measures should be incorporated during implementation. Prior approval for intervention in forested area is required form District Forest Office (DFO), and Forest User Groups (FUGs).

**Forest Policy, 2018:** The Forest Policy has clear objective to provide significant contribution in tourism promotion through protected areas, wetlands and forest management systems.

**Forest Sector Strategy (2016-2025)**: This strategy has highlighted under outcome 5 to "increase the role of the private sector to encourage investment in cultivating forestry crops (including trees and NTFP/MAPs), in forestry operations, including service delivery, and forest-based enterprises and eco-tourism."

**Tourism Policy 2065/Nepal Tourism Strategic Plan 2016-2025:** Broadly speaking the current priorities of Nepalese tourism are shaped by these documents and these documents have set high priority for developing tourism infrastructure, increasing tourism activities, creating employment in the rural areas and sharing the benefits of tourism in the grassroots level. The National Tourism Strategic Plan (NTSP) for the period 2016-2025 is an all-encompassing strategy to support the growth of tourism through an integrated and detailed action plan. The NTSP’s objective is to (i) position Nepal as a leading tourism destination in the region and develop tourism as a significant contributor to the economy, and (ii) diversify current tourism offerings from the existing main hubs and provide a range of experiences of interest to international visitors from key markets.

**Government Policy Regarding Extraction of Construction Materials:** The local self-government regulation, 1999 has given authority to DDC and DFO (if the area lies within the forest boundary) to award license for extraction of riverbed materials. The EPR criterion requires IEE/EIA of such activities and approval from concerned ministry. The Mines and Mineral Act, 1985 requires that the extractable quantity of materials should be estimated, before tendering. There are no legal documents stating the specific conditions for protecting riverbed and surrounding environmental condition. Clause 33 of Mines and Mineral Regulation 1996 states measures to be done to protect environment of the area. The Environmental Management Guideline, 1999 (DoR) mentions that the quarry sites should be away from population centers, drinking water tank/supply, cultivation land, and bridge sites. For extraction of material from other areas including hill slopes, license should be obtained from Department of Mines and Geology, after meeting EPR criteria. The Forest Regulation, 1995 and National Park and Wildlife Conservation Act, 1972 also prohibits operation of quarry sites inside forested area, including community forestry.

**Violence Against Women and Non-discrimination:** The Constitution of Nepal (2015) prohibits untouchability and discrimination on the grounds of caste and recognizes such practice as an offence punishable by law. Article 18 of the Constitution (2015) guarantees equality and non-discrimination irrespective of caste and gender. Article 24 is explicit about citizen’s right against untouchability and discrimination stating that “no person shall be subjected to any form of untouchability or discrimination in any private and public places on grounds of his or her origin, caste, tribe, community, profession, occupation or physical condition”.

**CBDU Act (2011):** Nepal adopted the Caste Based Discrimination and Untouchability (CBDU) Act (2011) which is recognized as a landmark development to end the practice of untouchability and caste-based discrimination. The Act provides a legal regime of preventive and punitive measures to end caste-based discrimination and has outlawed caste-based discrimination in public and private spheres. Besides, Nepal has also endorsed number of international commitments in relation to non-discrimination, gender equality and social justice. Nepal became party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1991, and ratified International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR) without any reservations, demonstrating its commitment to eliminate all forms of discrimination against women.

**Gender Based Violence:** The Constitution of Nepal (2015) prohibits any form of Violence Against Women (VAW) and declares that such acts shall be punishable by law. According to Article 38 of the constitution, no woman shall be subjected to physical, mental, sexual, psychological or other form of violence or exploitation on grounds of religion, social, cultural tradition, practice or on any other grounds and such act shall be punishable by law. The government enacted the Domestic Violence (Crime and Punishment) Act (2009) which illustrates physical and psychological violence within the definition of domestic violence. The Act further states about reporting of the crime both verbally or in writing and if the case does not get resolved through quasi-judicial bodies or mutual understanding, the victim can file a case directly to the courts.

### 2.1.1 Policies Supporting Indigenous/Vulnerable Communities

According to the 2011 census, there are 125 different social groups in the country with 123 different languages. Amongst these, the National Foundation for Development of Indigenous Nationalities (NFDIN) Act 2002 has recognized 59 different groups as indigenous nationalities/peoples (known as *Adivasi/Janajati* in Nepal). Further, the Nepal Federation of Indigenous Nationalities (NEFIN) has classified *Adivasi/Janajati* groups into five different categories while characterizing their economic and social features:

1. Endangered;
2. Highly marginalized;
3. Marginalized;
4. Advantaged; and
5. Disadvantaged groups.

These categories are based on their population size and other socioeconomic variables such as literacy, housing, land holdings, occupation, language and area of residence. Besides the *Adivasi/Janajati*, there are other groups such as Dalits, Madhesi and Muslims, residing in Nepal that are not included as indigenous group but are equally if not more vulnerable. The 2011 census has listed 15 Dalit caste groups who are economically and socially most vulnerable, underprivileged and marginalized population in the country.

**National Foundation for the Development of Indigenous Nationalities Act (2002), National Human Rights Action Plan (2005), National Women Commission (2002), National Dalit Commission (2002)**. These acts permit to setup respective commissions to work for protection and promotion of rights of indigenous, marginalized, Dalit and women.

### 2.1.2 Policies on Gender Mainstreaming

The Nepal’s Constitution, has made provisions for women participation of at least 33% in its endeavor to ensure their inclusion. GON, in its national level policies and plans, has also duly emphasized the importance of women in all spheres ranging from household to community and national level. Realizing the increased potentiality of women in the socio-economic and political sectors, the government has increasingly provided more space for increased participation of women. In addition, GON has established the National Women Commission, a national level well empowered body to look after the issues of women and take protective and defensive measures to address the issues and problems encountered by the women at all levels and in any forms such as domestic violence, women’s right to properties and representation in the key positions with fair proportions.

The Government of Nepal (GON), since the early 1990s, has been making important commitments to gender equity, equality and the empowerment of women in its policies, plans and programs. The GON introduced a Gender Approach to Development in 1990 to enable women and men to participate equally in public and private life and realize their full potential in development. The Gender Equality and Social Inclusion Policy, 2014-2017 is the major guiding documents for GESI mainstreaming in Nepal.

Similarly, Nepal is signatory to a number of international human rights related conventions and declarations, which call for the elimination of all forms of gender-based discrimination, including those related to access to education, health and other services. The Convention on the Elimination of all forms of Discrimination against Women (CEDAW), signed by the GoN in 1991, commits Nepal to constitutional and legal equality, particularly in the fields of education, health, citizenship, property and employment. It also guarantees freedom from all kinds of violence and sexual exploitation.

Nepal Tourism Policy (2008) lays enhanced emphasis on rural tourism, community-based tourism and home-stays. The policy is explicit on augmenting shared benefits from tourism among the disadvantaged groups including women, Madheshi, indigenous people, etc. It also outlines about fostering tourism activities led by women or women groups with special promotional measures. The policy further specifies tourism advancement and development through the conservation of community based traditional knowledge and culture of indigenous people.

## 2.2 International Provisions and Guidelines

**International Legal Provisions** **with likely Relevance for Tourism and Infrastructure Projects:** Nepal is signatory in many international conventions, which deal with the protection of environment. For example, the convention on Biological Diversity was signed by Nepal at Rio De Janeiro on June 12, 1992. The convention provides a broad framework on the need for carrying out EIA to minimize adverse impacts of the projects and programs on biodiversity. The Article 14 of this convention provides the provision of impact assessment and minimization of adverse impacts. In broader sense, it calls upon the signatory parties to introduce appropriate procedures for EIA and ensure public participation, exchange information on adverse effects on biodiversity of other states, notify immediately possibly affected other states in case of danger or damage to biodiversity and to initiate action to prevent or minimize such damages. Other legal obligations relate to the following international conventions and agreements:

* UN Framework Convention on Climate Change, 1992;
* The Plant Protection Agreement for the South East Asia and the Pacific (as amended), 1956;
* The Convention on International Trade in Endangered Species of Wild Fauna and Flora, (CITES), 1973;
* The Ramsar Convention (Convention on Wetlands of International Importance Especially as Water Fowl Habitat), 1971;
* The Convention for Protection of the World Cultural and Natural Heritage, 1972.

**ILO convention 169 on Indigenous and Tribal Peoples and UN Declaration for the Rights of Indigenous Peoples (UNDRIP, 2007):** The government of Nepal has committed to ILO Convention 169 and the UN Declaration for the rights of Indigenous Peoples in 2007. Both UNDRIP and ILO 169 advocates for the human rights and fundamental freedoms of Indigenous peoples. Following ILO 169, the government of Nepal has identified 59 indigenous ethnic groups and amended an Indigenous Nationalities Act 2002. The act categorized the 59 ethnic groups as advance ethnic group, deprived ethnic groups and endangered ethnic groups. ILO Convention 169 is a legally binding international treaty. UNDRIP is not mandatory. The project needs to pay high attention to such groups during consultation and mitigation of the impacts.

## 2.3 World Bank’s Environmental and Social (E&S) Safeguard Policies

The E&S safeguard policies of the WB applicable to “Sustainable Tourism Enhancement in Nepal’s Protected Areas (STENPA)” are mentioned below:

**Environmental Assessment (EA) OP 4.01:** This Policy is triggered if a project is likely to have potential (adverse) environmental risks and impacts in its area of influence. This is an overarching policy to maintain clean and healthy environment by minimizing, as far as possible, adverse impacts likely to be caused from environmental degradation on human, wildlife, plants, nature and physical objects. The OP 4.01 covers impacts on the natural environment (air, water and land); human health and safety and physical cultural resources; natural habits; forestry; Social aspects (such as indigenous peoples, involuntary resettlement) are covered by separate polices with their own requirements procedures, that is briefly discusses in following paragraphs.

**Natural Habitats (OP 4.04):** This policy is triggered by any project (including any subproject under a sector investment or financial intermediary loan) with the potential to cause significant conversion (loss) or degradation of natural habitats[[2]](#footnote-2), whether directly (through construction) or indirectly (through human activities induced by the project).

**Forestry (OP 4.36):** The policy is triggered by whenever any Bank-financed investment project has (i) the impact potential on the health and quality of forests or the rights and welfare of people and their level of dependence upon or interaction with forests; or (ii) aims to bring about changes in the management, protection or utilization of natural forests or plantation.

**Physical Cultural Resources (OP 4.11):** This policy is applied to all projects located in, or in the vicinity of, recognized cultural heritages sites and projects designed to support the management or conservation of physical cultural resources.

**Involuntary Resettlement (OP 4.12):** Key objectives of the World Bank’s policy on involuntary land acquisition are to avoid or minimize involuntary resettlement where feasible, exploring all viable alternative project designs; assist displaced persons in improving their former living standards, income earning capacity, and production level, or at least in restoring them; encourage community participation in planning and implementing resettlement; and provide assistance to affected people regardless of the legality of land tenure. The policy covers not only physical relocation, but any loss of land or other assets resulting in relocation or loss of shelter; loss of assets or access to assets; loss of income sources or means of livelihood whether or not the affected people must move to another location. When the policy is triggered, a Resettlement Action Plan (RAP) must be prepared. An abbreviated plan may be developed when less than 200 people are affected by the project. In situations, where all the precise impacts cannot be assessed during project preparation, provision is made for preparing a Resettlement Policy Framework (RPF). The RAP /RPF must ensure that all the Bank’s policy provisions detailed in OP 4.12 are addressed particularly the payment of compensation for affected assets at their replacement cost.

**Indigenous Peoples (OD 4.10):** Key objectives of the Indigenous Peoples policy are to: ensure that indigenous people affected by World Bank funded projects have a voice in project design and implementation; (ii) ensure that adverse impacts on indigenous peoples are avoided, minimized or mitigated; and (iii) ensure that benefits intended for indigenous peoples are culturally appropriate. The policy is triggered when there are indigenous peoples in the project area and there are likely potential adverse impacts on the intended beneficiaries of these groups. When this policy is triggered an Indigenous Peoples Development Plan is to be prepared to mitigate the potential adverse impacts or maximize the positive benefits of the project interventions.

**Gender and Development (OP/OD 4.20):** The World Bank’s Gender equality strategy (2016-2023) is central to its twin goal of ending poverty and boosting shared prosperity. The strategy recognizes that stronger and better resourced efforts are needed to address gender inequalities. The World Bank’s gender development framework further identifies three pillars as fundamental towards achieving the goal. These are: i) human endowments ii) economic opportunities, and iii) voice and agency all of which are strongly interconnected to produce tangible outcomes. It is also recognized that gender-based violence is a constraint to the voice and agency which leads to reduced mobility, restriction in accessing jobs and long-term trauma and mental health issues of women. Given large variations on gender issues across the countries, the Bank’s OP/BP 4.20 requires each country to draw country gender assistance strategies and country partnership framework so that the interventions targeted to women are planned and implemented based on the ground realities. Projects in the sectors and thematic areas identified by the Country Strategy should be designed to adequately take into account the gender implications of the project. Preparation of a Gender Action Plan and its implementation should be ensured by each project undertaken with Bank support.

**World Bank Group Environmental Health and Safety Guidelines**

The environmental, health, and safety (EHS) guidelines are technical reference documents with general and industry-specific examples of good international industry practice (GIIP) and these EHS guidelines are applied as required by their respective policies and standards. The EHS guidelines contain the performance levels and measures that are generally considered to be achievable in new facilities by existing technology at reasonable costs. Application of the EHS guidelines to existing facilities may involve the establishment of site-specific targets, with an appropriate timetable for achieving them. When host country regulations differ from the levels and measures presented in the EHS guidelines, projects are expected to achieve whichever is more stringent. If less stringent levels or measures than those provided in these EHS guidelines are appropriate, in view of specific project circumstances, a full and detailed justification for any presented alternatives is needed as part of the site-specific environmental assessment.

**Comparison of Government of Nepal and World Bank Policies**

Table 2 - Comparison between GoN and World Bank policies and recommendations

| **Category** | **GoN Policy** | **WB Policy** | **The Gaps** | **Recommendations to bridge gaps** | **Actions to be taken** |
| --- | --- | --- | --- | --- | --- |
| Environment (Natural Habitat & Forest including  Terrestrial and Aquatic) | Development Project falling under EPR criteria shall be subjected to IEE/EIA based on the threshold criterion (for example- establishment and operation of hotels with fifty to hundred beds; opening of new areas for the promotion of tourism; operation of rafting activities on any river having fish or aquatic life; operation of new golf courses and organized water sports; promotion of tourism in a number exceeding 10,000/year at an altitude above 5000 meters and disposal and management of waste emitted from trekking points; preparation of management plans of national parks wild life sanctuaries, conservation areas and their buffer zones or launching of development and construction activities specified in such plans; construction of forest paths up to 5 kilometers long and of fire protection lines up to 10 kilometer long and collection of boulders, gravel, and sand and extraction of coal and other minerals from forest areas require IEE as per Schedule 1 pertaining to Rule-3. Similarly, the projects mentioned above crossing the limits require EIA and large construction activities such as establishment of resorts, hotels, safaris inside forest areas, buffer zones and environment conservation zones; operation of house boats on lakes etc. require EIA. The approach often ignores potential risks and impacts based on the location and impacts associated with its development.  Forest regulation requires permission from related authorities (DFO, CFUG etc.) for any intervention in forested area. National Park and Wildlife Conservation Act, demands permission from Ministry of Forest and Environment. Compensatory plantation ratio is not defined for service-oriented projects. | Environmental Assessment need to be carried out for identifying potential risks and adverse impacts, mitigation measures and environmental management plan. When natural habitat and forest policies are triggered environmental assessment and environmental management plan (EMP) will adequately address the relevant issues. | Activities listed in EPR Schedule I requires an IEE, and those listed in Schedule II requires EIA. The Schedule I and II is based on activity type, threshold/ size, as well as location. Potential risk is not formally considered for screening. | In order to fill the gap between WB and GON requirements/approach, environmental screening is mandatory for each subproject, and consider potential environmental risk as stipulated in the project Environmental Screening Format. An Environmental Management Plan (EMP) shall be prepared for each contract during detail engineering design phase.  The plan aims to address adverse environmental impacts arising due to project intervention. The project will strictly follow re-plantation and their ratio, if the project activity requires to fell the trees in close coordination with local forest authority and CFUG. | Screening of the subprojects based on potential E&S risk;  Environmental and Social Management Plan (ESMP) and SS-EMP for the activities identified during execution of the subproject;  Compensatory Plantation Plan satisfying the ratio prescribed by the GoN against each felling of tree. |
| Physical Cultural Resources | Clause 28 of EPR states that physical and cultural resources shall not be disturbed or damaged without the prior approval of the concerned authority. | EA needs to carried out in case such resources are found to be affected by the subproject | “Chance find” is not covered by the EPR requirements | ESMP shall address such issues following GoN and WB policy. Refer Annex 16 Guidelines for protecting Physical Cultural Resources. | ESMP and SS-EMP shall be prepared. |
| Land and Structures | Clause 3 of this Land Acquisition Act states that any asset that is required for public purposes shall be acquired by providing compensation. Compensation Fixation Committee will establish the Compensation rates.  Guthi Corporation Act, 2033 (1976). Section 42 of this Act states that Guthi (Religious Trust Land) acquired for a development must be replaced with other land, rather than compensated in cash.  Land Reform Act (LRA) 2021 (1964). This Act establishes the tiller's right on the land, which he is tilling. The LRA additionally specifies the compensation entitlements of registered tenants on land sold by the owner or acquired for the development purposes.  Section 26 of the Land Acquisition Act states that if the government has already used land for public purpose in agreement of the land owner then it is not required to follow acquisition process but can determine compensation as per the act.  Section 27 of the act states that land for public purposes can be acquired through negotiation and in such case, procedure laid down by the act do not have to be followed. Therefore, section 26 and 27 are applicable for obtaining land for the project | SA needs to be carried out and RAP implemented to avoid involuntary resettlement or, when unavoidable due to land acquisition to mitigate unavoidable adverse social and economic impacts. | GoN recommends providing compensation for acquired land and recognizes tiller's right to compensation on land sold by owner and the compensation amount is determined by the Compensation Fixation Committee. WB policy requires a full compensation at replacement cost for lost asset of the land owners; and provide compensation to squatters/encroachers at replacement value of their structures. | ESMP shall address such issues following GoN and WB policy. Refer Annex 8 - Guidelines for Resettlement Action Plan. | Resettlement Action Plan shall be prepared. |
| Indigenous Community | NFDIN Act 2002- The NFDIN Act-2002 defines indigenous nationalities (Adivasi Janajati) as distinct communities having their own mother tongues, traditional cultures, written and unwritten histories, traditional homeland and geographical areas, plus egalitarian social structures.  NFDIN has the following objectives:   * To promote the overall development of indigenous nationalities by formulating and implementing programs; * To preserve and promote indigenous languages, script, culture, literature, arts, and history; * To preserve and promote traditional indigenous knowledge, skills, and technology; * To promote the participation of indigenous nationalities in overall national development by maintaining good relations, goodwill, and harmony between different indigenous nationalities, castes, tribes and communities. | Ensures free, prior and informed consultation (FPIC) with the affected indigenous people to obtain broad community support to the project. Social Assessment will be carried out to identity potential effect and prepare plan to ensure that indigenous peoples receive social and economic benefits that are culturally appropriate. | * Though GoN encourages development programs to incorporate income generation schemes for IPs, there is no mention of broad consent from the IPs. At the same time GoN has also ratified ILO 169 and United Nations Declaration of Rights of Indigenous People (UNDRIP) and is in the process of preparing National Action Plan for implementation of these international commitments.   Nepal does not have a standalone policy on Indigenous Peoples and other vulnerable communities. But National Foundation for the Development of Indigenous Nationalities Act (2002), National Human Rights Action Plan (2005), National Women Commission (2002), National Dalit Commission (2002) have placed significant emphasis on delivering basic services to the disadvantaged and indigenous people, Dalits, women, disabled and other vulnerable groups. These acts and plans include policies for the development of Adivasi/Janajati and other disadvantaged groups:   * creating an environment for social inclusion; * participation of disadvantaged groups in policy and decision making; * developing special programs for disadvantaged groups; * positive discrimination or reservation in education, employment; * protection of their culture, language and knowledge; * proportional representation in development process; and * Making the country’s entire economic framework socially inclusive. | Project will carry out free prior informed consultations with the indigenous community and other vulnerable communities to obtain broad consent for the project. Project will prepare Vulnerable Community Development Plan (VCDP) based on community needs of indigenous as well as other vulnerable communities. Vulnerable community will also benefit from nature-based tourism subproject activities. | Free Prior Informed Consultations shall be carried out and each consultation shall be documented;  VCDP/VCDF based on community need as appropriate shall be prepared; or  Alternatively Benefit Sharing Plan shall also be prepared. |
| Loss of Income Source (Land based and others) | Compensation shall be provided for loss of crop damage/income source. | Full compensation shall be provided and additional measures – Resettlement and Rehabilitation assistance to restore their livelihood and standards of living will be provided. | Straight forward policy shall be adopted rather than discretionary policy for providing full compensation. | Livelihood assistance shall be provided as per the criteria set by project (if required). | VCDP and Benefit Sharing Plan as appropriate shall be developed. |
| Gender & Development | The Constitution of Nepal has made provisions for women participation of at least 33% in all spheres of life at all levels. Moreover, GON has established the National Women Commission, a national level well empowered body to look after the issues of women and take necessary measures to address their issues.  GoN has also made its commitment to gender equity, equality and the empowerment of women by introducing a Gender Approach to Development and is also a signatory to the Convention on Elimination of all forms of Discrimination against Women (CEDAW) since1991, which call for the elimination of all forms of gender-based discrimination. | Equal access should be ensured to female members as of the male members of the society to the opportunities created and the activities performed by Bank supported development interventions.  Appropriate Plans and policies should be formulated and implemented adhering to the principles of free, prior and impartial consultation and participation of the women throughout the project cycle. | The policies of GoN and those of the Bank are quite similar in terms of gender equality and equity. However, their implementation needs to be ensured during execution of the projects. | The project shall carry out free prior informed consultations with the women (female members of the society) right from project inception through execution and operation stage of the projects.  A Gender Action Plan for each sub-project shall be developed and implemented to ensure smooth and equal access of women to various opportunities created by the project, including but not limited to employment, skill building and entrepreneurship support. | FPIC in the form of consultation shall be carried out right from subproject inception and properly documented;  Gender Action Plan for each subproject shall be developed. |

# **Chapter 3: Description of Existing Environment**

**Nepal**

Nepal, a country of amazing extremes is the home of the world’s highest mountains, historic cities and the forested plains where the regal tigers and the armor plated greater one-horned rhinoceros trundle at ease. Situated in South Asia and surrounded by the Tibetan Autonomous Region of China in the north and by India in the south, east and west, the of Nepal covers an area of 147,181 sq. km (between 80° 4’ and 88° 12’ East and 26° 22’ and 30° 27’ North). The length of the Kingdom is 885 kilometers east to west, and varies between 145 to 241 kilometers north to south.

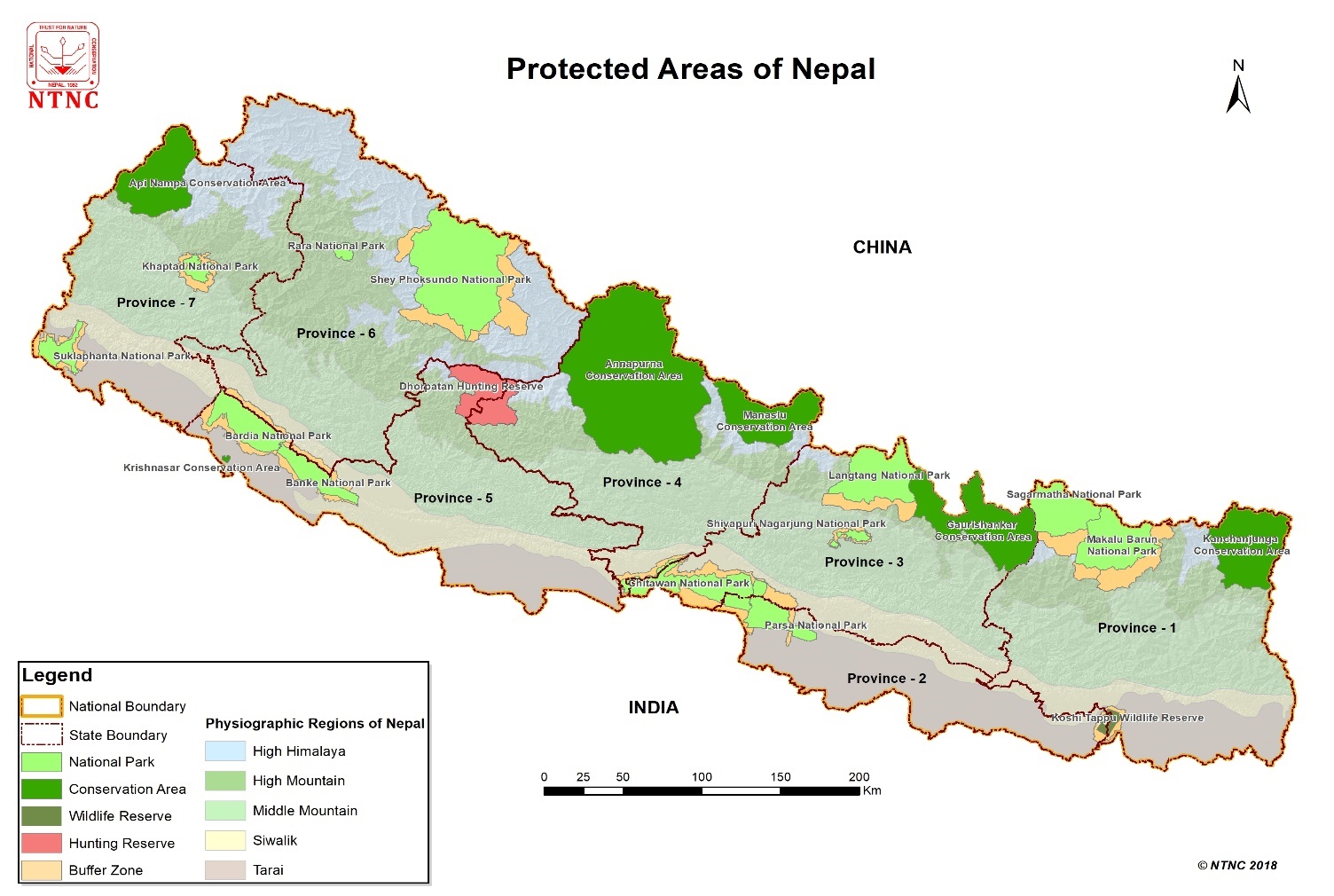
It represents a transitional zone of two bio-geographical realms: the Paleartic and the Indo-Himalayan. It is also at the crossroads of the Southeast Asian, Northeast Asian (Chinese) and Mediterranean tracts. Nepal can be divided broadly into three ecological zones: the lowland (Terai), the mid-hills and the high mountains.

The altitude of the Himalayan region ranges between 4,877 m. to 8,848 m. It includes eight of the highest 14 summits in the world, which exceed an altitude of 8,000 meters including the world highest mountain Sagarmatha (Mount Everest). The mountain region accounts for about 64% of total land area, which is formed by the Mahabharat range that soars up from 4,877 m. and the lower Churia range. The lowland Terai occupies about 17% of the total land area of the country.

The climatic condition ranges from the sweltering heat of the Terai in the lowland to the freezing cold in the Himalayan highland. As a result of extreme variations in altitude and climate, the flora and fauna of Nepal demonstrates a wide range of diversity. Competing for space within 1,000-km. east west and 200 km. north south, this small rectangle of topographical and hydrological extremes hosts over 6,500 flowering plant, 212 of mammal, 866 bird, 651 butterfly, 230 fish and 123 reptile species. It is also home to more than 23 million people.

Nepal's biodiversity conservation efforts are protected area focused that include a network of protected areas that totals an area of 34,419 km2, covering 23.39% of the land mass. The protected areas include 13 national parks, 1 wildlife reserve, 1 hunting reserve, 6 conservation areas, 13 buffer zones and 8 protected forests. Nepal currently has 10 sites designated as Ramsar Sites (Wetlands of International Importance), with a surface area of 60,561 ha. Nepal is also home to 10 UNESCO World Heritage Sites, eight of which are cultural heritage sites (including Lumbini, birthplace of Buddha) and two are natural heritage sites (Chitwan National Park and Sagarmatha National Park).

The rich natural beauty and diverse cultural traditions also makes Nepal a sought-after tourism destination. The main tourism attractions of the country are the Himalayas, protected areas, age long ancient cultures and unique biodiversity. The growing tourism sector is a significant part of Nepal’s national economy and the total contribution to GDP was 7.8% in 2017. The significant role in the national economy makes tourism as an inseparable part of the Nepalese society and carries huge potential to further contribute to the national economy.

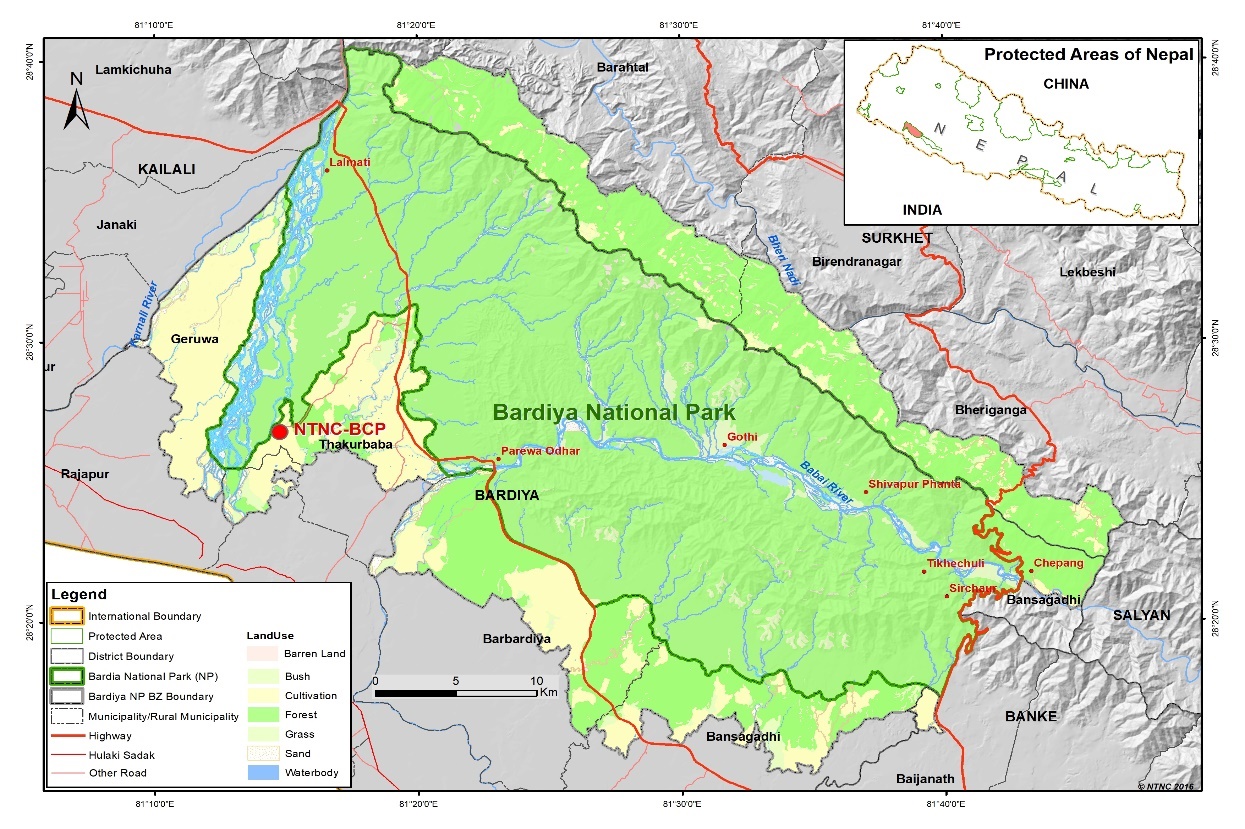


Map 1: Protected areas of Nepal

First batch of destination areas identified include ACA, MCA, BNP, BaNP and ShuNP. The districts located in ACA and MCA are dominantly mountainous demonstrating a range of climatic zones from the sub-tropical lowlands and temperate rhododendron forests in the south to the dry steppe environment in the north. BNP and BaNP fall in the terai region with sub-tropical to temperate climate containing a mix of forests, grasslands, floodplain and foothill ecosystems. Traversing from the terai lowlands to the high mountains, rapid change in the altitudinal gradient produces high turnover of the landscapes, climate and associated terrains that are niched by site specific cultural and natural characteristics. Hence, local environmental and social conditions in the two geographic areas of the project are dissimilar to each other because of distinct natural, historical and social context. The following section gives brief description of the destination areas. Detailed descriptions are included in Annex 20.

## 3.1 Bardia National Park

Bardia National Park stands as the largest protected area in the terai region with an area of 968 km2 in the core and 507 km2 in its buffer zone, extending to Surkhet and Banke districts. The park is broadly characterized by Siwalik/Churia and flat terai land consisting of important landscapes which are the Karnali flood plain, the Babai river valley and Siwaliks. The local climate exhibits tropical to sub-tropical climate causing hot and humid weather in summers and mild weather in winters. The park lies in the Karnali river basin, drained by Karnali, Babai and Orahi rivers. Land use type in the park is dominated by forests (76%) followed by cultivated lands (13%). Fifty-six species of mammals, 438 bird species, 52 herpetofauna species, and 121 fish species have been recorded from the park. Likewise, a total of 839 species of flora have been estimated in the park.

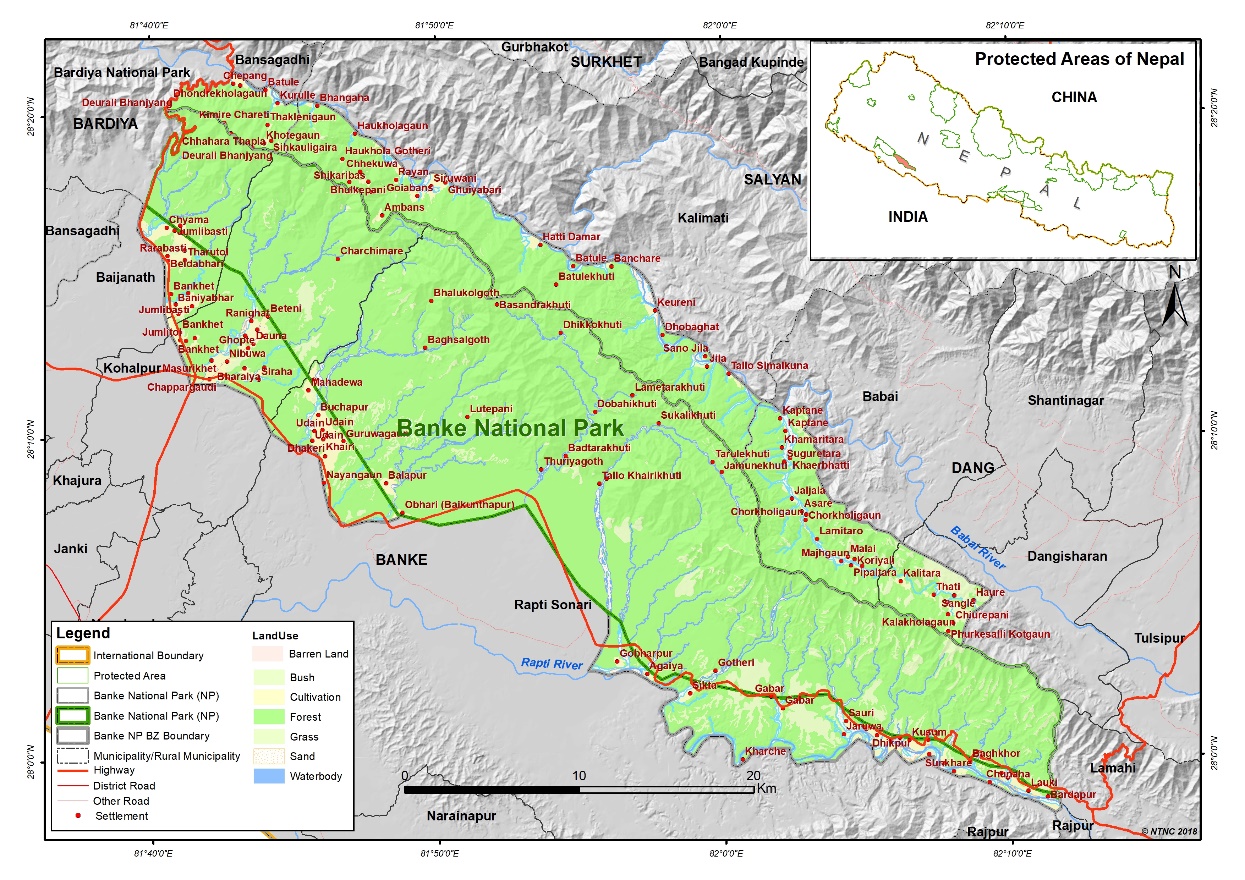


Map 2: Bardia National Park and its buffer zone

Bardia district encompasses most of the park with total area of 2,025 km2 where 426,575 people of multiple ethnicity live. The Madhesi community are the most representative group who speak the Tharu language. Traditional agriculture is the mainstay of local livelihood and the bulk of agricultural production are rice and wheat harvests. Although 62.6% of the population have access to electricity, a large proportion of the population still rely on fuelwood as the main fuel for cooking. Overall literacy rate is low at 65% and women have less access to education than men. The customary way of life and religious customs and traditions of the Tharu community are the cultural attractions that thrive with wildlife tourism.

## 3.2 Banke National Park

Banke National Park extends over 550 km2 in Banke district and its buffer zone, 343 km2, encompasses parts of Banke, Dang and Salyan districts. Added into the country's protect area system in 2010, it forms an important part of the Terai Arc Landscape providing additional habitat for tigers. The topography displays the flat plains, Bhabar foothills and Churia ridge containing various tropical and sub-tropical forest types. Ample rainfall during the summer monsoon is followed by relatively long, cold dry weather in the winters. The park is naturally demarcated by the Rapti and Babai rivers flowing through northern and southern edges, both originating from the Churia range. Land use in the park's buffer zone is dominated by forests (74%) followed by agriculture (11%). The park is home to 34 species of mammals, 236 species of birds, 24 species of reptiles and 55 species of fish. A total of 263 flora species are recorded in the park.

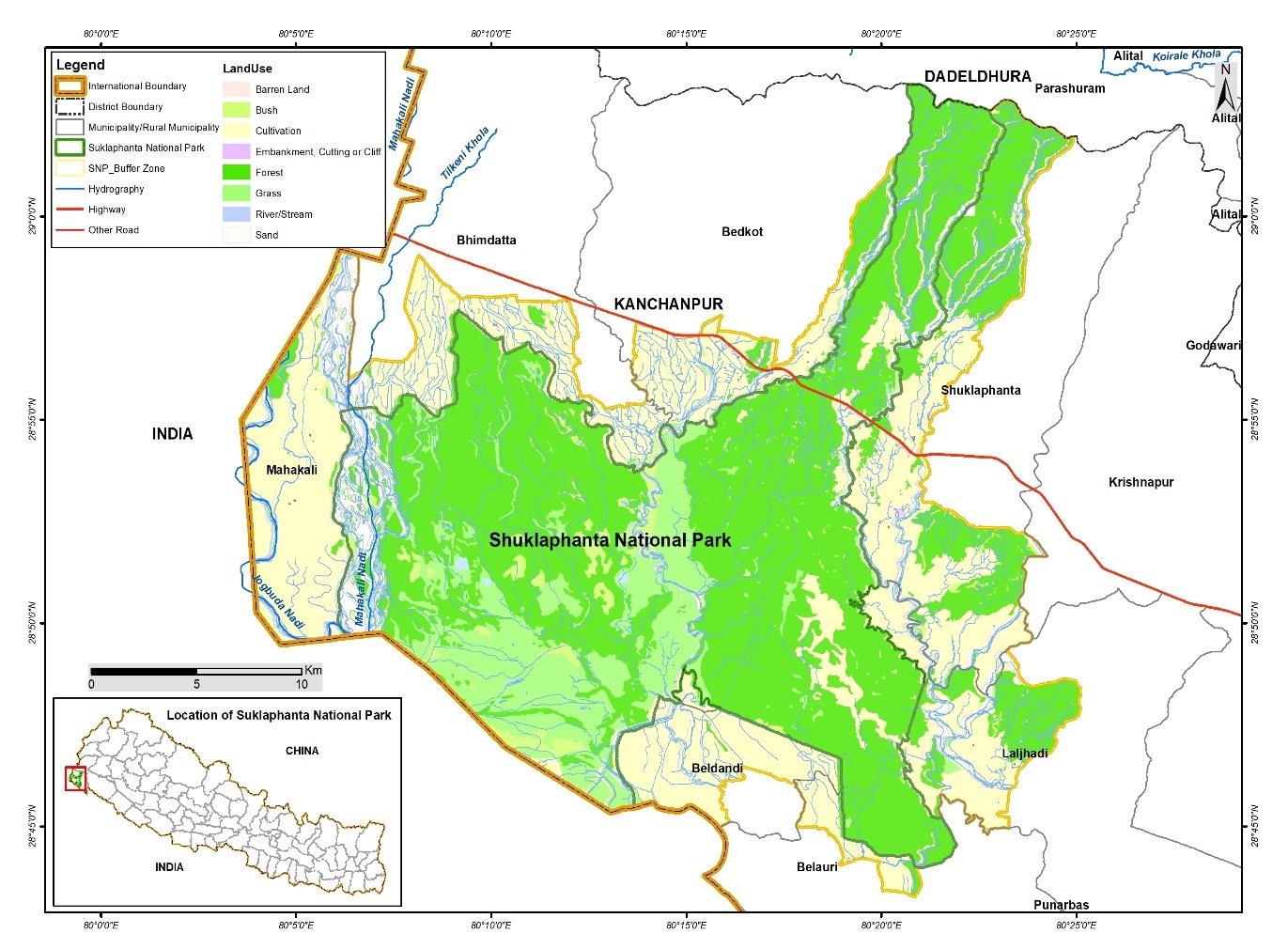


Map 3: Banke National Park and its buffer zone

Banke district covers an area of 2,337 km2 and population of 491,313 people living in 94,693 households, about 24% of the total population are Indigenous People (IPs) with Tharu as the most populous ethnic group. Rice and wheat are the predominant crops cultivated. The average annual household income is $1,133 with 26.4% of the population in poverty. The literacy rate is only at 62% where 55% of women are literate and 70% of males are literate; and 44.8% children under age five are malnourished. Banke National Park adjoins Bardia National Park and is equally rich in biodiversity and cultural attractions.

## 3.3 Shukla Phanta National Park

Shukla Phanta National Park (ShuNP), previously a wildlife reserve was upgraded to national park in 2016. It is located in the Kancharpur district of the far-west terai and covers an area of 305 km2 in its core area and 243.5 km2 in its buffer zone. The park contains the largest grassland in the far-western terai where the largest herd of swamp deer population survive. The park has the highest number of plant species recorded in Terai – 665 species and is also endowed with rich faunal diversity of 43 mammal species, 349 bird species, 2 reptile species, 21 fish species and 20 amphibian species. It also holds populations of megafaunas such as the Bengal tigers, one-horned rhinoceros, Asian elephants and Bengal florican.

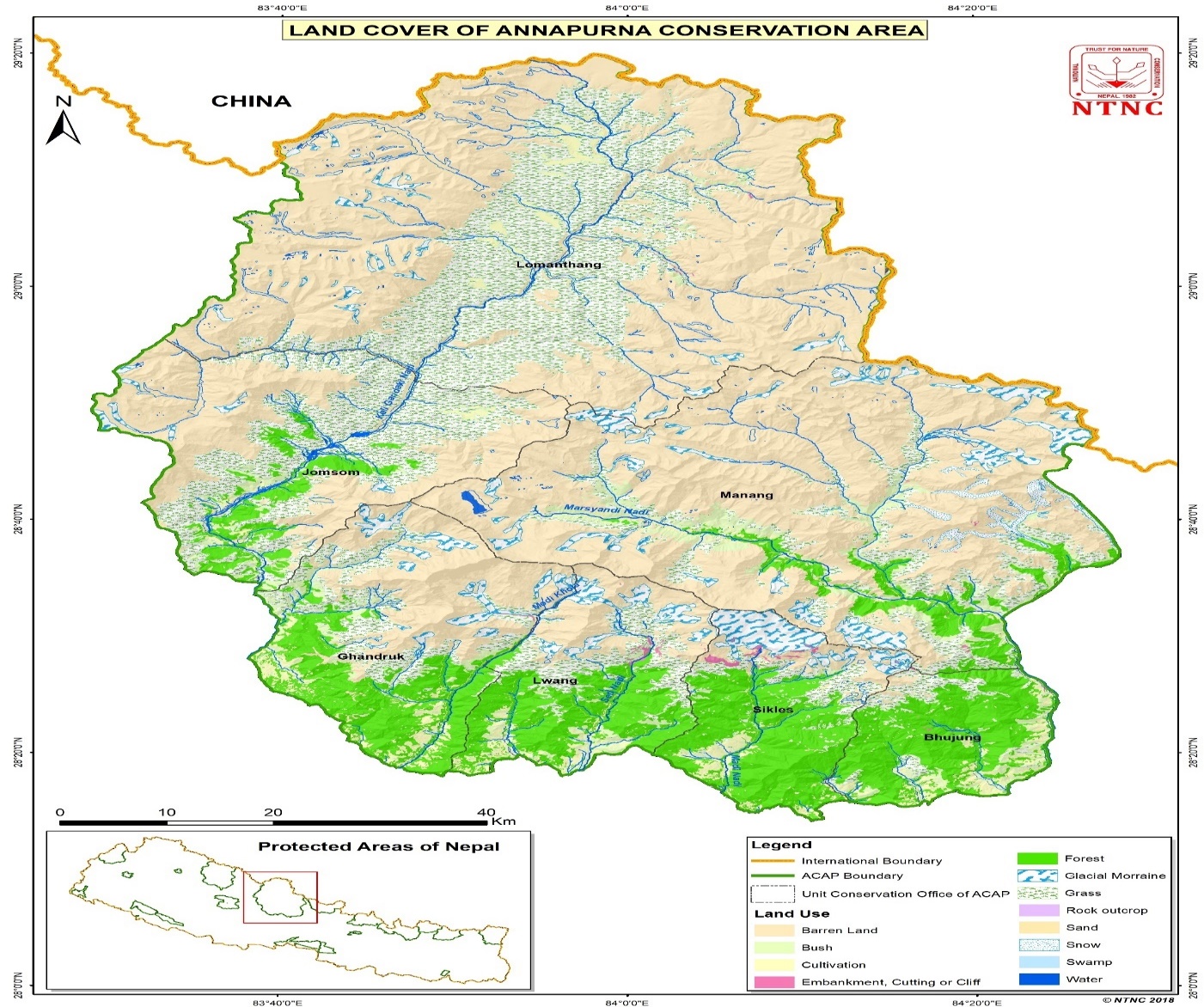


Map 4: Shukla Phanta National Park and its buffer zone

Kanchanpur district covers an area of 1,620 km2 and population of 451,248 people living in 82,134 households. About 29% of the population are Chhetris with Doteli as the most commonly spoken language. Rice and wheat are the predominant crops cultivated. The average annual household income is $938 with 31.4% of the population in poverty. The literacy rate is only at 71% where 61% of women and 81% of males are literate; and 31.7% children under age five are malnourished.

## 3.4 Annapurna Conservation Area

Annapurna Conservation Area (ACA) is the largest protected are of Nepal with an area of 7,629 km2, covering 27% of the total protected area coverage. The conservation area includes the entire district of Mustang, some parts of Myagdi and large parts of Kaski, Lamjung and Manang districts. ACA is dominated by mountain ranges and peaks - the family of Annapurna peaks. The varied topography of ACA is nestled in two distinct eco-regions viz. the Trans-Himalayan region consisting of Upper Kali Gandaki Valley and Upper Marshyangdi Valley; and the Cis-Himalayan region consisting of Modi Valley, Bhujung region, Lower Kali Gandaki Valley, Lower Marshyangdi Valley and area west of Modi. ACA demonstrates ranges of climatic zones from tropical to nival and rainfall greatly correlates to the aspect, altitude and rain shade area. The Kali Gandaki; Marsyangdi; Seti; Madi and Modi Rivers are major river system in ACA. Land use pattern is dominated by barren land (50%) followed grassland/rangeland (about 21%). ACA harbors 105 mammal species; 488 bird species; 41 reptile species; 23 amphibian species and 20 fish species. Plant diversity of ACA represents over 18% of country’s flora; with 1,264 species of flowering plants including 41 species of orchid; 15 species of gymnosperm; and 73 species of pteridophytes.

ACA holds the human population of >91,000 with more than 45% of male and over 54% female. There exist more than 28 caste/groups with diverse cultural and linguistic variations. The *Gurung* are the dominating hill community comprising 30% of the population. Agriculture, remittance and tourism are the major sources of economy in ACA. Districts except Manang & Mustang are food surplus. The major crops grown are rice, maize, wheat and millet in Kaski and Lumjung, whereas maize; wheat; barley; buckwheat and potatoes in Manang, Myagdi and Mustang. Some unique traditions in ACA are *Amchi* (folk medicine practice in *Mustang*); *Ghatu* (folk *Gurung* dance blended with Hindu myth); *Losar* (the Tibetan New Year festive); *Saga Lug Ka* (Ritual for good faith on the climate for superior harvest); *Duk Chu (*Monk's dance for a prosperous year); *Tenji* (annual festive in *Lo-Manthang*); and *Toranla* (Festival in the lower *Mustang*)*.* ACA is one of the most splendid ecotourism and the largest and the world-class trekking destinations where >126,000 tourists annually visit here. ****

Map 5: Annapurna Conservation Area

## 3.5 Manaslu Conservation Area

Manaslu Conservation Area (MCA) lies in the northcentral region of Nepal, on the eastern slopes of the Kali Gangaki river basin. It covers 1,663 km2 and includes seven VDCs of Gorkha District, viz. Samagaon, Lho, Prok, Bihi, Chumchet, Chhekampar and Sirdibas. The elevation ranges from 1,239 m in the south to 8,163 m at its highest point, Mt. Manaslu. MCA has five climatic zones: viz. sub-tropical, temperate, sub-alpine, alpine and nival. Average annual rainfall is around 1,900 m and significant portion of MCA is surrounded by high mountains, protecting it from direct southern monsoon clouds and creating partial rain-shadow areas. MCA constitutes the Cis-Himalaya in the south and the arid Trans-Himalayan high pastures in the north. The Budi Gandakiis themajor river system which joins with Siyar Khola and drains most of MCA. Area coverage under agriculture is 1.8% %, forest 13.28%, shrub land 2.79%, grassland 23.66%, river/riverbed 1.21%, snow/glacier 6.8%, lake/pond 0.047%, barren land 49.99% and cutting/cliff 0.38%. MCA harbors 39 species of mammals, 201 bird species 5 reptile species, 4 amphibian species and 1 fish species. A total of 756 species of plants have been recorded in MCA.



Map 6: Manaslu Conservation Area

The total population in MCA is 6,923 comprising of 3,665 females and 3,258 males in the 56 major villages. The Bhotias are the major ethnic group in almost all villages. The majority of the population (67.57%) above 6 years of age are illiterate. Of the total literate population, 44.25% are male and 21.98% are female. Around two third 62% of households in the MCA are involved in agriculture and livestock herding. Few proportions of households (1%) are involved in tourism related activities. The number of tourist visitors over the recent years has shown gradual increase with 7,091 visitors in 2017/18, about 19 percent increase from 2016/17 and 68 percent increase form 2015/16 figures. Majority of the population are Buddhists who celebrate the Lhosar festival and many communities also celebrate festivals of *mane nach* (dance), arrow shooting, and offering puja in Gompas. There are 92 gumbas in MCA the important gumbas being the Shringi Gumba in Bihi, and Mu and Rachen Gumbas in Chhekampar.

## 3.6 Existing Issues and Potential Threats in the Destinations

The terai protected areas – Bardia, Banke and Shukla Phanta NPs (with other terai parks) are famously critiqued to be *'islands in the sea of humans'* suggesting the sensitively of these parks. With rapid growth in human population and the need for rapid infrastructure development, more pressure to these parks is imminent. Within the park's core areas, multitude of problems persist that has implications to the long-term sustenance of the natural systems. Among the more prominent ones - succession of prime grasslands into woodlands pose major threat to the prey-base; prolonged dryness during winter cause shortage of water for wildlife and also increase the chance of large scale forest fires; rapid spreading of invasive species is a persisting problem which are detrimental to the native species and decline the quality of habitats and availability of forage; high monsoon floods temporarily inundate grasslands and riverine forest understory while frequent high floods are observed to have long term effects, altering landscapes; and scientists argue that global warming in the sub-tropical climate regimes is leading to alteration of local vegetation patterns and climate conditions which will ultimately influence the distribution of species in the long run (elephants shifting to higher altitudes, tigers occupying hilly forested areas, decrease in abundance of sensitive wildlife such as birds). Shrinking of important wetlands has connections to wider dynamics of catchment areas and necessitates better understanding of the lentic and lotic systems, the geology and their collective workings in the watershed system, and adopt holistic approach to watershed management.

Among the human induced problems, illegal occupancy of human settlements inside park core boundaries is a lingering problem since lot of these encroachers hold title to their land they occupy, causing legal hassles in relocating them, and rampant grazing of cattle inside the core is a major problem is some PAs such as Bardia NP. Although strong anti-poaching measures in the terai PAs have led to significant decline in poaching, presence of this problem cannot be ruled out in the mountain PAs since law enforcement presence in far and remote parts is still lacking. Many communities in ACA and MCA follow Buddhist traditions and abstain from taking life (non-violence) but there are evidences that outsiders are engaged in poaching blue sheep, musk deer, etc. and even snow leopards, and it is difficult to detect poaching. Warming in the Himalayas is said to be at higher speed causing change in microclimatic conditions eg. prolonged droughts in some areas leading to desertification while other areas receive more than normal precipitation - these events are erratic and needs long term observation to ascertain the weather patterns. GLOFs due to melting of the glacier lakes are a major risk and a single GLOF event can lead to scores of problems downstream. Receding snow lines due to warmer temperature correlate to advancing tree lines which will result in pasture lands spreading up at higher altitudes and create more grazing competition between the domestic animals and wild ungulates. Such compressing of snow leopard habitat will further aggravate conflicts with humans and cooccurring species will experience more intense interspecies competition because of increased habitat overlap.

Similarly, on the social aspects, human development indices in most of the districts of the destinations are not encouraging in terms of indicators such as poverty rate, literacy rate, child mortality, etc. Destination such as ACA has multiple districts with variation in poverty levels between districts and notable difference in demography and socio-economy. With dominating landscapes of alpine and nival conditions, ACA and MCA have less prospect for agriculture and local communities rely on tourism, livestock raising and jobs away from home. Most of MCA lies in upper Gorkha district which is relatively more remote, people have less access to economic opportunities, health care and modern communication. However, population density is low in MCA exerting less pressure to the environment, but integration of the population to the economy lags behind. In contrast, districts if Banke, Bardia and Kanchanpur have higher population density and similar poverty levels, economic activity are clustered in the city areas and rural places are still subsistence agriculture driven. The buffer zone areas are mostly agrarian, most households with less land ownership are vulnerable to economic shocks caused by unproductivity of cultivation, natural disasters (flooding) and conflicts with wild animals (especially near the core areas). Homestays, after the success in mountain destinations have found their way in terai buffer zone communities, gradually establishing accommodation and culture-oriented tourism markets in these communities, mostly catering domestic tourists. Resources channeled through the park for local development in these areas cannot be better than the revenue generated, thus aspiring the tourism potential to grow and be actualized.

The STENPA project will invest in support infrastructures such as last mile roads, trekking trails, information facilities, waste management, wilderness enhancement, etc. Since majority of the activities are to be invested inside PAs, the level of threat of negative environmental impacts can be presumed less since PA regulations have clear stipulation on the type and scale of development permitted. However, some involuntary resettlement cases, deprivation of vulnerable groups to the project benefits (or even worsening their conditions), gender disbalance, etc. can be anticipated which will need to be considered in the project's social development plans. Those infrastructure works falling outside PAs and in purview of local and provincial districts may be liable to more environmental and social risks – impact on land and water resources, pollutants, labor influx, etc. will need to be examined and mitigated.

# **Chapter 4: Potential Environmental and Social Impacts and Mitigation Measures**

## 4.1 Brief Overview of Project Activities

The STENPA Project will invest in activities aiming to diversify and promote long term sustainability of quality tourism in two conservation areas and three national parks of Nepal. These are: Annapurna and Manaslu Conservation Areas in the hills and mountains, and Shukla Phanta, Bardia and Banke National Parks and their buffer zones in western terai. The investments under the Project will be made under four different components consisting of wide range of infrastructure and associated capacity building activities of concerned stakeholders. The indicative activities for year 1 of the project has been mentioned in section 1.3.

## 4.2 Potential Environmental Impacts of the Project

The project is classified as category B due to limited adverse environmental impacts which are site specific, and can be addressed through mitigation measures. High risk activities not to be undertaken by the project is in the project's exclusion list of activities (Annex 1). The project anticipates minimal adverse impacts, except for the loss of land, damage to local infrastructure, loss of vegetation, and slope cutting, that would be associated with road construction will require enhancement with minimal intervention in existing environmental and social settings. With prudent management options incorporated in the planning it is believed that most of these impacts can adequately be mitigated. The ESMF makes provision that all infrastructure development works considered under this program will have an ESMP. The project will also give high consideration to the prospect of green infrastructures practices during the planning, design, construction and operation stages to incorporate the natural environment to avoid/minimize negative environmental impacts and augment the possible positive impacts.

### 4.2.1 Potential Beneficial Environmental Impacts

The beneficial environmental impacts due to the project will at large benefit the local communities and local environment at the project destinations by initiating environment friendly and environment protection practices that will improve the quality of life; and maintain/enhance the natural environment through rehabilitation and maintenance measures. Feasibility studies to be conducted prior to construction works will provide opportunities to improve environmental outcomes of the project investments. Broadly, the following beneficial impacts are anticipated by the project.

* Development of tourism infrastructures will focus on addressing basic services gaps for the local population of the destination areas and reversing environmental degradation through environmentally sustainable bioengineering practices in roads/trails, waste management facilities, water treatment systems, etc.;
* The ITDPs will be created to avoid the negative impacts of integrated tourism development and necessary preventive infrastructure and management arrangement are put in place;
* Improvement of the professional abilities of staff involved in tourism services sector to monitor negative environmental impacts and develop ways to reverse and enhance the natural environment systems; and
* Various feasibility studies will provide opportunities to incorporate environment, health and safety, and environment management aspects in the development of tourism business.

### 4.2.2 Potential Negative Environmental Impacts

The negative impacts of the project will arise mostly from tourism infrastructure development activities that will involve excavation for roads, generation of waste and effluents, dust and smoke, visual pollution, etc. As mentioned above, the project will not undertake activities that fall under Category A/high environmental risk or those that would require a full EIA under GoN's legislations. Nonetheless, the following negative impacts are expected at moderate to low levels at the implementation stage.

* Loss of vegetation and topsoil from land clearing;
* Soil erosion and stream sedimentation;
* Dust, noise and other harmful emissions;
* Improper disposal of wastes causing decline of aesthetics, and pollution to the surrounding;
* High labor influx may lead to illegal harvesting of plants and wildlife;
* Some cutting and burning of vegetation;
* Damage to other infrastructures; and
* Surface water pollution from contamination run-off.

Similarly, the induced impacts anticipated are but not limited to:

* Solid waste and effluent generation;
* Land use change due to expansion of hotels and new settlements;
* Noise pollution due to construction activities; and
* Disturbances to wildlife habitats.

Table 3 - Environmental Issues and Mitigation Measures during Subproject Planning, Design, and Construction & Operation Stage

| **S.N.** | **Investment Typology/Sub-projects** | **Potential Impacts/Issues/Risk** | **Potential Mitigation Measures** | |
| --- | --- | --- | --- | --- |
| **Planning & Design Phase** | **Sub-project Execution & Operation Phase** |
| 1 | Development of new **Integrated Tourism Development Plans (ITDPs)** in line with the spirit of ***“Sustainable Tourism Enhancement in Nepal's Protected Areas"*** | Impacts due to wrong planning includes changes to biophysical environments and ecosystems, biodiversity, and natural resources caused directly or indirectly including global warming, environmental degradation (such as mass extinction and biodiversity loss, ecological crisis, and ecological collapse, overexploitation of resources, pollution, and deforestation etc.). | * Exclusion list in **Annex 1** shall be considered while preparing ITDPs. The eligible subprojects activities shall be planned duly considering mitigation hierarchy (avoid, minimize, mitigation and compensation). Failing to formulate pragmatic ITDPs will have both direct and indirect impacts with high likelihood of occurrences and severity. Hence ITDs shall be formulated considering the points mentioned hereunder but not limited to:   + Respect land form, natural processes and systems;   + Protect and use soils in a sustainable way;   + Protect and enhance the water resources including natural springs, small rivulets and river systems of surrounding area (such as Water, biodiversity, population, human health, fauna, flora, climatic factors, material assets, cultural heritage and landscape etc.);   + Protect, enhance and where necessary restore (specified) species and habitats;   + Protect, enhance and where necessary restore landscape character, local distinctiveness and scenic values;   + Protect, enhance and create green spaces important for recreation, biodiversity and grazing lands;   + Provisions to regenerate degraded environments and respect rural form, settlement pattern and identity;   + Protect, enhance and where necessary restore the historic environment, restore building character and townscape at local level;   + Improve design quality in new development, reducing energy consumption and provisions for reducing waste production to further protect the area from pollution. Facilitate recycling and re-use of material in waste tips and construction wastes in a environmentally acceptable manner.   + Identify supporting actions for environmental improvement that can assist the delivery of economic development;   + Promote waste to energy program (household or commercial level) as appropriate;   + Define broad areas suitable for wind and other renewable energy developments or, where appropriate, specific sites;   + Provide guidance on appropriate locations for differing waste management facilities including special and clinical wastes and wastewater treatment plants;   + Set out criteria against new ski and associated developments opportunities considering environmental criterion;   + Set standards for foot trail construction including definition of areas where particular sensitivity is required to ensure that foot trail standards reflect the existing character and amenity of the area. | * Activities at field shall be carried out as per the environment and social assessment and mitigation measures prescribed in the ESMP or SS-EMP. * Periodic Monitoring involving warden, CFUGs, community, NGOs or other entity at local level as per ESMP or SS-EMP provisions. |
| 2 | **Foot Trail Improvement and construction and village road construction inside buffer zones or any infrastructure construction or development** | The types of activities carried out will be small scale widening as per the requirements and dealing with the improvement of existing infrastructures, not involving large scale cutting or excavation and no blasting shall be involved. Hence it is envisaged that impacts shall be minimum, site specific and reversible, if activities shall be managed duly respecting the environmental setting of the subproject area (Hilly and Plain area) and their neighborhood. Nonetheless, following impacts shall be envisioned will have induced impacts, if these aspects shall be overlooked during execution of subprojects:     1. Scouring/erosion on embankment due to increased surface runoff | * While carrying out planning for trail enhancement or new construction works, the mitigation measures adopted are of preventive in nature with two basic objectives: (1) avoiding costly mitigation and (2) awareness among the stakeholders for the environmental protection while constructing and operating infrastructure services. * Select routes appropriately to avoid or minimize the environmental degradation primarily in terms of loss of flora and fauna, minimum or no slope instability or soil erosion, disruption of water bodies, minimum loss of fertile and cultivable lands and no loss of valuable personal properties; * Conduct census survey and assess the potential impacts and losses of property and lands and establish the baseline data for compensation; * The design shall adopt the labor-intensive approach as far as practical and plan for using local resources and manpower; * Assessment shall be carried out based on the forest road audit techniques; * Include adequate drainage improvement works for surface runoff as well as outfall location shall be planned carefully and located at existing rivulets or streams. * The following additional points need to be taken into consideration while rehabilitating the trails:   + Alignment shall follow ridgeline and away from cliff edge to ensure safety; avoid wet and poorly drained soils;   + Alignment shall pass through interesting points as practical such as cascade, waterfalls, historic and cultural features and through avenues of large canopy trees;   + Farm land, construction problematic area that include cliffs or steep slopes, wetlands/swampy areas shall be avoided. * In addition, following mitigations shall also be prescribed:   + Trails slope shall be gentle as far as possible;   + Provision of natural vegetable buffer and vistas and safety handrails to ensure safety along naked trails. | * Establish outfall location in close coordination with local community; * Carryout drainage improvement works as per design; * Apply proper Turfing (small scale bioengineering works, vegetation or grass plantation etc. on a freshly filled or cut embankments or slopes for preventing scouring and erosions giving priority to plant species useful for the community (endemic grasses, Broom grass (*Amriso in Nepali*), fruit saplings, fodder trees etc.) * All provisions mentioned in the Environment Management Action Plan (EMAP) or Environment and Social Management Plan (ESMP) shall be reflected in the Bill of Quantity (BoQ) explicitly while issuing Tender Document for the bidding. * If ESMP activities shall be carried out involving community, a written performance-based agreement shall be made. Effective monitoring mechanism shall be in place ensuring judicious utilization of resources at community level. |
|  |  | 1. Borrow Pit: Loss of top soil, land and productivity, Water congestion, vector proliferation, spread of water borne diseases, physical injury, accident and even death | * Burrow pits shall be avoided in lands close to embankment toe line and settlement; * Burrow pits shall be avoided in lands close to embankment toe line (in no cases less than 1.5 m) and in irrigated agricultural lands; * Incase borrow pit is in agricultural land, the depth shall not exceed 45 cm and may be dug out to a depth of not more than 30 cm after stripping the 15 cm top soil aside; * In case of riverside, borrow pit should be located not less than 15 m from the toe of the bank, distance depending on the magnitude and duration of flood to be withstood; * Provide lead distance of more than 50m as per need. * Avoid following areas:   + Grazing lands;   + Lands within 0.5 km of settlement;   + Environmentally sensitive areas;   + Core protected areas / forests   + Unstable site-hills   + Water bodies;   + Streams, swamps, water logging and seepage areas;   + Areas supporting rare plant / animal species/habitat; * Prepare, approve and verify burrow pit restoration plan before starting of construction work as a part of restoration/rehabilitation plan | * Avoid formation of burrow pits as far as possible; * Operate suitable size of borrow pits as per required volume of materials and based on plan; * Balance earthwork quantity of embankment and side drains to minimize additional borrow pits; * Monitor burrow pit restoration activities, as per proposed restoration plan. |
|  |  | 1. Spoil Disposal  * Impacts on agricultural land, forests and grazing land due to spoil disposal of excavated materials, and other construction waste; * Loss of productive land, forest land and grazing area. | * Provide provision of lead distance of more than 50m (as per site condition) and as per need to make effective and practical for spoil management; * Prepare verify and approve tipping plan (Spoil Disposal Plan) as a part of restoration/rehabilitation plan; * Maintain cut and fill balance as far as possible in the design; * Make provision of adequate walls, slope grading and plantation to manage disposed spoil with proper drainage arrangements; * Identify and approve site for material storage in close consultation with local people; * Consult with local people to finalize the alignment especially to avoid landslide area, to decide location for culverts and other drainage structures and take prior approval from the concerned stakeholders. | * Comply with spoil tipping site plan; * Explore opportunities of managing spoil and waste; * Reclaim degraded lands using spoil and waste in coordination with local communities; * Restore cultivated land damaged through spoil; * Follow safe and careful tipping practices without mixing spoil and waste with cultivated land/soil; * Rehabilitate and reinstate decommissioned material storage yard |
|  |  | 1. Protection and reinstatement of public and private utilities, cultural, historical and religious issues refers to protection reinstatement of community private infrastructures such as water supply and irrigation and graveyards, buried sites, monuments and temples. | * Maintain inventory of likely damage to public and private utilities, cultural, historical and religious sites and their temporary arrangement; * Provide provision of adjustment of alignment to protect cultural and religious assets; * Include cost for relocation, reinstatement and improvement including enhancement measures for public and private utilities, and religious and cultural sites in BoQ. | * Consult properly with project beneficiaries before relocation and reinstatement of social and cultural resources; * Consult owner of the buried sites and graveyards prior to carry out construction activities at such sites; * Provide awareness program on environmental & social protection to foot trail/road users/ neighbors throughout the alignment. |
|  |  | 1. Dust and noise pollution- Health problems, anxiety etc. | * Address issues related to dust and noise pollution in the design phase; * Provision of Personal Protective Equipment (PPE) for construction workers; * Provision to plant close canopy trees and shield earthen trails/roads to abate dust pollution in public places and school area; | * Monitor the provisions prescribed in design document. * Provide environmental awareness on environmental protection and safety to trail and road users. |
|  |  | 1. Labor camp management including labor safety, child labor or forced labor and Gender Based Violence (GBV), Impacts encountered through construction workers camp include disposal of solid waste (i.e. organic waste, plastic and metal scarps, and domestic effluent) Pressure on the existing public utilities such as (drinking water sources, health post) and poor sanitation, transmission of communicable diseases, use of alcohol, poaching & hunting, gambling and conflict with local communities leading to fatal accidents and on site/work accidents. | * Provide clause of arrangement for all Personal Protective Equipment (PPEs) for workers, including first aid facilities at construction sites at contract document; * Follow best practices on labor camp management guidelines related to construction industry; * Follow labor safety guidelines prepared as per IFC sustainability guidelines. | * Provide first-aid training to construction workers for safety of workers for all types of construction related injuries; * Orient about labor camp management guidelines to community and contractor’s representative for effective implementation; * Provide adequate attention for labor camp management and labor safety; * Provide PPEs (helmets, boots, masks, safety vest etc.) to construction workers and also monitor their use; * Maintain proper sanitation at camps with provision of potable water and regular health checkups of construction crew. |
|  |  | 1. Extraction of quarry material for construction: Construction materials such as stones, gravels, sand, aggregates, and soils etc. are usually extracted from quarry. Extraction of these materials is restricted from environmentally and socially sensitive areas. | * Identify a quarry in close consultation with the community and prepare quarry site plan based on the requirements involving geologist; * Quarry Restoration Plan shall be developed to reinstate the quarry after completion of works. | * Follow recommendation of quarry site management plan; * Reinstate the quarry site as per the recommendation and monitor it. |
|  |  | 1. Vegetation and Wild life: habitat destruction, loss of biodiversity and protected species. | * Avoid sections of trail alignment that passes through core sensitive forest land/high biodiversity area; * Avoid disposal of spoil in forested area; * Prepare compensatory plantation plan as per need, ensuring reinstatement of the condition at least to that of pre-project implementation stage; * Avoid areas with major landslides and stability problems | * Organize environmental awareness raising programs for all stakeholders in subproject implemented community area and neighborhood; * Restrict clearance of trees and bushes to the required width; * Maintain an inventory of cleared tree species with their numbers and girth; * Involve CFUGs, in plantation and protection of saplings along with Community Based Organizations (CBOs)/communities/other stakeholders; * Make arrangement to monitor the performance of plantation and protection of saplings and bioengineering works for at least five years involving CFUGs on performance based modality; * Use wood (form work) for construction in minimum amount and efficiently; * Regulate movement of labor force, their dependency on forest and poaching/hunting; * Provide alternative fuel(like kerosene, LPG etc.) to the workforce to control encroachment in the forest; * Restrict construction activities to day time to prevent disturbance to wildlife. |
| 3 | **Tourism Enterprise Development** | Business increase may lead to additional land needs and potential damage to the environment to meet the added demand by tourism growth in agriculture, forests and other natural resources.  Unplanned enterprise development may cause risk of poor work place health and safety and waste management.  Resulting new facilities construction due to growing tourism enterprise may have direct and indirect adverse impacts to the environment.  Development of new infrastructure to reciprocate growth in tourism enterprise facilities may have severe impacts on existing facilities such as sewerage system, solid waste management system, exponentially high demand of water requirements, electricity demands etc.  Increase in land values unrealistically and conversion of arable land into enterprise related structures, decreasing local production system of sub project area communities to meet their daily commodity demand (food grains, vegetables and dairy and meat and poultry products etc.) | Environmental awareness to be included in relevant enhancement training, including relevant aspects of EHS Guidelines, including the business sector guidelines for tourism and hospitality development. | * Organize environmental awareness raising programs for all stakeholders in subproject implemented community area and neighborhood. * Use wood and hazardous materials for construction in minimum amount and efficiently. * Incorporate planning in development of enterprise related structures to minimize pressure to existing public facilities, conversion of cultivated land, etc. * Incorporate EHS Guidelines * Provide Environmental Code of Practice. * Ensure waste management practices. |
| 4 | **Product Diversification** | Business increase from product diversification may impact agricultural, livestock and other local production base leading to unsustainable production to meet added demands.  New tourism facilities construction may have direct and indirect adverse impacts on the physical environment. | * Sustainable production and harvesting plans to be incorporated in product development. * Recommend minimum environmental standards for facilities construction during product diversification planning stage. | * Organize awareness raising for all stakeholders in relation to sustainable production and harvesting; and environmental standards in construction. * Provide EHS guidelines. * Provide Environmental Code of Practice. |
| 5 | **Development and Conservation of wildlife rescue centers** | Risks common to the construction activities:  • Loss of vegetation and topsoil from land clearing  • Soil erosion and stream sedimentation  • Dust   * Noise and air emissions from heavy equipment;      * Improper disposal of construction waste;      * Damage to other infrastructure or physical cultural resources;      * Risks from construction and operation of water supply weirs and stream channel stabilization; * Workplace and health and safety risks; * Injuries and falls from not using proper personal protective equipment (PPE) protection while carrying out construction activities; * Risk to surrounding communities for not providing enough barricades or hazards signage to inform the boundary project area risks during on-going construction activities; * Improper disposal of construction wastes and waste from worker’s camp as some contractors do not provide proper portable toilets and good housekeeping practices. | * Exclusion list in Annex 1 shall be considered. * The site should be less ecologically sensitive and should be far from wetland and forests area. | * Unnecessary human interference strictly checked. Proper disposal of wastes at construction site. * Close monitoring of workers assigned for the job * Close monitoring will be done of the vehicles and materials brought from outside, as well as the site and the surroundings for possible contaminations. |
| 6 | **Wilderness Enhancement** | Wilderness enhancement will involve improving the natural state of various wildlife habitat such as grasslands and waterholes. Therefore, negative impacts to the environment are not anticipated. However, the following risks are anticipated during enhancement stage.  Risk of wildlife attacks during field investigations  Improper siting causing negative impacts on biodiversity and habitats  Improper disposal of debris (removed vegetation including invasive species) including burning of uprooted vegetation and spread of forest fires  Improper de-silting, excavation and expansion activities  Use of equipment and vehicles that disturbs the habitats and biodiversity  Removal of plants of conservation value  Spread of invasive species from vehicles and equipment brought into the park from outside | Site selection for management will be based on expert opinion in order to ensure the ecological impact is low.   * A study plots will be established to monitor the changes to the ecology of the site * Further technical assessment will also be carried out to ensure its effectiveness and to avoid/minimize the negative impacts on ecology. * A separate work manual will be developed based on the technical assessment | * Safety precautions will be adopted to minimize attracting or aggravating wildlife * The invasive plants will be removed from the NP and disposed in a suitable site in a scientific way * Good housekeeping practices will be practiced including use of designated paths, speed limits, parking of vehicles, timing of activities, etc.; * All equipment that generates noise including heavy vehicles will be well maintained and serviced to reduce the level of noise pollution; Appropriate and non-invasive noise barriers will be set up at the site if needed * Close monitoring of workers assigned for the job * Arrangements will be done to clean up immediately if invasive species gets established * All soil that are excavated will be disposed outside the NP, unless to be used immediately for another purpose |
| 7 | **Waste Collection and Management** | Groundwater pollution by leachate wastes because of location on unsuitable soils, malfunction, or poor maintenance    Odors and health hazards caused by inadequate waste management    Surface water pollution from contaminated runoff or uncollected or inadequately treated leachate | * Survey of all areas and processes to identify types and sources of on-site waste generation; * Promotion of waste to energy program (household level or community level depending on the situation); * Plan to reduce GHG emissions attributable to the prevention and recycling, respectively, of various waste fractions. Each kg of organic waste sent to anaerobic digestion with energy recovery avoids 0.35 kg CO2 eq. from waste management and displaced energy generation[[3]](#footnote-3). | These risks can be mitigated by: a) environmental analysis of alternatives in FSs; b) preparation of good Environmental and Social Management Plans (ESMPs);19 c) implementation EHS Guidelines; and d) providing Environmental Code of Practice (ECOP) or Standard Operation Procedures |
| 8 | **Park Facility Development** | **Risks common to the construction activities:**   * Loss of vegetation and topsoil from land clearing;      * Soil erosion and stream sedimentation; * Dust generation;      * Noise and air emissions from heavy equipment;      * Improper disposal of construction waste; * Damage to other infrastructure or physical cultural resources;      * Risks from construction and operation of water supply weirs and stream channel stabilization; * Workplace and health and safety risks; * Injuries and falls from not using proper personal protective equipment (PPE) protection while carrying out construction activities; * Risk to surrounding communities for not providing enough barricades or hazards signage to inform the boundary project area risks during on-going construction activities; * Improper disposal of construction wastes and waste from worker’s camp as some contractors do not provide proper portable toilets and good housekeeping practices. | * Exclusion list in Annex 1 shall be considered. * The site should be less ecologically sensitive and should be far from wetland and forests area. | * Unnecessary human interference strictly checked. Proper disposal of wastes at construction site. * Close monitoring of workers assigned for the job * Close monitoring will be done of the vehicles and materials brought from outside, as well as the site and the surroundings for possible contaminations. |
| 9 | **Hotel & Lodge Standardization and Accreditation** | * High value tourist and tourism may be not be attracted if Non-standardization and non-accreditation prevailed. | * Collate data on environmental management for benchmarking;   Establishment of Environment Management System (EMS) such as:   * ISO 14001 - Basic compliance with applicable legal environmental requirements and monitoring and reporting of key environmental performance indicators; * EMAS (EC, 2009) - Basic compliance with applicable legal environmental requirements and monitoring and reporting of key environmental performance indicators. Latest version (EMAS 3) requires organizations to report sector-specific indicators and consider best environmental management practice outlined in sectoral reference documents. * Viabono (Viabono, 2012) - A German ecolabel for accommodation that includes customer service and environmental criteria, relating to the conservation of resources, waste generation, energy efficiency, water efficiency, GHG emissions and biodiversity conservation. * Travelife Sustainability System for Hotels (Travelife, 2011) - An international tour operator (supply chain) driven sustainability certification that is awarded as Bronze, Silver of Gold depending on performance across a range of environmental and social criteria such as water, energy and effluent management, housekeeping, usage of organic products; gender and equality in the management process etc. * Green Key (Green Key, 2010)- An international sustainability standard with a global baseline for certification based on a set of 100 criteria, some of which are optional. These include specific environmental measures and, in some cases, quantified benchmarks (e.g. labelled foods must represent at least 5 % by value after one year of certification, and increase annually); * Green Globe (Green Globe, 2011)- Primarily legal compliance and sustainability monitoring criteria, but also qualitative requirements to implement better environmental practices, e.g. 'Local and fair-trade services and goods are purchased by the business, where available'. | * Organize training, awareness program and facilitation to implement the EMS system to enhance business;      * Organize training to representatives from LG, local hotel association on anaerobic digesters, slurry storage facilities and farm building diversification with respect to the protected landscape and ensure that this is embedded within the Local Development Framework; * Provision of Environment Award based on excellence during execution and implementation and renewed annually after carrying out performance audit. * Development of practical guidelines for accommodation providers to improve environmental performance |
| 10 | **Landscape Zonation and Planning** | * Rampant grazing by domesticated animals; * Impacts on sensitive landscape in the absence of proper planning; * Haphazard felling of trees of firewood degrade the existing environment as well as escalate the GHG emission. | * Undertake audit and research on the perceptions and attitudes of communities and visitors on grazing animals and the issue of grazing within habitat management, applying the knowledge to demonstration sites; * Produce a robust and defensible Green Infrastructure Strategy that specifies and defines semi natural habitat corridors to ensure that this supplement the Local Development Framework, in conjunction with the Biodiversity and Geo-diversity Best Practice Guide; * Carryout Landscape Character Assessment of the area for detail understating of character under consideration including ‘Ecosystem Goods and Services’ provided by the landscapes; * Carryout landscape sensitivity and capacity studies for renewable energy and housing development; specifically, a sensitivity study on wind and solar PV, including guidance on the siting and design of smaller scale wind turbines and PV panels within the protected landscape to further support and embed within the emerging Renewable and Low Carbon Energy Supplementary Planning Document. * Identify opportunities for new woodland creation including commercial plantations in appropriate locations; | * Support the development and adoption of the Biodiversity and Geo-diversity Best Practice Guide within the emerging Local Development Framework; * Audit and monitor to support the work of clean initiatives to reduce litter in the area, especially river banks, zone dedicated for recreational or amusement activities; * Undertake an audit of the technical and financial skills of rural businesses in project area neighborhood and provide appropriate training to fill gaps, utilizing funds available from this project. * Organize training to LG representatives on anaerobic digesters, slurry storage facilities and farm building diversification with respect to the protected landscape and ensure that this is embedded within the Local Development Framework. |

## 4.3 Environmental Impact Identification and Mitigation

### 4.3.1 Process for Impact Identification

The effectiveness in addressing the project's environmental impacts largely depends on how well these are identified on time and necessary measures are put in place to address them. This would require the project to use different tools to identify the positive and negative impacts. The beneficial impacts likely to occur due to project activities should be promoted through enhancement measures. Similarly, in case of identified adverse impacts, the Project's environmental safeguards expert(s) should be able to identify them accurately and take appropriate measures. The environmental issues and mitigation measures during subproject Planning, Design, and Construction & Operation Stage are provided in Table 3.

The process of identifying the impacts and mitigation measures, based on the subproject cycle, includes broadly the following steps.

**Step 1: Subproject screening, categorization and planning**

Environmental and Social screening is an essential and primary step in the assessment of environmental and social risks and impacts of activities proposed for STENPA financing. The results of the screening form the basis for assigning the environmental and social risk category of activities and informs decisions on the extent and depth of environmental and social due diligence that will be undertaken. The process of screening identifies the key aspects that may need to be further examined and managed.

The objectives of the E&S screening are to:

* Integrate the E&S aspects to strengthen social and environmental sustainability;
* Identify potential social and environmental risks and their significance;
* Determine the Project’s risk category (Low, Moderate, High); and
* Determine the level of E&S assessment and management required to address potential risks and impacts.

The subproject will be identified from wider stakeholder consultation which will include local communities, service providers, entrepreneurs, local and provincial governments, PA authorities, etc. Sub-project will be categorized based on the sensitivity of the environmental and social risks as prescribed by the GoN and World Bank, respectively as follows.

**Category A**: Subproject activities with potential significant adverse environmental or social risks and/or impacts that are diverse, irreversible, or unprecedented (this category is excluded because the project will not undertake high E&S risk activities).

**Category B**: Subproject activities with potential limited adverse environmental or social risks and/or impacts that are few in number, generally site-specific, largely reversible, and readily addressed through mitigation measures.

**Category C**: Subproject activities with minimal or no adverse environmental or social risks and/or impacts.

According to the EPA 1997, all subproject under STENPA project shall also be screened using criteria based on Schedule 1 and 2, sector F, pertaining to rule 3 of the EPR which determines the level of EA (IEE/EIA) required for different categories under Tourism Sector. Usually, small subprojects which only require rehabilitation in rural area are not expected to cause significant environmental damage and require only minor environmental assessment followed by ESMP and ECoP, as appropriate.

Environment and social assessment (ESIA) of the subproject area will be carried out in case the E&S screening identified the need. The safeguard team will carry out the E&S assessment of the subproject site using reliable survey methods encompassing both quantitative and qualitative survey tools to determine the type, magnitude and scale of adverse E&S impacts.

The outcome of the screening/assessment and categorization of subproject will determine the type of safeguard instruments to be prepared such as ESMP, RAP, VCDP, GAP, etc. at the subproject/destination level. Subproject specific ToRs will be developed for the preparation of the detailed plans and designs that will incorporate the environmental and social considerations taking into account the avoidance measures and alternative subproject selection. The plans will fully ensure that safeguard issues and mitigation measures including cost are included in the design and contracts documents. The plans will be submitted to the concerned authority for review and approval. An outline of the ESMP is provided in Annex 5.

**Step 2: Implementation of the safeguard plans**

The safeguard plans will be implemented as per the subproject schedule. The environmental and social impact mitigation measures will be implemented to address the E&S safeguard issues. Public consultation including FPIC will be held with relevant stakeholders as appropriate. Capacity building training/orientation will be provided to the field-based staff, contractors and community members on safeguard related issues, planning and compliance. In order to facilitate the implementation of the safeguard measures, necessary guidelines/ToRs/manuals/modules will be prepared.

Regular supervision will be carried out on safeguard measures implemented at the sites. Any corrective measures needed to improve the safeguard performance will be undertaken as necessary.

**Step 3: Safeguards monitoring and reporting**

Safeguard monitoring and reporting mechanism will be developed to assess the implementation of ESMF and E&S safeguard compliance. Monitoring frequency and reporting of the E&S safeguard compliance will be done at three levels – field, central and third party. At the filed level, FIUs will undertake monthly monitoring and reporting tasks while the PMO will monitor and report on quarterly basis. Similarly, third party monitoring will be done on the second and fourth year of the project. A summary of the E&S safeguard activities is given in table below. Further details on the monitoring and reporting mechanism including indicators are provided in Chapter 11.

| **S.N.** | **Subproject cycle** | **Steps** | **Procedures** | **Responsibility** |
| --- | --- | --- | --- | --- |
| 1 | Planning/Designing | 1. Sub project identification and categorization 2. E&S screening 3. E&S planning/detail designing | * Desk review * Detailed E&S screening (walkthrough and consultation) * ToR development and preparation of E&S plans (ESMP/IEE, RAP, VCDP, GAP) ensuring safeguard consideration in design/bid document * Approval of the plans * Disclosure of the plans | * PMO * FIUs/Safeguard team * UCOs and CPs |
| 2 | Implementation | 1. Orientation and training 2. Implementation of E&S safeguards 3. Supervision and monitoring during execution | * Preparation of E&S guidelines/manuals/modules * E&S safeguard compliance   + Consultation   + Contractor's safeguard implementation compliance   + Social safeguard compliance (RAP, VCDP, GAP)   + EHS compliance   + SS-EMPs compliance | * PMO * FIUs * UCOs and CPs * Contractors * Local stakeholder committees * PA authorities * PG/LG |
| 3 | Monitoring and Reporting | 1. Monitoring 2. Reporting | * E&S regular monitoring * Third party monitoring   + Baseline/Compliance/Impact monitoring * Monthly progress report at field level * Quarterly progress report * Annual reports | * FIUs/E&S team * PMO/E&S team * Independent consultant/firm |

### 4.3.2 Process for Impact Mitigation

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The mitigation measures to avoid negative environmental impacts are as follows.

1. Prepare environmental plans in the ESMPs and disclose the documents to the affected people and other stakeholders. The Project is responsible to implement the plans as per the requirement of the GoN and World Bank specifications to achieve outcomes with minimal or no negative impacts to the environment;
2. Impact mitigation planning shall be carried out following the mitigation hierarchy (avoid, minimize, mitigate or offset and compensate as last resort);
3. Environmental plans shall value and be compatible with local cultures and norms, and ecological and environmental settings;
4. Maintaining high standards of health and safety following the World Bank's EHS guidelines to avoid occupational hazards to the workers and health risks to the local communities.
5. Undertake monitoring and reporting of the environmental plans viz ESMP that are implemented by the Project.

The PMO will ensure that E&S management of the project is in compliance with the World Bank's and GoN's safeguard requirements. For this purpose, Initial Environmental Examination (IEE)/Environment Assessment (EA) reports and Environment Management Plans (EMP) of each subproject/activity will be reviewed and "no objection letter" shall be provided by the World Bank prior to implementation. PMO will directly approve the activities that only require code of practices. Safeguard monitoring during construction and post-construction phases will be undertaken by the PMO through designated staffs stationed at Field Implementation Units (FIUs) and PMO. A flowchart of steps in EA assessment and implementation modality is given below.

## 4.4 Consultation and Participation

Consultation with key stakeholders will be an integral part of ESMP preparation and implementation. These consultations will include both formal and informal types but not limit to FGDs, KII, public meetings, community discussions, etc. Consultations will be undertaken to enable maximum participation of the affected people where they can raise their concerns. In these consultations, PAPs’ participation will be fully ensured. Details of these consultations including dates, names of participants, issues raised and how these have been addressed will be documented and recorded. For details on project's communication, consultation and citizen engagement, please refer to chapter 8.

## 4.5 Information Disclosure

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All E&S planning documents will be disclosed both in the project website and the World Bank info site for public. Hard copied of these documents will be disclosed and disseminated at different levels viz. PMO, FIUs and local government offices in consistent with the Bank’s policies. The summary of ESMF and E&S plans will be made available in Nepali language to the project offices, affected people, beneficiaries and Municipalities/Palikas.

**E&S Safeguard Planning**

***Preparation of Screening Report (ESSR) FIUs***

***Desk Review and Risk Categorization (FIUs)***

**Desk** **Review & Site Visit for making the I*nformation in ESSR Consistent***

**Public Consultation to *Identify Additional Environment and Social Issues***

* ***Detail Technical Survey, Design and Estimates of the Mitigation Measure and Analysis of Options for Implementation***
* ***Review DPR/Bid document by E&S expert***

***NTNC/PMO Authorizes Budget to FIUs for Implementation***

***Community Based Monitoring and Evaluation (CBME)***

***Monitoring and Evaluation from PSC, PCC, WB, NTNC E & S Specialist and Concerned Stakeholders***

***Learnings of the Sub-Project Implementation***

***Feedback for the Sub-Project Implementation***

**Implementation Modality Environment and Social Management Plan Preparation ESSR Preparation**

**Sub-Project Level E & S Screening**

**Submission of ESSR to PMO/NTNC for Review and Clearance & Sharing approved ESSR to WB and other line agencies**

**Sharing ESSR findings at Subproject Area for preparing ESMP**

**Preparation and Submission of ESMP to NTNC/WB for Review& Clearance**

**PMO, FIUS, Provincial and Local governments**

**Implementation of Mitigation Measures**

**Completion of Sub-Project Activities**

## 4.6 Potential Social Impacts of the Project

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The activities to be financed under the Project are expected to cause different types of social impacts to the individuals, households and the communities affecting their life and livelihoods to varied extent. These potential impacts warrant the Project to consider effective mitigation measures and manage the adverse impacts. At the same time, the Project should also consider augmentation measures to optimize the beneficial impacts.

The Project will not finance activities that would affect the people adversely, leading to loss of assets and livelihoods resources. Nevertheless, the Project, which does not have full pictures of the planned activities to be developed in future, cannot fully ignore the possibility of construction works that might cause some adverse impacts on land and other resources leading to increased vulnerability and risk of the local people. The expected adverse social impacts of the Project are: i) loss of land/assets due to construction and maintenance of new or existing infrastructures, ii) loss of community facilities and resources, iii) noise and dust pollution, iv) loss of standing crops/trees/orchards, v) other social impacts related to child, labor, women, vi) lack of information/ awareness about project activities, and vii) possible exclusion in realizing project benefits etc.

In view of these potential impacts, the Project's ESMF has been developed which provides full guidance for social screening, social assessment and development of social management plans and resettlement action plans depending upon the extent of impacts. The detailed procedure of identifying and managing impacts and preparing the plans viz, ESMPs, RAP, VCDPs, GAPs etc. are provided in subsequent chapters.

The proposed Project will result in several positive and adverse impacts. Given the nature of construction activities that would be supported under the Project, the adverse impacts would be mostly of local level and their magnitude as minor. On the other hand, the positive impacts that would be contributed by the Project will be of longer run bringing long lasting improvement in the livelihoods of people and also contributing to the nation's economy through foreign exchange earnings. The most likely impacts are discussed briefly in the following sections.

### 4.6.1 Potential Beneficial Social Impacts

The implementation of planned activities under the Project is anticipated to bring sustained social and economic wellbeing resulting in poverty reduction of the people. Improvement of local transport and road access, employment creation, skill enhancement, local capacity building and increased scope of business opportunities are amongst the most common benefits likely to be generated by the Project. The potential positive impacts of the Project are indicated below.

*Improved Access and Transportation*: Component 2 of the Project (Enhancing infrastructure for access and diversification) will have considerable impacts to a wide range of stakeholders including the local individual and communities. The rehabilitation and maintenance of existing roads within targeted Project Destinations (e.g. national parks roads, [provincial and] municipal roads, last miles connections will improve the access to people through improved transport networks and facilities.

*Increased Work Opportunities*: The Project intends to mobilize the local people and communities for the construction and maintenance of small projects developed locally. The already formed community user groups namely the Conservation Area Management Committees (CAMCs) and Buffer Zone User Committees (BZUCs) and NGOs with proven experience in minor construction as well as conservation and management will be benefited directly from similar activities implemented locally. Various construction works supported by the Project at local level (i.e construction/ improvement of roads connecting the parks and conservation area, public transport facilities, trekking trails, water and sanitation facilities, waste disposal and management and minor facilities inside parks) will contribute to increased employment and income of the locals.

*Benefits to Local Entrepreneurs:* All entrepreneurs engaged in tourism activities viz hotels, homestays, trekking and travel agencies including the small and medium entrepreneurs will be benefited by project supported activities. This will include diverse tourism operations and value chains (such as handicraft, guide services, adventure and cultural event organization, transportation) active in Project Destinations who will be benefited through increased demand for their services.

*Benefits to Women and Indigenous Groups*: Women of indigenous groups viz Gurungs, Thakali, Tharus have significant presence in the proposed tourism destinations. Given the experience of women groups of these communities in operating hotels and homestays in the past, these groups hold tremendous potentialities to upscale their business volume through enhanced quality services in future. The skills, knowledge and technologies supported by the Project will significantly enhance their capabilities.

*Local Production and Marketing*: The Project will also contribute to increased production and marketing of local farm (fruits, vegetables, fisheries, poultry, dairy products etc) and off-farm products (woolen carpets, garments, other handicrafts) of the project areas. Increased demand will come from the construction work force during project implementation whereas these products will have increased demand from the tourists in the long term.

*Increased Flow of Tourists*: Improved access and new facilities created within the Park and destinations will attract new tourists intensifying their flow by much higher rate than at present. Small infrastructure to facilitate diversification of offering, such as heritage tourism (beautification of heritage and cultural sites), adventure tourism (archery playground, cave visit, horse riding ground), river tourism activities (rafting platforms, campsites, angling sites), mountain biking, green tourism in community forests (bird watching, picnic spots, etc.) will contribute to increased tourist flow[[4]](#footnote-4).

*Enhanced Opportunities for Heritage and Cultural Tourism:* The Project destinations are inhabited by a large percentage of indigenous people viz Gurungs, Thakalis and Magars (about 30%) in Annapurna and Manaslu Conservation Areas and Tharus in Banke, Bardiya and Shuklaphanta (more than 25%) National Parks. These groups are endowed with rich tradition and culture offering significant potential to blend cultural tourism events (dance, songs, indigenous food etc) as part of nature-based tourism which would create long lasting opportunities for increased employment and income locally.

*Capacity Building*: The activities supporting improved planning, implementation and monitoring, particularly at local level, will help enhance local level skills and capacity of the stakeholders working locally. The local government bodies viz Ward and Palika Offices, local committees and groups (CMACs/BZUCs) would particularly benefit from these activities.

*Appreciation of Assets Value*: The Project will directly contribute to the appreciation of property value of the people, mainly the land and commercial structures. These opportunities will generate increased income to the locals through rental and leasing of these facilities.

### 4.6.2 Potential Adverse Social Impacts and Mitigation

The adverse social impacts are not expected to be significant in the proposed tourism Project. The Project envisages that there will be no land acquisition for major construction in the conservation sites and natural habitats. However, the construction and renovation/maintenance of trails/trekking routes or other construction of small facilities might warrant a situation whereby acquisition of small pieces of lands for one or other physical activities would be essential during project implementation. Considering the likelihood of such a situation, a Resettlement Policy Framework (RPF) has been prepared as part of ESMF which will thoroughly guide the Project to manage such issues. All adverse impacts of the Project causing land acquisition and displacement of the households will be managed as per the RPF.

Table 4 - Potential Adverse Impacts and Proposed Mitigation Measures

| **SN** | **Type of Impacts /Issues** | **Likelihood of Occurrence** | **Proposed Mitigation Measures** |
| --- | --- | --- | --- |
| 1 | Loss of land and land-based assets/infrastructures and livelihoods sources | Construction of new trails/ bridges, water and waste management or sanitation facilities and widening/ maintenance of roads would cause these impacts.  These impacts will vary from minor to major for the affected households depending on the scale of losses. | The Project will avoid any kind of land acquisition through change in design. In case of any loss of land or assets, the Project would adopt the RPF contained in this framework and pay compensation and other assistances to the affected households.  Use of land for minor works may be possible through land donation. However, such donations need to be complied with the donation procedures mentioned in the ESMF/ RPF. |
| 2 | Damage/ disruption of community resources /local facilities | Construction may damage/disrupt the water sources, irrigation channels, trees, bushes; damage the local foot trails and animal trails used by locals. | The Project requires holding consultations with the locals to identify the damages; it will develop and implement plans to replace the lost facilities in consultation and participation of affected people and get them rehabilitated. |
| 3 | Pressure on local resources (drinking water, forest products like fuel wood/ timber etc.) | This may occur due to influx of outside laborers for construction works. Contractors often bring laborers from outside from their prior construction works. | In order to avoid such impacts, the Project need to find ways to use local laborers and do the construction works through "local user groups" based on their availability and skills. The Project should put such clause in the contract document. |
| 4 | Obstruction and noise pollution to tourists/ trekkers during construction / maintenance | This is likely to occur in case of renovation and maintenance of existing trails/ trekking routes and will be significant during peak trekking season. | The Project will consider different measures to manage the impacts viz i) do the work during lean trekking season ii) take measures to minimize the pollution, and iii) regulate specific time/ hours for trekking. |
| 5 | Loss of standing crops/ orchards/ trees | This may take place while constructing new facilities viz trails/ trekking routes or widening the existing ones. | The owners of such losses should be compensated fairly as per ESMF provisions. The compensation provisions should be made in the contract documents. |
| 6 | Conflicts associated with construction work forces or conflict between locals and outsiders | This may occur if outside laborers are used in construction activities. This happens normally due to clashes between outside laborers and locals for different social, cultural and financial issues. | The Project will take different measures to address the issue. This includes measures to: i) educate the laborers/ working force to understand local culture and value, and ii) use local laborers to the extent possible. |
| 7 | Increased social issues/problems | These issues normally occur in the form of alcohol consumption/ prostitution (including spread of communicable diseases) and gender-based violence and are associated with construction works. | The Project needs to develop code of conduct and complied fully by contractors as well as workers. Besides, regular monitoring should be carried out by the Project staff and consultant on a regular basis. |
| 8 | Child labor and other labor issues | There are chances of using child labor by the contractor at cheap wage rate. The contractors also often pay different wage rates to the laborers based on caste and gender. | The Project should take stringent measures to avoid the use of child laborers. Use of labor should be monitored on a regular basis and equal wages will be paid to the workers irrespective of ethnicity and gender. |
| 9 | Gender Based Violence (GBVs) | Please refer Chapter 7 for GBV risk assessment and management action plan. | Please refer Chapter 7. |
| 10 | Issues related to chance finds or issues encountered during works on physical cultural resources | Physical cultural or chance find issues may occur during construction viz temple/shrines, spiritual/holy and mystic sites of cultural and religious importance found in construction sites, | Avoid such sites where possible or restore them if necessary, in consultation with the locals/priests ensuring that the measures taken do diminish the local cultural values. |
| 11 | Labor influx | Contractors often bring labor groups from their previous contract works and there can be large number of laborers coming for the proposed works. | Use of local laborers or laborers from neighboring areas, if employed, would minimize the potential influx of laborers from outside creating social, environmental and GBV related risks. Contract documents should include such clauses. |
| 12 | Exclusion of IPs/VGs in decision making process, during planning/ implementation/ lack of informed consultations | This may happen during project design/ planning if project team did not conduct meaningful consultations with the locals, especially the IPs/VCs. | Project to comply fully with consultation, communication and citizen engagement process specified in the ESMF and shall undertake regular consultations with the APs/ local communities; deploy FPIC process to deal with IPs/VGs. |

## 4.7 Steps in Social Planning and Preparation of Plans

The followings are the commonly practiced steps for the identification of social impacts and preparation and implementation of the social plans.

Step 1: Social screening of each sub-project to identify the social impacts/issues and establish the need and scope for further investigations/surveys to prepare relevant plans ESMPs, RAPs, VCDPs etc.

Step 2: Social assessment (SAs) and analysis of the subproject area. This will be carried out if the screening revealed the presence of indigenous people with relatively complex socio-economic issues in a larger geographical area.

Step 3: Conduct census surveys if the project interventions result in physical and economic displacement of the households; organize meaningful consultations with the affected people including FPIC with the IPs/VCs as part of survey and prepare brief social plans / abbreviated or full resettlement action plans (RAPs) depending upon the impacts and scale of displacement.

Step 4: Disclosure of the plans as part of informed consultations/ communications to the people/communities and setting up of functional GRM.

Step 5: Implementation of social plans including change in design alternatives based on the principles of avoidance, minimization, mitigation and compensation to the affected people as per the entitlement framework.

Step 6: Effective monitoring and reporting on social safeguards compliance with periodic feedback to project management for improved performance viz inputs use, process and outputs.

## 4.8 Process for Impacts Mitigation

The preparation and implementation of the social plans as mentioned above will be fully guided by the RPF provided in this framework. The mitigation measures should be developed and implemented according to the ESMF, especially the RPF and the entitlement matrix provided in this framework. Please refer Chapter on Resettlement Policy Framework.

# **Chapter 5: Resettlement Policy Framework**

## 5.1 Introduction

This Resettlement Policy Framework (RPF) establishes the resettlement and compensation principles and procedures to address the needs of the people who are impacted adversely due to involuntary resettlement. This may involve impacts triggered by land and other property acquisition of the families resulting in loss of shelter, assets or livelihoods, and/or loss of productive resources by the activities under proposed Tourism Project. Component -2 of the Project envisages investments in developing different physical facilities in three broad categories: i) enhancing infrastructure for access and diversification ii) improving environmental management, and iii) promoting tourism diversification and safety facilities. The Project aims to support this component by investing in civil works, goods and expertise and will include construction and renovation of diverse facilities viz municipal and public roads in the project areas, local transportation, small scale sanitation, solid waste treatment and efficient energy development, visitor information management system, new/renovated trekking trails, fire lines, bridges and road crossings and other small infrastructures to promote tourism diversification. These activities will be undertaken at varied time span in different project areas viz Annapurna and Manaslu Conservation Areas as well as Banke, Bardia and Shukla Phanta National Parks. Detailed activities to be supported in the first year of the Project are presented in Table 1.

Experience indicates that involuntary resettlement caused by development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks damaging the local production systems causing further impoverishment of the affected people. When people are displaced and resettled in new places, their productive resources, skills, community -based institutions, social networks and their potential for mutual help tend to diminish considerably affecting their income, employment and livelihoods. Recognizing this fact, this policy framework is prepared in consistent with the policy and legal framework of GoN and the World Bank Involuntary Resettlement Policy (O.P 4.12). The RPF policies will be applied to all subprojects and activities where land acquisition and/or resettlements take place as a result of project implementation under any of the components of the proposed STENPA Project. The potential impacts of the Project, both beneficial and adverse, are presented in Chapter 4.

## 5.2 Policy Objectives and Principles

The objective of the RPF is to assist the implementation of the proposed Project activities smoothly by taking appropriate measures to minimize the adverse impacts of the Project. The RPF makes comprehensive reference to the policies and guidelines discussed in Chapter 2 of this ESMF document to guide the process of land acquisition and resettlement at the subproject level. Specific objective of this RPF is to guide the Project to identify the impacts and assist the Project for enhanced compliance of proposed mitigation measures when private properties viz land and land-based assets as well as employment and income sources are affected. The key policy principles of the RPF are as follows.

(i)  Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.

(ii)  Where it is not feasible to avoid resettlement, it should be executed as sustainable development program and displaced persons should be meaningfully consulted and resettled, and

(iii) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

This policy covers direct economic and social impacts that result from Bank-assisted investment projects, and are caused by involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location. It also involves involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

**Policy Measures at Operational Level**

This resettlement framework has been developed in consistent with GoN policy and legal framework and the World Bank Policy on Involuntary Resettlement (O.P 4.12). The framework also looks into policy gaps and suggests measures to address them. Followings are the principles that will guide planning and implementation of involuntary resettlement at operational level and help achieve the underlying objective of this RPF.

The adverse impacts of the project induced activities/interventions would be either avoided to the extent possible or minimized. Where such impacts are unavoidable, the project-affected persons irrespective of their legal title will be assisted in regaining their standard of living.

ii) The Project will consider feasible alternative project designs to avoid or minimize displacement, placing due attention to the impacts on the people, especially the poor, disadvantaged, indigenous and vulnerable communities.

iii) Under this policy, preference will be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.

iv) In the proposed Project, the absence of formal titles will not be a bar to resettlement assistance and rehabilitation.

v) Attention will be paid to the needs of vulnerable displaced groups, especially those below the poverty line, the landless including squatters and encroachers, the elderly, women and children, indigenous peoples, ethnic minorities or other displaced persons who are not protected through national compensation legislation.

vi) The Project affected people will be adequately consulted and informed about their options and rights pertaining to resettlement and are offered choices and provided with technically and economically feasible resettlement alternatives.

vi) Consultations will be carried out and culturally appropriate livelihood supports will be provided to the affected communities, especially the vulnerable and indigenous people. Affected people including indigenous people will be identified and assisted to improve their livelihoods.

vii) No physical works will be carried out prior to the payment of compensation at replacement cost and other assistances to the affected people in accordance with this policy framework.

viii) Grievance redress mechanism will be established at the Project level to ensure timely redressal of the grievances and speedy resolution of disputes.

ix) All information related to resettlement preparation and implementation will be disclosed to all concerned, and people’s participation will be ensured during planning and implementation of the project.

## 5.3 Policy Gaps and Recommended Measures

The Government of Nepal (GoN) has its own policies and legal requirements for land acquisition and compensation while implementing the development projects. However, there are apparent gaps between the national policies and legal framework with that of the World Bank policies. These gaps, therefore, call for additional measures with further specifications for the entitlements that meet the requirements of the World Bank policies. Followings are the major gaps identified between Bank and GoN legal framework.

Table 5 - Key Policy Differences between World Bank and GoN Legal Framework

|  |  |  |
| --- | --- | --- |
| **Description** | **World Bank Policy** | **GoN Legal Provisions** |
| Land/property acquisition and compensation | Compensation to land regardless of legal ownership. | Legal ownership is required, however, registered tenants with the Land Revenue Office also acknowledged. |
| Compensation to all affected structures including encroachers | Encroachers/squatters are not entitled for compensation |
| Compensation amount/value | Compensation for affected assets at replacement value | Compensation determined by the Compensation Determination Committee (CDC); national law does is silent on replacement value |
| R&R assistance | The displaced persons of all categories (non-title holders) are entitled for R&R assistance | No provision for assistance to the project affected/displaced persons |
| Consultations and Communications | Free, prior, informed, consultation (FPIC) is mandatory when APs include indigenous people. | National law is silent on consultations, especially FPIC when the vulnerable groups/IPs are affected |

From the above information, some gaps are apparent between the World Bank policy and GoN legal provisions. The Project is suggested to implement the following measures which would not only fulfill these gaps but also meet the World Bank's requirements.

* All Project affected persons, irrespective of legal title such as encroachers /squatters will be eligible for compensation at replacement costs.
* All affected people should be assisted for livelihood improvement and entitlements should be established for each category of loss including vulnerable groups to regain the assets, income and employment.
* The Project should pay Resettlement and Rehabilitation (R&R) assistance for all displaced families/ people irrespective of legal ownership over the property.
* All land and non-land assets should be compensated at replacement value without deducting depreciation.
* This policy places emphasis on regular consultations with the affected groups and makes FPIC mandatory when vulnerable groups/IPs are affected.

**Land Acquisition Approaches:** Different approaches are practiced for land acquisition in Nepal for the development works. These include mainly the followings.

*Acquisition through Formal Procedure*: GoN can acquire the land through a formal procedure as per the Land Acquisition Act (1977). The Act empowers the government to acquire any land, on the payment of compensation, for public purposes or for the operation of any development project initiated by government institutions. The acquisition and compensation of privately-owned land and assets are completed according to a formal procedure which is broadly as follows.

* Preliminary Officer from the Project initiates acquisition procedures;
* Investigation of land for acquisition (area selection, land size/ type, quality of land etc) is carried;
* Formal acquisition notification issued to the land owners;
* Formation of Compensation Determination Committee (CDC) and land price fixation is completed;
* Compensation notification and payment; and
* Appeal procedure.

*Acquisition through Negotiation:* The Land Acquisition Act (1977) also includes a provision for acquisition of land through negotiations and thus provides space for voluntary donation. Clause 27 of the Act states that "notwithstanding anything contained elsewhere in this Act, the Government may acquire any land for any purpose through negotiations with the concerned land owner. It shall not be necessary to comply with the procedure laid down in this act when acquiring land through negotiations."

*Willing Buyer Willing Seller:* Land acquisition can also be made based on willing buyer and willing seller. Under this, the agency willing to acquire land will follow the Public Procurement Act, 2007 which involves certain procedures viz publication of notice, application by land owners willing to sell their land, review the application/ proposal, negotiation of rate, compensation payment and ownership transfer.

*Voluntary Donation:* The community in Nepal has the tradition of voluntary donation of a part of their land for development works if such donations provide direct benefits to the people and communities. In case of the proposed tourism project, voluntary land donation is likely to be the most common mode of using land for different purposes viz road and trail improvement/widening, construction of bridges, last mile roads, community buildings for tourism purpose, construction of toilets and sanitation facilities, garbage disposal etc.

*Leased Land*: The Project or its grant recipients may use leased land for subproject implementation. However, this should comply with the conditions specified in the contract document and such contract document should have been prepared as per the legal provision of Nepal.

## 5.4 Resettlement Planning

Resettlement planning involves set of actions from screening to social assessment and preparation resettlement plan, livelihood improvement plan, vulnerable or indigenous people plan, gender action plan etc. All these plans will contribute not only to address adverse impacts to the affected people but also help restore and improve their livelihoods. The proposed Project should adopt the following planning procedures to address resettlement issues.

Although resettlement planning and implementation takes place at community level, there must be a competent in-house mechanism within NTNC to perform all tasks on time. At central level, qualified social safeguards experts should be on board to provide continuous guidance to all the social teams working at subproject and destination / community level and they should have the capacity to undertake proper planning. This would require: i) placement of qualified social experts/officers at subproject/destination level ii) social team should have possessed all safeguards planning documents viz ESMF as well as manuals /guidelines for screening and ESMP /RAP/VCDP iii) plan for orientation to the safeguards team at local level iv) periodic meeting on safeguards among the safeguards experts, and v) proper documentation as well as monitoring and reporting of safeguards compliance.

Resettlement planning under the project will follow the procedures that involve screening, preparation of relevant plans, implementation of plans and monitoring and reporting. The normal procedures would involve following activities.

### 5.4.1 Social Screening

Social screening will be undertaken at an early stage in all subprojects which will provide necessary information on the potential social impacts likely to be encountered during implementation. The objective of social screening is to establish the need to carry out any further investigation/survey/ assessment for preparation of safeguard document like ESMPs, Resettlement Action Plan (RAP), Vulnerable Community Development Plan (VCDP), or any specific study and to provide guidance regarding social requirements and steps that needs to be taken for addressing the identified issues.

Social screening will be carried out in close consultation with various primary stakeholders - beneficiaries; affected people, women, vulnerable and indigenous people, Dalits and other local key informants. Social screening report will provide information as determined by screening checklist presented in Annex 3.

Social screening provides first stage information about the subproject area and also identifies: (i) beneficiary population living in the area by social groups (ii) land requirement and land availability for the subproject iii) number of land owners adversely affected (iv) impacts on poor and vulnerable groups including needs and priority for social and economic betterment, (v) ) risks related to GBV in terms of women’s safety/security, vulnerability and chances of activities related to sex tourism, and vi) other impacts, if any. Social screening reports are crucial to decide whether or not a particular subproject should be considered under the project. A particular subproject or activity will be considered for funding under the proposed tourism Project only if the social screening confirms that the subproject i) does not result in serious adverse impacts to the people/communities ii) the impacts are manageable as per the ESMF, and iii) the subprojects take into account the social considerations in the design.

If the screening identified adverse social issues /impacts due to the project interventions, social management plans need to be developed to address the impacts. Each adverse issue/impact needs to be analyzed in detail and appropriate mitigation measure will be put in place. The social management plans also commonly known as SMP or ESMP/EMP while integrated with environmental plans will be developed in a matrix along with detailed cost, management strategies and implementation timeline.

### 5.4.2 Social Impact Assessment (SIA)

In case screening result showed adverse social impacts to larger communities including the indigenous and vulnerable people, the Project will undertake a survey for identification of the persons and their families likely to be affected by the project or subproject. Every survey shall contain municipality or ward (Palika) / village-wise information of the project affected families as follows.

* Information on socio-cultural and economic condition including livelihoods of the people in the subproject area.
* Details on the presence of various social groups including vulnerable and indigenous people, their mutual dependences and supports.
* Members of families who are residing, practicing any trade, occupation or vocation in the project affected area and livelihood sources.
* Project affected families who are likely to lose various properties by types i.e. house, commercial establishment, agricultural and other land, employment, income wholly or partly from the main source of their trade occupation or vocation.
* Households losing access to private property or common property resources/ natural resources.
* Perceptions of affected families/households about compensation of their lost properties with their choices for resettlement.
* Presence of other stakeholders working in the area which could be the potential partners during planning and implementation of the project such as Government agencies, INGOs/NGOs, community-based organizations etc.
* Incidence of any domestic violence or GBV/SEA in the area and mechanisms that exist for prevention, mitigation and response on these, including NGOs/CBOs actively engaged in these issues.
* Presence of trafficking for labor works, sex and any other activities and perception of communities.
* Presence of sex tourism in the area and observation on the chances of using tourism infrastructure for sex tourism including perception of the community and women in general.

The social impact assessment (SIA) or social assessment (SA) will be carried out using sound methodology with adequate sample size of the households. The purpose of undertaking a good assessment is to inform the project authority about the project or sub-project area on potential social and environmental risks and other aspects and enable them to take decisions on further steps of social planning. The project on completion of the survey will disseminate the survey results among the affected community.

***Resettlement Instruments***

## 5.5 Social Management Plan

Social management plan (SMP) quite often known as ESMP/EMP, while combined with environmental part, is the key planning document that serves as good guideline to implement the measures to address social issues. The requirement of an ESMP or other plans such as RAP, VCDP or GAP is determined by a good social screening which provides clear feedback on the types of project impacts to the people and communities. In most cases, when the project’s impacts are minor requiring no acquisition of land or land- based assets, an /ESMP is enough to identify and address the social impacts and issues.

An ESMP, in general, should collect adequate information with the help of screening checklist and discussions with the local people. It should provide information both on the existing situation, likely impacts and mitigation measures and should come out as follows.

* Subproject description
* Objectives and scope
* Methodology
* Existing social setting (demographic features, social groups including vulnerable groups and indigenous people, social infrastructures and services/facilities)
* Subproject impacts and losses (on land, land-based assets, productive and other resources etc.)
* Compensation and livelihood support measures to the affected communities/people
* Enhancement measures for positive /beneficial impacts of the project
* Grievance Redress Mechanism
* Budget for compensation and other assistances
* Timeline and implementation plan
* Monitoring and reporting

## 5.6 Resettlement Action Plan

The envisaged activities and scope of the Project are not clearly identified and known at present. According to NTNC, only three subprojects mainly the trekking trails to be implemented in the first year are known and these locations belong to ACA and MCA. However, the types of impacts to the local people by these subprojects have not been identified so far. Similarly, the need of a SIA (Social Impact Assessment) or RAP (Resettlement Action Plan) for these subprojects is not fully known. In such case, this resettlement policy framework has been developed as part of ESMF which will provide guidance in case some adverse impacts are identified at a later stage requiring a particular type of plan. Where impacts on the entire displaced population are minor[[5]](#footnote-5), or fewer than 200 people are displaced, an abbreviated resettlement plan may be agreed with the borrower. In case more than 200 persons are impacted, a full-fledged RAP will be prepared along with detailed entitlements. This will, however, be determined at a later stage when the construction activities including the detailed design of the trails are well known. A RAP, irrespective of the size and scale of the affected households and population, is envisaged to be based on census survey of all affected people providing the details of the losses and entitlements.

Based on the social impact assessment, the project will prepare an action plan to mitigate or minimize the adverse impacts and the draft resettlement action plan (RAP) will be disseminated among the affected individuals / community. The feedback received from the affected groups will be incorporated to the extent possible before finalization of the RAP. Every-draft Resettlement Action Plan (RAP) prepared shall contain the followings:

* The extent of area to be acquired for the Project, the name(s) of the corresponding village(s)/municipality area/Palikas and the method employed for acquiring land with the relevant documentation.
* Palika/Village wise or municipality wise list of project affected families and likely number of displaced persons by impact category.
* Household/family-wise and by type of land and immovable property in their possession indicating the survey numbers thereof held by such persons in the affected zone.
* Socio-economic survey (census) of affected people including income/asset survey.
* A list of agricultural laborers in such area and the names of such persons whose livelihood depend on agricultural activities.
* A list of persons who have lost or are likely to lose their employment or livelihood or who have been alienated wholly and substantially from their main sources of occupation or vocation consequent to the acquisition of land and / or structure for the project.
* Information on vulnerable and indigenous groups or persons for whom special provisions may have to be made.
* A list of occupiers including squatters/encroachers, if any.
* A list of public utilities and government buildings which are likely to be affected.
* A comprehensive list of benefits and packages which are to be provided to project affected families by impact category.
* Details of land available which may be acquired in settlement area for resettling and allotting of land to the project affected /displaced families.
* Details of the basic amenities and infrastructure facilities which are-to be provided for resettlement.
* Comprehensive Entitlement matrix providing details of entitlement by types of losses (compensation, R&R assistances, other livelihood supports viz training, inputs etc.).
* Time schedule for shifting and resettling the displaced families in resettlement zones.
* Grievance redress mechanism and their resolution.
* Institutional mechanism for RAP implementation.
* Details of resettlement budget, and
* Monitoring and evaluation indicators and mechanism.

A sample table of contents (ToC) for RAP is provided in Annex 8.

## 5.7 Voluntary Land Donation

In the proposed Project, major land acquisition and displacement will be avoided to the extent possible. However, minor land requirements will be fulfilled through voluntary donations, which are envisaged to be minimal without economic or physical loss and displacement. Hence minimal impacts, if any, are expected in the Project. In rare cases, where land is required, the following principles related to voluntary land donation will be applied:

* The potential donor or donors have been appropriately informed and consulted about the project and choices available to them.
* Impacts of proposed activities on donated land must be fully explained to the donor.
* Potential donors are aware of that refusal is an option, and that right of refusal is specified in the donation document the donor will sign.
* All family members (including spouses) must be aware of the donation, to minimize the risks of women users of the land to be donated being passed over in decision-making on land donation and the risks of cross-generation conflicts.
* The act of donation is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities.
* The amount of land being donated is minor (normally less than 10% of the total land holding) and will not reduce the donor’s remaining land area below the level which is required to maintain the donor’s livelihood at current levels.
* Consultations with the affected households are conducted in a free and transparent manner; this needs to be complied fully with free, prior, informed consultation (FPIC) approach in case the donors are indigenous or vulnerable people.
* The borrowers will maintain a transparent record of all consultations and agreements reached.
* The individuals / households making voluntary donation will be considered as direct beneficiaries of the project.
* Impacts do not result in displacement or impoverishment of households or cause loss of household incomes and livelihoods.
* In case of nontitle holders, the PAPs will be considered as land donor and the process should offer them necessary compensation/ as title holder
* A memorandum of agreement will be established as a means of recording the location and size of land being donated as well as the written consent and names of local witnesses for those community members donating lands voluntarily.
* Verification mechanism will be in place to monitor and report on any violation of commitment to only use voluntary land donation by the Project.

A sample format of land donation and agreement between donor and the Project or land users is provided in Annex 11.

## 5.8 Eligibility, Assets Valuation and Entitlements

### 5.8.1 Eligibility

The World Bank Policy on Involuntary Resettlement Policy (O.P 4.12) makes it mandatory to pay compensation at replacement costs to both titled and non-titled holders (i.e. squatters, encroachers and tenants) and resettlement assistance for lost income and livelihoods. In the proposed project, the absence of formal titles will not be a bar to resettlement assistance and rehabilitation. However, the non- title holders, especially the squatters and encroachers, will be compensated for their structures only and not the land where they have been living[[6]](#footnote-6).

The principles adopted herein contain measures and assistance for any vulnerable affected person (AP). Persons affected by land acquisition, and relocation and/or rehabilitation of structures/assets (businesses, houses, etc.) are entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including social and economic vulnerability of the affected persons. Thus, the affected persons in the project will be entitled to various types of compensation and resettlement assistance that will help in the restoration of their livelihoods, at least, to the pre-project levels.

The cut-off date for title holders is based according to the Land Acquisition Act, and for non-titleholders the date of the census survey. Those who encroach into the subproject area after the cut-off date will not be entitled to compensation or any other assistance.

### 5.8.2 Assets Valuation

Valuation of affected assets is critical while determining the compensation to the affected families, and this calls for census survey of all families affected. All assets that will be affected, as identified by the survey teams, will be properly recorded and verified in the presence of the concerned persons and families. The detailed measurement survey of land and/or non- land assets will be used for determining actual impacts, and replacement cost surveys (or asset valuation) will be carried out. This information will be used by CDC for the determination of compensation or used to inform the negotiation of land value between the CDC and land owner as per the LAA.

The valuation of affected assets will be undertaken by the District-level Compensation Determination Committees (CDCs) of the government and the compensation will be determined on the basis of replacement cost.[[7]](#footnote-7) Replacement cost is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. Normally, the valuation of land and other properties will take into account the followings.

* Market /replacement value of land by types of land
* Transaction costs involved in purchasing land i.e. registration/ transfer fees and other costs
* Replacement value of structures and facilities without deducting depreciation
* Prevailing wage rates for construction of structures
* Value of trees/fruits/ orchards based on the rates of concerned agricultural/forest offices

The CDC for the project activities will be the district level Compensation Determination Committee constituted by the Government of Nepal as per the law. The Project Director or Project staff will represent the project in the committee and the decisions of the committee will be binding to all. Similarly, the committee will also be represented from among the PAFs to raise voice and do negotiations during assets valuation and determining the compensation.

### 5.8.3 Entitlements

The Entitlement Policy specifies compensation and/or rehabilitation measures for two units of entitlement; individuals (i.e. affected individuals and their households) and groups. Entitlements for each type of APs are based on the types and levels of losses. Generally, the entitlements under this project cover the followings.

* Full compensation of lost land and other assets at replacement value to the title holders. In case of vulnerable group (IPs, Dalits, socio-economically poor, women headed family), preference will be given for land compensation, if available.
* Resettlement and rehabilitation assistances as per the framework or RAPs as applicable.
* Compensation to non -title holders as per the framework or RAPs as applicable.
* Compensation to the tenants as per the law i.e. 50% of the value.
* Compensation to lost land even if the owners have no formal legal rights to land at the time of the census but have a recognizable legal right or claim to such land or assets, and
* Compensation to the land that has been used by affected persons under lease with written agreement

A generic entitlement matrix by type of loss is provided at the end of this chapter. The Project will prepare site specific Resettlement Plan (s) with detailed entitlements in case the activities under the Project required such plans. However, in absence of that, if the Project required compensating for minor damage or other losses, the Project will comply with the provisions provided in this entitlement framework. Where the entitlement matrix does not cover a particular impact, it can be enhanced in the resettlement plans based on the findings of the socio-economic assessment and detailed measurement survey.

## 5.9 Consultations, Participation and Disclosure

### 5.9.1 Consultations and Participation

Consultations are the corner stone for successful planning and implementing the social management plans viz SMPs, RAPs, VCDP, GAP etc. This section outlines the consultation mechanism, particularly for the preparation of RAP and its implementation. Public consultation will include both local governments and civil society where the affected people would be regularly provided with information on the project and the resettlement process prior to and during the preparation for resettlement actions. Mechanisms of consultation and participation will include mainly the followings.

* Public meetings in the project area, especially with the affected families/ communities
* Interviews/surveys with the affected households/families to determine the losses/impacts
* Focus group discussions with the affected groups viz owners of affected properties, their perceptions about compensation and resettlement
* Information/ awareness campaigns through different medias
* Interactions with local government bodies i.e. Palika offices/ district offices as necessary
* Grievance handling and management

Consultations should be undertaken to enable maximum participation of the affected people where they can raise their concerns. PAPs’ participation should also be ensured during final assessment of compensation, resettlement and monitoring. Details of these consultations including dates, names of participants, issues raised and how these have been addressed will be documented in the subproject SMPs/ RAPs or VCDPs.

### 5.9.2 Information Disclosure

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In consistent with the Bank’s policies, the summarized reports of social plans including ESMF will be made available in Nepali language to the project offices, affected people and beneficiaries. Local NGOs and public offices in the project site will be provided copy of ESMF by PMO. The draft and final ESMF will be disclosed in the websites of (World Bank Infoshop and Project website) and concerned Municipalities/Palikas and public places).

For all activities under the Project, information will be disseminated to beneficiaries at various stages. In the initial stage, the Project office will be responsible for informing potential stakeholders/affected parties/persons (APs) and the general public about land acquisition requirements through leaflets and publication in local media outlets and newspapers. The Project with support from its site offices will conduct consultations and disseminate information to all beneficiaries during the initial stages to create awareness about the project and inform the people about project impacts and mitigation measures.

Table 6 - Entitlement Matrix

|  |  |  |  |
| --- | --- | --- | --- |
| **Losses by Type** | **Applicability** | **Entitled Persons/ Family** | **Policy/Entitlements** |
| 1.1 Acquisition  of private, tenancy, or  Guthi land | Entire or part of  land to be  acquired from  owner of the  land as recorded  at cut-off date | * Titleholder * Tenants | 1. Land of equivalent size and quality (if available), or cash compensation at replacement value.   ii) Any transfer costs, registration fees or charges to be borne by the project.   1. Legal tenants will be entitled for compensation as per the law. 2. If remaining land becomes unviable as a result of land acquisition, land owner will have an option to relinquish the remaining parcel (s). 3. For loss of income due to land loss, one year of minimum agricultural wages as assistance towards loss of income. 4. One-month advance notice for harvesting standing crops and if not possible, pay compensation for the crop loss. 5. Training for skill upgradation to encourage for self- employment to restore the livelihood. |
| 1.2 i) Loss of land | Permanent loss | * Non-title holders (Long term or traditional land users rights with claims to land – provided that such claims are recognized under the law) | 1. Land of equivalent size and quality (if available), or cash compensation at replacement value. 2. Compensation for the structures and other assets lost in the area 3. Other assistances (cash and non-cash) necessary to support the affected persons/families |
| 1.2 ii) Loss of land | Permanent loss | * Non -title holders (squatters/   encroachers) | 1. 60 days advance notice to shift from occupied land   ii) Assistance in finding alternative land |
| |  | | --- | | 2. Temporary  loss of land | | Temporary land  taken by the  sub-project | * Titleholder/ Non- title holders * Tenants | i) One-month Prior notice before civil works allowing the owners to salvage their assets and crops.   1. Compensation for any damage caused to structure/assets or standing crops (The contractor will be responsible for compensating for any temporary damage to property business, assets, crops and trees during civil works which will be reflected in the contract agreement |
| 3. Loss of  residential,  commercial,  and other  structure | Structures, buildings  including cattle  shed, walls, toilets etc. affected by the  sub-project | * Owner/Title holders * Tenants * Non-titled (encroachers and squatters | 1. Compensation for full or partial loss at replacement cost of the affected structure(s) to both title holders / non-title holders. 2. Transportation allowance for residential and commercial structures to cover actual transportation cost. 3. Rental allowance equivalent to three months of agriculture wage income as one time grant to the affected family losing residence.   .   1. Non-title holders will not be provided any compensation for land, but will be provided replacement value for the structure. |
| 4. Loss of  community  structures  and/or resources | Community  facilities (e.g. irrigation, water, public places, schools etc.) affected by  the sub-project | * The users of the   facility or  community or  group | 1. Reconstruction of similar facilities in an equal or better condition than they were before, or 2. cash compensation to the legal/ community custodians at full replacement cost without depreciation of deduction for salvaged material; or 3. Negotiated relocation of similar facilities in consultation with the community |
| 5. Loss of  trees and  crops | Affected fruit/orchard | * Owner of the * affected fruit/orchard | i) Cash compensation based on annual value of the produce and calculated according to Department of Agriculture (DOA) norms.  ii) Three months of minimum wage amount to the affected family against loss of future income from fruits/orchard |
| Affected timber  and fodder trees | * Owner of the * affected timber and * fodder trees | iii) Cash compensation based on calculation of the production and calculated according to the district norms as decided by the Department of Forestry   1. iv) One month of minimum agriculture wage amount to the affected family as assistance against loss of income. |
| Affected crops | * Owners and sharecroppers of * affected crops | v) Cash compensation based on local market prices for the produce of one year and calculated as per the norms of District Agriculture Development Office  vi) 50% cash compensation of the lost crop for the sharecroppers/legal tenant *(Mohi)*  vii) Non-titled persons will be informed 6 months prior to construction or provide compensation for crops. |
| 6. Business disruption losses compensation | Permanent business | * Permanent business (Shops/trade/other business) | It has been assumed that there will be no full closure of the business/ shops due to the project activities during construction/rehabilitation period. As a result, only partial disruption to some businesses is expected. A onetime grant equivalent to one week’s earning (Rs. 2000.00 X 7 days) = Rs.14000.00 shall be compensated at minimum to those losing income from shops/ trade. |
| 7. Loss of  economic  opportunity | Economic  opportunity lost  as result of loss  of livelihood  base | * Persons in the sub project vicinity who may be affected adversely but may   not lose assets | 1. Preferential involvement in project construction works 2. Skills training support for economic restoration 3. One-time grant equivalent to three months of minimum agricultural wage in case of loss of livelihood. |
| 8.Assistance to Vulnerable Groups | | | |
|  | 8.1. Preferential treatment in employment in project activities | * All Affected Persons with priority to the vulnerable and poor people | 1. Construction contract document shall include provision to provide priorities to vulnerable APs in wage/labor employment during construction. 2. APs shall be given priority for maintenance works after construction |
|  | 8.2 Priority in poverty reduction/social development program | * Vulnerable and poor people especially women. | 1. Participation of vulnerable (women and disadvantaged) and poor people in life skills, income generation, and other entrepreneurship activities facilitated by the project |

# **Chapter 6: Vulnerable Community Development Framework**

## 6.1 Introduction

The proposed project will make investment in diverse tourism activities in the defined project areas which would contribute to the promotion and growth of tourism. During implementation, the project may affect indigenous and vulnerable people and communities both positively and adversely. While the positive impacts will contribute to bring improvement in the livelihoods of the vulnerable people, the adverse impacts will lead to further impoverishment of these people. Not only this, the interventions may also result in discriminatory impacts causing further hardships and difficulties in the livelihoods of poor and vulnerable groups including indigenous people and Dalits, if the project activities/intervention are not aligned well with their needs and aspirations. .

Taking into account the above reality, this Vulnerable Community Development Framework (VCDF) has been developed to apply in the project destinations and subprojects to be supported under STENPA Project. The underlying purpose of this framework is to help develop systematic procedure of identifying project's impacts on vulnerable people and develop mechanism for meaningful consultations, participation, information disclosure as well as deploying strategic measures to address the impacts. The framework also provides measures to develop culturally appropriate assistances and supports to the target groups in accordance with their priorities and needs. This framework is based on the national policies/strategies as well as the World Bank’s Indigenous Peoples Policy. The principal objectives of the framework are to:

* ensure that project benefits are accessible to the vulnerable communities of the project area;
* avoid adverse impacts on vulnerable communities and if unavoidable ensure that adverse impacts are minimized and mitigated;
* ensure that the project engages in free, prior, and informed consultation with affected Indigenous Peoples and other vulnerable communities;
* ensure vulnerable peoples’ participation in the process of preparation; implementation and monitoring of the sub-project activities;
* minimize further social and economic imbalances within communities; and
* develop appropriate training / income generation activities in accordance to their own defined needs and priorities.

## 6.2 Rationale

Based on the available information of the project area and the likely interventions, the project activities are unlikely to have major adverse impacts on vulnerable communities (VCs) which include indigenous people *(Janajatis*), Dalits, small and marginal farmers, women, landless and very poor. However, as the subproject interventions and the locations are not clearly known at this stage, the possibility of VCs or IPs getting impacted adversely during implementation cannot be fully ruled out during implementation.

The proposed tourism project sites are scattered in different locations comprising of different caste and ethnic groups. Because of multi-ethnic and caste composition where difficulties arise in separating indigenous population with vulnerable groups, the Bank funded projects often resort to the preparation, endorsement and implementation of Vulnerable Community Development Plan (VCDP) which is often interchangeable to IPDP. For this Project, VCDPs will be prepared for each destination.

## 6.3 Legal Framework and Policies

Both the Government of Nepal (GoN) as well as the World Bank have their respective policies and framework that are designed to safeguard the indigenous and vulnerable people from getting exposed to higher risks and vulnerabilities while implementing development projects. These policies are quite clear and compatible in taking measures to protect the vulnerable people from potential adverse impacts while implementing the development projects.

### 6.3.1 GoN Policies

In the Nepalese context, vulnerable communities are those groups of people who are generally living in remote locations and constitute commonly the landless, marginal farmers living below subsistence level and often ex-*kamaias bonded* laborers’). These groups have no or limited access to public resources, and they rarely participate in national planning and policy as well as in important decision-making processes or in local development initiatives.

Nepal is a country with diverse social and cultural groups. The National Foundation for the Upliftment of *Adivasi/Janajatis* Act, 2058 (2002) is the formal entity recognized by the Government to hear the voices of indigenous people and address them properly. Ever since its existence, the foundation has come across long way in crafting and reforming policies and legal provisions for the combined interests of indigenous people.

The National Human Rights Action Plan 2005, the Environmental Act 1997, and the Forest Act 1993 have also placed emphasis on the protection and promotion of vulnerable groups in general and IPs’ knowledge, and cultural heritage in particular. In 1999, the Local Self-Governance Act was amended to devolve more power to the local political bodies, including authority to promote, preserve, and protect the IPs’ language, religion, culture, and their welfare.

Nepal is a signatory to ILO convention on Indigenous and Tribal Peoples, 1989 (No.169). As a member country of this convention, The Government shall have the responsibility for developing actions to protect the rights of these peoples and to guarantee respect for their integrity. Besides, indigenous and tribal peoples shall enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination and no form of force or coercion shall be used in violation of the human rights and fundamental freedoms of the peoples concerned, including the rights contained in this Convention.

Nepal is currently implementing 14th three-year plan (FY 2073/ 74-2075/76). The plan, in consistent with the fundamental rights guaranteed in the constitution, has made commitment in providing access to the indigenous and other vulnerable people of their fundamental rights based on the principles of equity and social justice. In order to make the constitutional provisions effective, the Government, as per the spirit of the constitution, has formed various commissions viz national women commission, national Dalit commission and national commission for indigenous people, Medheshi people and Muslim people.

### 6.3.2 World Bank Policy

This World Bank policy on indigenous people is aligned with poverty reduction and sustainable development ensuring that the development process fully respects the dignity, human rights, economies, and cultures of indigenous peoples. For all projects that are proposed for Bank financing and affect indigenous peoples, the Bank requires the borrower to engage in a process of free, prior, and informed consultation.

The Bank recognizes that the identities and cultures of Indigenous Peoples are inextricably linked to the lands on which they live and the natural resources on which they depend. These distinct circumstances expose Indigenous Peoples to different types of risks and levels of impacts from development projects, including loss of identity, culture, and customary livelihoods, as well as exposure to disease

According to World Bank, indigenous peoples are frequently among the most marginalized and vulnerable segments of the population. Because of this, their economic, social, and legal status often limits their capacity to defend their interests and rights to lands, territories, and other productive resources, and/or restricts their ability to participate in and benefit from development. As per the Bank, the indigenous people refer to those with distinct identity in terms of:

* Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
* Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
* Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
* An indigenous language, often different from the official language of the country or region.

## 6.4 Indigenous People and Vulnerable Groups

In Nepal, the term indigenous people (*Adibasi*) equates with ethnic groups (*Janajati*). The constitution of Nepal recognizes indigenous people as *Janajatis* or Nationalities. The National Foundation for the Development of Indigenous Nationalities (NFDIN) has defined indigenous people as ‘those ethnic groups or communities who have their own mother tongue and traditional customs, distinct cultural identity, distinct social structure and written or oral history of their own’. Based on this definition, NFDIN has identified 59 groups in Nepal as ethnic indigenous groups or nationalities.

Table 7 - Presence of Indigenous Groups by Regions

| **Regions** | **Indigenous Groups** | **Total No.** |
| --- | --- | --- |
| Mountain | BarahGaunle,Bhote,Byansi,Chhairontan,Dolpo,Larke,Lhomi(Shingsawa),Lhopa,Marphali,Mugali,Siyar,Sherpa,Tangbe,Thakali,Thudam,Topkegola and Wallung. | 17 |
| Hills | Baramo,Bhujel,Chepang,Chhantyal,Dura,Fri,Gurung,Hayu,Hyolma,Jirel,Kusunda,Lepcha,Limbu,Magar,Newar,Pahari,Rai,Sunuwar,Surel,Tamang,Thami,Kumal,Yakkha and Tin Gaunle Thakali. | 24 |
| Inner Terai | Bankaria, Bote,Danuwar,Darai,Majhi,Raji and Raute. | 7 |
| Terai | Dhanuk(Rajbanshi),Dhimal,Gangai,Jhangad,Kisan,kushubadia,Meche,Rajbanshi(Koch)Satar(Santhal),Tajpuria and Tharu. | 11 |
|  | Total | 59 |

*Source: NFDIN, Indigenous Nationalities Bulletin (Issue 3) 2005.*

Indigenous peoples have their wide presence in many districts of Nepal. Among the identified groups, the highest 24 groups have settled in hills followed by 17 groups in mountain, 11 groups in terai and 7 groups in inner terai.

*Adhibasi/Janajati* among themselves are diverse groups who also differ considerably in terms of socio-economic conditions. NFDIN has further classified these groups in five different categories mainly by their livelihoods or economic conditions. According to NFDIN, these constitute the followings:

1. ***Endangered groups*** viz Bankariya, Kusunda, Kushbadia, Raute, Surel, Hayu, Raji, Kisan, Lepcha, Meche (10 groups)
2. ***Highly marginalized groups*** viz Santhal, Jhangad, Chepang, Thami, Majhi, Bote, Dhanuk (Rajbansi), Lhomi (Singsawa), Thudamba, Siyar (Chumba), Baramu, Danuwar (12 groups)
3. ***Marginalized Groups*** viz Gangai, Dhimal, Bhote, Darai, Tajpuria, Pahari, Dhokpya (Topkegola), Dolpo, Free, Magal, Larke (Nupriba), Lhopa, Dura, Walung (20 groups)
4. ***Disadvantaged Groups*** viz Jirel, Tangbe (Tangbetani), Hyolmo, Limbu, Yakkha, Rai, Chhantyal, Magar, Chhairotan, Tingaunle Thakali, Bahragaunle,Byansi, Gurung, Marphali Thakali, Sherpa (15 groups)
5. **Advanced Groups** viz Newar, Thakali (2 groups)

In addition to the indigenous groups, there are also substantial numbers of other groups that are not included in the indigenous category but identified by the GoN as marginalized groups, e.g., Dalits and Madhesis. The National Dalit Commission defines Dalits as most deprived social groups in the country, comprising some 13% of the total population. Recently, the government has passed National Dalit Commission Act, 2074 (2017) which was adopted to protect, preserve and promote the human rights and interests of the Dalit community and to reduce discrimination derived from caste-based bias.

The 2001 census has listed 15 different Dalit castes, while the National Dalit Commission in 2002 prepared a schedule of 28 social groups. Dalits generally tend to lag behind other groups in every human development indicator, as well as in terms of representation in state mechanisms. Countrywide, about 4.5 million Dalits are estimated to live below the poverty. The status of women, children and girls among Dalits are particularly worse.

Table 8 - Dalit Communities of Nepal

|  |  |  |
| --- | --- | --- |
| **Hill Group** | **Newar Group** | **Tarai Group** |
| Badi, Chunar, Damai, Gaine, Kadara, Kami, Parki, Sarki, Sunar (9 groups) | Chyame, Kasai, Kuche, Kusule, Pode (5 groups) | Bantar, Chamar, Chidimar, Dhainr, Dom, Dusadh, Gothe, Halkhar, Jhangad, Khatawe, Lohar, Musahar, Paswan, Tatma (14 groups) |

Source: National Dalit Commission, 2002

Different indigenous groups living the the priority project destinations are Gurung, Thakali, Loba, Lama, Magar in Annupurna and Manaslu Conservation Areas. In case of the buffer zone of National Parks, Tharus are the predominant indigenous groups.

## 6.5 Potential Impacts

The forthcoming tourism project include four components and several sub-components. The Project interventions for planning, management, training and skill enhancement will help improve local level capacity benefiting largely to local people. On the other hand, the civil works to be implemented under the Project may potentially affect the local people due to land acquisition and resettlement. The construction activities, which are envisaged to be minor and limited in the project, may particularly impinge on vulnerable communities living in the buffer zones and conservation areas. Issues of resettlement, land acquisition and impoverishment of vulnerable groups, if they occur at all due to project activities, shall be addressed in meaningful way. The VCDP framework, therefore, serves as guidance to project implementing agencies to develop appropriate vulnerable community development plans (VCDPs) in case these groups are affected adversely during the process of project implementation. The VCDP Framework will be applicable to all destinations and subprojects.

### 6.5.1 Beneficial Impacts

The proposed tourism project will have positive impacts to the local people including the indigenous and vulnerable groups of the project area. In most subproject sites of the proposed tourism project where project interventions are made, the local people including the vulnerable and indigenous people will realize the benefits as these groups tend to be the direct beneficiaries. The beneficial impacts of the project will occur in different ways as outlined below.

* Improved access to transport facilities in the conservation areas, Parks and the buffer zones;
* Increased employment and income opportunities generated by project activities including civil works viz trails/ trekking routes, suspension bridge, last mile roads and other construction works;
* Increased opportunities for production and marketing of local farm and off-farm products. The demands for local products will come from labor work force engaged in construction works during implementation. In long run, increased flow of tourists and increased growth of hotels /restaurants will create demands of local products;
* Increased land value due to improved accessibility i.e. trails, road, bridges and other facilities created by the project;
* Increased opportunities for business/ trade of local as well as non-local products and materials as well as several services and facilities;
* Increased opportunities to promote cultural tourism utilizing the rich cultures and traditions of the indigenous people viz Gurung, Thakali, Loba, Lama, Magar, Tharu etc.
* Capacity building of local people and user groups involved in construction works (up-gradation of skills, knowledge etc.)

### 6.5.2 Adverse Impacts and Mitigation

The subproject activities and interventions are not expected to cause long lasting adverse impacts to the IPs and VCs. Any adverse impacts to these people will be explored, analyzed and categorized at the early stage so that they will be mitigated in appropriate way. The screening of sub-projects, as provided in this chapter, will provide all information at the early stage to determine the impacts including: (i) the extent of land required (both permanent and temporary), number of IP/VC households affected including physical displacement, if any, (ii) impacts resulting in increased vulnerabilities and risks of IPs/VCs iii) adverse impacts on health and sanitation iv) impact causing gender based violence and v) other caste/ethnic and gender based impacts. All impacts mentioned above will be assessed and examined in details in an IPDP/VCDP and mitigated in meaningful way. Where relevant, the impacts on physical and economic displacement of the households will be addressed as per the RPF of this framework. In addition to that, the affected households and communities will be provided additional supports to restore the livelihoods of the IPs/VCs.

## 6.6 Impact Assessment Procedure

The Project destinations identified for supports are Annapurna and Manaslu Conservation Areas in hills and mountains and Banke, Bardiya and Suklaphant National Parks in the Western terai. Given the predomination of indigenous people in these areas, the VCDPs will be prepared for priority destination level. Following procedures will be applied in preparing VCDPs.

1. ***Screening***

Screening is the initial stage action to determine the magnitude of impacts on indigenous and vulnerable groups by subproject activities. It provides information on (i) the beneficiary population living in the impact area (ii) the extent of land required and land owners affected (if applicable); (iii) impacts on poor and vulnerable groups including needs and priorities for social and economic betterment; and (iv) other social impacts. The screening report will also provide information about the potential damage / loss of community structures/ facilities, cultural and heritage sites. A sample screening checklist for the preparation of VCDP is provided in Annex 12.

The screening also helps determine the categories of impacts on indigenous and vulnerable groups. The impacts on IP/VCs will be considered significant or "Category A" if the interventions affect negatively on: i) customary rights of the people on land and natural resources ii) cause changes on the socio-economic status iii) affects the cultural and communal integrity iv) affects health, education, livelihood, and social security status and v) alters or undermines the recognition of indigenous knowledge.

1. ***Social Assessment***

If the social screening revealed adverse impacts on indigenous and vulnerable groups, the project requires to undertake a comprehensive social assessment. The assessment is a systematic process to evaluate the project's potential positive and adverse effects on these people and explore design alternatives where adverse impacts are significant. The SA process involves various methods of information collection such as interactions/ focused groups discussions with various stakeholders including FPIC with the IPs/VCs that result in broad community support to the Project. Consultations and communications are of critical importance during SA process which allows opportunities to hear the voices of the people from IP/VC groups and make changes in the design if required during planning stage.

1. ***Preparation of VCDP***

When screening and SA determine the impacts on IPs/VCs, another step is to prepare the IP/VC plan based on SA report and further information collection as required. An IPDP or VCDP is prepared not only with the aim to help mitigate the adverse impacts to these people but also considers other interventions that will contribute to improved livelihood opportunities of the groups.

The IPDP/ VCDP will include mitigation measures of potential negative impacts through modification of project design and development assistance to enhance distribution of project benefits. In case of land acquisition or structural losses in vulnerable communities, the Project will ensure that their rights will not be violated and that they will be compensated for the use of any part of their land or property in a manner that is socially and culturally acceptable to them. The compensation measures will follow the RPF of the Project.

**Contents of an IPDP/ VCDP**

A typical IPDP/VCDP will have generally the following contents. These are, however, subject to differ depending on the type and nature of project.

|  |
| --- |
| i). Description of the Sub-Project and implications on local IP/VCs and their number impacted negatively and losses due to project interventions.  ii) Natural resources and assets holding of the households, land tenure and livelihood, resource base of the affected households/communities;  iii) Consultations with vulnerable groups to ascertain their views about project design, project impacts (both positive and adverse and proposed mitigation measures and outcomes of consultations;  iv) Proposed community based activities and assistance to these groups, including training for skills enhancement to promote self- employment and income generation;  v) Modalities to ensure regular and meaningful consultations with these groups on key issues during project preparation and implementation;  vi) Institutional arrangement and linkage with other project arrangements   1. Monitoring and evaluation within the overall social impact monitoring framework   viii) Cost estimate and financing plan  ix) Implementation schedule |

1. ***Disclosure of IPDP /VCDP***

The implementing agency is responsible for the disclosure of the framework as well as the IPDP/VCDP. It should also be ensured that the documents are available to the affected indigenous and vulnerable communities in an appropriate form, manner, and local language (Nepali and other), if required. The hard copies of the framework and plans should be disclosed at PMO, unit offices and project offices as well as in the communities. Similarly, the soft copies will need to be disclosed in the websites of the implementing agency as well as in the infoshop of the Bank.

## 6.7 Gender Development Framework

### 6.7.1 Overview

The Gender Development Plan (GDP) framework outlines the specific gender issues and indicates corresponding strategies/ intervention measures to address the issues under the Tourism Project. This will help ensure increased women’s participation and gain optimal benefits from project activities both during construction and post construction. The major tools used to identify and deal with gender issues are: gender analysis, incorporation of gender issues in project design, and gender-sensitive consultations. Gender analysis will be an integral part of the initial social assessment carried out as part of the safeguard screening and social planning. All social issues identified at the screening stage including gender issues of the subproject area will be assessed during the preparation of the subproject investments plans and adequately addressed during implementation.

The proposed nature-based tourism development project offers ample scope to absorb sizable number of women and men through the generation or expansion of diverse income generating activities in the subproject sites. In case of tourism, especially on mountain trekking in ACA and MCA, women of indigenous groups, namely Gurung,andThakali are traditionally the key actors playing important role in hotel and homestay business and there are opportunities to diversify and expand their business in future. Similarly, Tharu women living in the buffer zones of Banke, Bardiya and Shuklaphanta National Parks could be involved as entrepreneurs in operating tourism based small and medium enterprises. In order to tap these potentials, gender-informed approaches will be mainstreamed in the design and implementation of the project taking into account different needs and opportunities for women, men, and the youth. Project activities, particularly those targeted at communities living within the targeted protected areas, will be geared largely towards women of indigenous groups to the extent possible.

### 6.7.2 GoN Policies and Legislations on Gender Equity and Women

The government has made notable efforts with regard to gender equality and women’s empowerment. The Constitution of Nepal 2015 is a major departure in this direction. Article 43 of the constitution deals with the rights of women that include rights to lineage, right to safe maternity and reproduction, right against all forms of exploitation, and equal rights in family matters and property. The Gender Equality Act, 2006 brought tangible changes in laws related to sexual violence against women. Also important is the 2009 Domestic Violence (Crime and Punishment) Act, which for the first time recognizes domestic violence as a crime punishable by law. The National Women Commission is the constitutional body established to protect the issues of women and help them fight against all kinds of problems encountered.

The Government of Nepal is working to incorporate gender equality in all its development policies and programs attempting to promote women's participation and representation in political, social, economic and professional domains. The government's efforts are well reflected by some key policy measures viz gender parity in work, gender responsive budgeting, equal wage for equal works etc. The donor funded development projects and INGOs/NGOs working in the country are also apparently implementing their activities placing due emphasis on gender with affirmative actions to empower women in many cases.

Tourism policy Nepal (2008) underlines about sharing benefits from tourism among the disadvantaged groups of society including women, It further highlights on fostering rural tourism activities led by women or women groups.

### 6.7.3 Gender Issues/Barriers and Interventions Required

Gender issues are very common and widespread at all levels and societies. In Nepal's case, gender issues normally occur in several forms and, quite often, remain the underlying reasons affecting adversely the psychosocial condition and productivity of women. These issues, no matter how serious they are, also get entrenched far and wide and are difficult to be identified and addressed at a one effort. Many of the issues require multiple interventions at varied levels backed up by legal reforms.

Table 9 - Women Issues and Interventions Required

|  |  |  |  |
| --- | --- | --- | --- |
| **SN** | **Gender Issues/Barriers** | **Intensity** | **Interventions Required** |
| 1 | Under representation and participation in decision making with patriarchic and discriminatory values against women in many communities, especially in rural area | Low to high[[8]](#footnote-8) | Increase women representation/ participation in groups/committees mandatorily/ Education/ awareness raising (continuous and long term |
| 2 | Limited access to and control over resources (land, house, cash, family income etc) barring women to use properties as collateral for borrowing loans to operate commercial activities | High | Encourage women to own resources/assets in their name and their mobilization |
| **3** | Increased work burden or ‘time poverty’ due to increased workloads/ multiple responsibilities of women. | High | Use of efficient technologies to reduce work loads and promote quality tourism |
| **4** | Safety and security issues of women – vulnerability of women in tourism sector and gender-based violence | Low/Medium | Regulate working hours at day time/close monitoring |
| **5** | Lack of capacity and skills to upgrade and diversify tourism related business by women | High | Skill and knowledge enhancement through training/orientation based on needs assessment |
| **6** | Inability to follow bureaucratic process for registration and licensing/bureaucratic huddles | High | Literacy and knowledge sharing on registration /licensing |
| **7** | Lack of technical and marketing skills leading to less opportunity for jobs and as entrepreneur, lack of access to financial institutions for loans etc , | High | Training/exposure visits on marketing/ business literacy and linkage development with MFIs. |
| **8** | Lack of networks or support mechanisms to promote women enterprises /ventures | High | Develop networks to support women in tourism business. |
| **9** | Limited or lower figure of graduates that get internship opportunities and secure jobs within specified time | -High | Increase supports to produce quality interns/ Provide emphasis on local employment. |

Note: The intensity of issues/barriers are entirely perception based of the expert.

In the context of proposed Tourism Project, the opportunities to address women issues and get them empowered appear quite significant. The measures to address some of the prominent issues are through education, awareness raising, support for new skills and knowledge through new technologies.

### 6.7.4 Gender Inclusive Design and Preparation of GAP

The Gender Action Plan (GAP) for the proposed tourism project require to be developed taking into account the needs and aspirations of the women in different project and subproject sites of ACA, MCA, Banke, Bardia and Shuklaphanta National Parks. In view of a large number of women who are already engaged in tourism business in these sites, it is important to visit these sites to update the latest situation of women including their needs and aspirations for their betterment. Once the feedback from the target women groups are collected these may need to be fit in the project planning and design[[9]](#footnote-9). In general, different strategic measures specified in the table below should be considered to develop the proposed gender action plans for the women of different subproject sites.

Table 10 - Strategic Measures /Actions to address Women Issues in the Proposed Project

|  |  |  |  |
| --- | --- | --- | --- |
| S.No. | Proposed Strategic Measures/ Actions | Responsible Agencies | Timeframe |
| 1 | Enhance women representation/ participation in key decisions makings in groups/committees | Project/ Male members of the committees/groups/ Government agencies | Long term and continuous |
| 2 | Provide supports to introduce/use modern technologies /skills to promote quality services in tourism related enterprises | Project/ Government agencies/ Service Providers | Immediate, medium and long term |
| 3 | Reform/develop rules/ regulations on safety/security of women/ GBV | Project/Government agencies/NGOs | Do |
| 4 | Impart training /skills and business literacy on capacity building of women to upgrade/diversify business | Project/ Government agencies/ NGOs | Immediate and medium term |
| 5 | Orientation /facilitation to women on business registration/ licensing in tourism sector | Project/Government Agencies | Do |
| 6 | Improve women’s access to productive resources/ assets/ markets/MFIs | Project/MFIs/Local Government bodies | Immediate, medium to long term |
| 7 | Increase internship program targeting girls/women in tourism sector activities | Project/CTEVT/ NATHM | Do |
| 8 | Encourage recruitment of women members/staff/trainers in the project activities | Project/ Local partners/ NGOs | Do |

### 6.7.5 Process for Preparing GAP

The Project should engage competent Gender Expert to prepare the GAP. The Expert should undertake field visit of the subproject sites and collect sufficient information to prepare the plan. The minimum requirements to collect information are: i) consultations with the women groups to collect primary information ii) interactions with local government offices, NGOs and micro finance agencies for their coordination and synergy building iii) sharing the key elements of plans with the project officials, and iv) disclosure of the document.

# **Chapter 7: Action Plan – Gender Based Violence Risk Mitigation**

## 7.1 Need and Purpose

Nepal ranks 118 out of 160 countries on the Gender Inequality Index[[10]](#footnote-10). In relation to that, most women face various kinds of violence since the time they are conceived to old age. Violence against women are gender based where there is unequal distribution of power dynamic between men and women. NDHS 2016 records 23 percent women experiencing physical violence. Madhesi Dalit women at 44 percent, Muslims at 38 percent experienced it the most while nine percent hill Brahmin had to face it. By province, women’s experience of physical violence varies from a low of 12 percent in Province 4 to a high of 34 percent in Province 2. About 12 percent women experienced emotional violence with 17 percent to 19 percent Madhesi Brahman Chhetri, hill Dalit and Newar women, respectively experiencing it. Marital control is high of men. Seven percent of women age 15-49 experienced sexual violence. Divorced, separated, or widowed women are much more likely to have experienced sexual violence (20%) than currently married women (8%) and never married women (2%). Women with only primary or no education are more vulnerable to sexual violence than educated women.

The current status of gender inequality and gender-based violence in Nepal reveals the serious need to mainstream gender sensitivity and GBV risk mitigation measure at all organization levels and all phases of project cycle. In Nepal, GBV is prevalent due to unequal gender relations and discrimination towards women in both public and private sphere. It has direct implications on the reproductive health status of women and physical, emotional, and mental health of their children.

The purpose of this action plan is to identify the issues, stakeholders, possible service providers and assess their capacity and document the legal and institutional mechanisms that aid in accessing grievance redressal. The action plan will focus on sensitizing the communities and other stakeholders, strengthening the institutional capacities. A survivor-centric approach is followed - all through, victim/survivors’ care and providing access to different referral mechanisms are considered key aspects of this plan.

The projects funded by World Bank in Province 4, 5 and 7 primarily in the Bardia National Park, the Banke National Park and the Suklaphata National Park, their buffer zones in the Terai; and the Annapurna Conservation Area and the Manaslu Conservation Area in the Middle Hills and Himalayas. The sub-projects will include construction/ upgradation/ setting up of information centers and trails which will be executed by contractors whose workers (generally skilled) come from within and outside the target areas. It is likely that the workers will come into contact with the community and vice-versa. Also, the trails where the tourists travel will pass through the school areas and communities. With varied cultural and economic backgrounds, the likely interactions between communities, human resources and tourists may lead to potential women safety issues, making it pertinent to create awareness on gender issues, gender-based violence and risk mitigation, in particular. Moreover, due to the proximity to the Indian border, the Destinations in Teria are at high-risk in terms of forced labor, trafficking for both labor and sex, and face greater vulnerability in terms of sexual and gender-based violence. Furthermore, according to the study by IFC Strategic Diagnosis of E&S Risks (SDESR) Report 2019, there are also instances of previous victims of modern slavery (the ex-Kamaiyas) becoming victims of human trafficking for labor, due to inadequate rehabilitation by the government. One of the risks in terms of trafficking of persons, in the tourism sector, is the use of facilities such as hotels, lodges etc. for movement of victims of trafficking and in terms of the risk of use of tourism infrastructure and the staff for sex tourism in Nepal.

Based on the GBV Risk Assessment checklist and assessment carried out on the project (Sustainable Tourism Enhancement in Nepal’s Protected Areas) by the World Bank, the Project’s GBV risks are assessed to be “Low”. Accordingly, this action plan has addressed “Table – 1: Recommended actions to address GBV Risks in IPF Projects” as per the “Good Practice Note” published by the World Bank in September 2018.

This action plan is intended for and applicable to Project implementing agencies including contractors and cover Project’s foot print and adjoining communities.

## 7.2 Legal and Policy Environment for Women’s Safety

Nepal is party to 16 international human rights instruments including the International Covenant on Economic, Social and Cultural Rights, 1966, the International Covenant on Civil and Political Rights, 1966, the Second Optional Protocol to the International Covenant on Civil and Political Rights, 1989, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984 and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), 1979. By ratifying these conventions, the Government of Nepal has committed to guaranteeing equality to both men and women in all spheres of their lives, which entails ensuring that they are not subject to sexual harassment. General Recommendation No.19 (eleventh session, 1992) of the CEDAW Committee clearly stipulated that gender-based violence is a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on the basis of equality with men.

Under the Constitution of Nepal 2015, GBV has been quoted under the fundamental rights of women (Article 38) as " No woman shall be subjected to physical, mental, sexual, psychological or other form of violence or exploitation on grounds of religion, social, cultural tradition, practice or on any other grounds.” Similarly, Part 4 of the constitution, under directive principles, policies and obligations of the state, directs the policies relating to social justice and inclusion be directed toward making self-dependent the women who are vulnerable, subjected to social and family exclusion and victims of violence self-reliant by making their rehabilitation, protection and empowerment (Article 51-j-2). The constitution under Part 27 makes provisions for various constitution commissions and under Article 253, filing cases against any persons or bodies on matters of violence against women or being subjected to social ill-practices or infringement of or deprivation of enjoyment of women’s rights is listed as a major function, duty and power of National Women Commission.

The Gender Equality Act in 2006, brought tangible legal changes to sexual violence against women. A major achievement of this act is the provision that an offender convicted for rape must compensate the victim for mental and physical damage. Also important is the 2009 Domestic Violence (Crime and Punishment) Act, which recognized for the first time that domestic violence is a crime punishable by law. However, while the act recognizes domestic violence as a crime, it contains provisions for negotiations through police offices, which seems contradictory. Also, the National Civil Code Act 2017 states not to commit any inhumane or degrading treatment or domestic violence and the Criminal Code Act 2017 states that violence against women in form of accusing of witchcraft or practicing of ‘chhaupadi’ tradition and sexual violence is treated as criminal offense. Although there are some laws and provisions against domestic violence, many victims are left without support mainly because of the poor mechanism to deliver support services as well as a lack of awareness among people regarding such provisions.

The Human Trafficking Act (2007) extended the definition of trafficking to include the offense of transportation for the purpose of trafficking. With this extended definition and other support measures, the new Act helps to control human trafficking and affords needed support and care for victims.

Apart from these actions, the Supreme Court has also issued orders at different times prohibiting different malpractices that contribute to GBV. For example, the Supreme Court issued a directive order that required the government to declare Chhaupadi as a malpractice based on superstitious beliefs. Similarly, the court issued a directive order requiring the government to launch a massive awareness campaign to stop the exploitation of women accused of practicing witchcraft.

The government's National Safe Motherhood Plan (2002-2017) recognizes GBV as an important issue for women's health. The Nepal Health Sector Implementation Plan 2010-2015 has outlined GBV as an integral component of health care provision. Protocols on the management of GBV, including sexual abuse, have been developed and are now operational. These protocols will study the feasibility of implementing a screening and support program at Maternity Hospital, Kathmandu for GBV.

## 7.3 Recommended Actions

Table 11- Recommended Actions to address GBV Risks

| **Objective** | **Indicator** | **Activities** | **Timeline** | **Responsibility** |
| --- | --- | --- | --- | --- |
| **Project Preparation and Appraisal** | | | | |
| Train and sensitize PIU | PIU and project staff sensitized and trained | Training/orientation session carried out |  | TTL/Task Team,WB |
| Include assessment of GBV risks as part of the social/gender assessment in project’s Environmental and Social Impact Assessment (ESIA)/ ESMP | GBV risks highlighted and preliminary mitigation measures identified | Conduct consultations and identify key GBV risks in project areas |  | NTNC |
| Mapping of GBV service providers in project areas (in high risk project areas NGO service providers should be hired to provide services to GBV survivors, where relevant) | Mapping completed of available, quality services in the project affected area | Map out GBV prevention and response services in project area of influence |  | PIU |
| Inform communities in project areas of GBV risks and options for response | # of awareness and consultations held | TOR developed for community awareness raising activities (specialized service providers/contractors/NGOs identified and hired under contract) and awareness and consultations carried out |  | NTNC/ PIU[[11]](#footnote-11) |
| Formulate and adopt code of conduct including sections on safety of women and girls | CoC developed, included in all contracts, and staff, consultants, contractors trained. | CoC developed, include in all contracts and provide training to all |  | NTNC |
| Grievance Redress Mechanism | GRM established that is capable of handling GBV/SEA related complaints  Focal point/Committee established and functional | GRM guideline reviewed and mechanism for GBV/SEA related complaint established and made functional  Proper documentation is maintained for complaint registration and management |  | PIU |
| Hiring a Gender Specialist with expertise on GBV to advise and monitor action plan during project implementation | Appointment of specialist | Implement the ‘Action Plan’.  Provide technical support for conducting the trainings.  Develop modules, monitor and evaluate the action plan items and report monthly, quarterly and annual basis.  Coordinate advisory group for periodical review of action plan and suggest updates |  | NTNC |
| **Project Implementation** | | | | |
| Reflect GBV risks, and measures to address them, in Project ESMP and Contractor ESMP including the costs. | GBV Action plan included in the ESMP  Procurement for GBV related activities and costs outlined in the contract. | Address how GBV-related costs will be paid in the contract, in the procurement documents to mitigate risks.  Clearly define the GBV requirements and expectations in a note to bidders. |  | NTNC |
| Establish and strengthen grievance redressal | Availability of an effective GRM with multiple channels to initiate a complaint / parallel GBV.  IEC material on GBV, Codes of Conduct, etc. put up in the work site, labor camps, surrounding communities.  Number of GRM members trained.  Inclusive GRM system in place.  Number of GBV grievances that have been referred to GBV Services Providers | Provide appropriate referral to complainants.  At project level, select one women member as first point of contact for the survivors of GBV and provide appropriate training to them.  Conduct community awareness raising about GBV mitigation measures – eg. Codes of Conduct, GRM, how to report and provide multiple entry-points |  | Gender specialist of the project |
| **Project Monitoring** | | | | |
| Undertake regular M&E of progress on GBV activities | Successful implementation of agreed GBV Action Plan (Y/N) | Conduct M&E field visits.  Report in the quarterly progress report and review during ISR missions. |  | NTNC, PIU, Gender Specialist |

# **Chapter 8: Consultation, Communication and Citizen Engagement Framework**

## 8.1 General

Consultations and communications will be an integral part in the environmental and social impact assessment and impact management. Effective consultations at subproject level will not only help identify the issues and impacts to different groups but also understand appropriate mitigation measures to address the impacts appropriately. As the local communities are better able to comprehend their economic, social, and biophysical surroundings, consultations with them will be useful in formulating environmental mitigation measures or resettlement options that address the needs of affected peoples and help improve the technical and managerial requirements of the options.

Consultations for implementing the activities in the designated tourism sites will be carried out from the early stage of subproject planning to implementation and monitoring. One of the prime concerns of the ESMF is to ensure that the local communities in all conservation sites and national parks including indigenous and vulnerable groups are well-informed, consulted and mobilized to participate in the project activities supported under the tourism project. Based on this framework, concerned stakeholders will be regularly consulted at all stages of subproject planning and implementation. Consultations will take place at all stages from screening to environmental and social impact assessment (ESIA), and preparation and implementation of ESMP, RAPs, VCDPs, IEEs as relevant.

## 8.2 Stakeholders Identification and Consultation Hierarchies

### 8.2.1 Stakeholder Identification

Each stakeholders group plays a distinct role in the planning and implementation of the activities under the tourism project. A comprehensive participatory consultation process will be adopted which should be designed and implemented after identifying all potential project stakeholders along with their specific interests and needs. Stakeholders’ identification, consultation and analysis will be continued throughout the project cycle and remain dynamic. The relevant types of stakeholders are the following.

* Beneficiaries of the activities /investments of different subprojects under tourism project
* Peoples/communities affected adversely by the subproject investments, directly or indirectly
* Poor and vulnerable groups, women groups and professional/occupational groups
* Local committees such as Conservation Area Management Committees (CAMCs), Buffer Zone User Committees (BZUCs) and User Groups
* Entrepreneurs engaged in tourism activities viz hotels, homestays, trekking, travel and tours,
* Community based organizations, INGOs/NGOs and community leaders
* Government agencies, and government officials at national, provincial, Palikas (Rural and Municipal) and Ward level, and
* Donor agencies and donor supported projects.

### 8.2.2 Consultation Hierarchies and Strategies

There are no prescribed hierarchies for holding consultations. Normally, stakeholder consultations for any project take place at central level, project area level and local level. All these consultations are valuable in providing information on a range of issues covering policy and regulatory framework to field level issues/impacts as well as their management. In the proposed project, three level consultations will be needed covering the stakeholders and consultation issues, however, not limited to the followings.

Table 12 - Potential Stakeholders / Institutions, Issues for Consultation and Methods

|  |  |  |  |
| --- | --- | --- | --- |
| Consultation Levels | Stakeholders/ Institutions | Issues for Consultation | Methods/Tools |
| Central Level | * MoFE * MoCTCA * DNPWC * NTNC * Nepal Tourism Board * NFDIN/NEFIN * National Women Commission * National Dalit Commission * Hotel and Trekking Associations | * National level issues on tourism development * Issues on nature-based tourism * Issues related to policy, legal and regulations in the management of the conservation areas, national parks/ buffer zones | National level workshops  High level meetings /Discussions |
| Project Level (Parks and Destination) | * ACAP * Manaslu * Banke and Bardiya and Suklaphanta National Park * Province and District Offices/ Agencies * Hotel and Trekking Agencies * CAMCs/Buffer Zone User Committees (BZUCs) and User Groups * INGOs/NGOs * Local communities | * Project level (Parks and destination) issues * Feedback about project impacts/issues and mitigation measures * Planning and implementation modalities * Resource sharing/ utilization * Working modalities by CAMCs/User Committees/Groups | Project Area level workshops  Meetings/  Discussions  CAMC/User Committees |
| Local/ Subproject Level (Community and household level) | * Urban and Rural Municipalities * Project affected communities/households * Women groups * Indigenous and other vulnerable social groups (Dalit and marginalized groups) * Local community-based organizations (CAMCs/User Committees/Groups * Agencies involved in tourism sector * Youth groups * Community forestry user groups * Buffer zone user committes/groups | * Impacts to local people by subproject interventions * Livelihoods issues of the people induced by the subprojects * Mitigation measures that are culturally acceptable to the affected people including compensation/ resettlement, rehabilitation and livelihood restoration * Roles and functions of different stakeholders in implementing the mitigation plans viz ESMPs/ RAP/VCDPs/GAP/ IEE etc. | Community level meetings  Surveys/Focused group discussions  Interviews (groups/hhs) |

**Consultation Strategies**

All consultations will as an integral part of subproject design, impact assessment and impact management. Consultation plans should take into account different approaches and strategies to make them meaningful and should consider at least the followings.

* Consultations should be well focused in terms of consultation needs and information collection on the issues/ impacts as well as stakeholder selection
* All consultations should be participatory in terms of social groups, gender or economic status of the project affected people/ beneficiaries
* Free, prior and informed consultations (FPIC) are always important; in case of indigenous and vulnerable people, FPIC will be mandatory to hear their voices, obtain collective decisions and address the issues in culturally appropriate manner
* Where necessary, consultations need to be organized in local language to allow indigenous people to express their needs/issues freely
* Consultations should be well facilitated by qualified persons to solicit the expected information from the participants of all types/categories
* Two-way communications will be useful in order to communicate the information clearly between the participants and the project, and
* Consultations need to be well planned and organized in convenient locations to encourage maximum participation of the target groups.

## 8.3 Central level consultation

To be completed after national consultation workshop.

## 8.4 Future Consultations at Subproject Level

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Future consultations will be needed depending upon the activities envisaged under different components of the project. **Component 1** of the Project involves activities related to **improvement of management, planning and coordination** among the central level stakeholders involved in the tourism sector. This may also include activities involving central level policy reforms, planning, coordination and regulatory provisions for effective conservation and management of the project destinations and national parks including touristic sites and the gateways. Central level consultations will be crucial to refine and reform or formulate the policies and plans among wide range of stakeholders. C**omponent 2-** **Enhancing infrastructure for access and diversification** of the Project involves activities related to access improvement, environmental management, and tourism diversification and safety plans. Similarly, **Component 3** -**Improving Tourism Services by Local Community and Private Sector** would involve activities to promote quality services in tourism at local level. Therefore, Component 2 and 3 would thus involve consultations at subproject levels engaging wide-range of participants viz project area people, affected people, women, IPs, private sector service providers in tourism sector, etc.

Local level consultations would take place in varied forms such as focus group discussions (FGDs), public meetings, community discussions, and in-depth and key informant interviews in addition to the socio-economic surveys required as part of the project M&E framework. Consultations will be held with special emphasis on diverse groups, however, not limited to the vulnerable groups viz indigenous people, women and occupational groups.

## 8.5 Communication Strategy

Effective communication is crucial in order to understand, document and manage the issues, particularly at community level. This is particularly more important in the context of tourism project as most of its activities will be designed and implemented in areas with significant presence of two major indigenous groups, mainly Gurung and Tharus. In addition, effective communication is needed at large in view of higher illiteracy of disadvantaged social groups including the women and Dalits who are amongst the project affected people in the project districts. It is only with effective communication that the local people will be able to express their needs, grievances and feedback which will be useful to prepare site specific environmental and social plans viz ESMP/ RAP/VCDP/ IEE etc. The proposed communication strategies should consider different strategies, however, not limited to the followings.

* Communications should be open with multiple channels (applications, face to face discussions, telephone, SMS, email etc) to transmit the messages
* Communication strategy should be inclusive with all members of the community who will be part of decision making
* To the extent possible, it should be in local language to enable the participants to express their views/opinions in their own languages clearly
* There should always be a two-way communication among the people and project
* Information, Education and Communication (IEC) materials should be published and distributed widely among the public/project affected people
* All information should be shared/disclosed among wider public where necessary, and
* All messages /information should be properly documented.

## 8.6 Citizen Engagement

The Project will place due priority for enhanced citizen engagement throughout the project cycle from planning to implementation and monitoring and evaluation. Enhanced citizen engagement will be ensured through different strategies and approaches that will be applied fully beginning from the planning and design of subproject interventions. These strategies include multiple approaches viz enhanced participation of different stakeholders in planning and designing of subproject activities, intensive community consultations and focused group discussions at operational levels attempting to seek public voices on project issues/ impacts and their mitigation measures, effective communication and information dissemination to the public, use of feedback and grievance mechanism.

The Project will place emphasis in forging partnership with the stakeholders. The stakeholders will include local communities, hotel and restaurants, travel and trekking agencies, home stay operators and other entrepreneurs engaged in tourism sector catering different services to the tourists. Women groups working in tourism business will be encouraged to participate in programs designed for skill enhancement for promoting quality tourism. The Conservation Area Management Committees (CAMCs), Buffer Zone User Committees (BZUCs) and User Groups (UGs) already instituted in the project sites will be engaged in undertaking project activities at local level where possible. Likewise, participatory planning will be incorporated especially with local governments to carry out the local development works under the project. Besides, the Project will invest in grievances redress mechanism (GRM) so that the stakeholders could channel their voice and concerns or provide feedback through a properly designed system to elicit responses from the local governments. Functional feedback mechanisms will be deployed which will include but not limited to the public engagement in the baseline, mid-line and impact studies.

# **Chapter 9: Grievance Redressal Mechanism**

## 9.1 Introduction

A grievance hearing and redress mechanism will be developed and put in place to address the grievances in the proposed tourism Project. Given the large numbers of activities that are envisaged for implementation with Project’s supports, it is likely that there could be complaints coming from people and the communities on different aspects. In general, complaints tend to occur in a project when the activities result in adverse impacts to the property and livelihoods of the people.

In case of the proposed Project, complaints from local people and communities may occur on various issues such as use/misuse of project funds, governance, transparency, loss of income/livelihoods of people etc. To settle such potential problems, a grievance redress mechanism will be established with different committees formed at three levels -one at the PMO level in the centre, another at project destination level and the last at unit (community) level. Any grievance or complaint regarding the project impact and issues will be heard and managed in one or other level depending upon where such grievances have been filed.

## 9.2 GRM Structures

The GRM will have committees formed from among the project staff, beneficiaries, affected persons, and local government representatives. These committees will be formed at PMO level, project site level and unit level. At the central level (PMO), the Grievance Redress Committee (GRC) will consist of the following members.

1. Joint Secretary, Department of National Parks and Wildlife -Chairperson
2. Project Manager, Tourism Project- Member Secretary
3. Chief of Tourism Board- Member
4. Representative of Tourism Entrepreneurs- Member
5. Tourism Project Staff- Member

There will be Project Area level Grievance Handling Committee led by Conservation Area Chief or Warden in case of national parks. This committee will consist of following members to hear and redress the grievances.

1. Project Chief - Coordinator

2. Project Area Safeguards Expert- Member

3. Project Area/ National Park Buffer Zone Chief – Member

4. Elected Representative- Member

5. Representative of Affected People/Beneficiaries – Member

Similarly, a local level (unit) Grievance Handling Committee will be formed at the lowest level of grievance handling mechanism. This committee will consist of the following members.

1. Local Project staff- Coordinator
2. Safeguards Expert- Member
3. Local elected Ward Chairman- Member
4. Elected representative- Member
5. Representative of Affected People/Beneficiaries- Member

These committees will be formed once the project becomes effective. The respective project chiefs leading the project site offices and unit offices will take lead role in forming the committees and making them effective in their operations. All these committees will be responsible to register the grievances at their respective level, assess each and every grievance and take timely decisions for actions within the specified time frame. Once the decisions are made, every grievance complainant will be notified on the decisions taken.

A sample format for submitting the grievances is provided in Annex 7.

## 9.3 Grievance Filing and Management

A complaint cell will be established under the PMO to collect complaints and transmit them to the GRC. The affected persons/communities can register their grievances through multiple ways including locked boxes at the project office that can only be opened by a designated person, email, a designated telephone number, and individual or joint applications of complains in the GRCs at unit, project or central level as relevant where the tourism project has been implemented. The affected family, person or groups can approach the GRCs directly and file their grievances through one or other means specified above.

All grievances filed shall be registered, categorized and prioritized by the complaint cell. All committees established at different levels will meet regularly on a fortnightly basis and the committees will review the grievances and take decisions for their resolution at their levels. The grievances filed in the unit and project offices will be redressed locally in a consultative manner and with full participation of the affected households, or their representatives, along with project officials and local government representatives. All grievances should be resolved within one-month time. Any grievances not settled at the unit (community) level within the timeframe will be referred to the project site office level. If the grievances/disputes are not resolved in this level, they will be referred to the PMO at the centre. The complainant may have final right to appeal the case in the court if she/he is not satisfied with the decisions made by GRCs.

Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanism as mentioned above or the WB’s Grievance Redress Service (GRS). The Bank’s GRS consists of an independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank’s corporate Grievance Redress Service, please visit <http://www.worldbank.org/GRS> and the World Bank’s Inspection Panel Website- visithttp://www.inspectionpanel.org.

# **Chapter 10: Institutional Arrangements for ESMF Implementation**

## 10.1 Project Implementing Agencies

The Ministry of Forests and Environment (MoFE) will be the main implementing agency (MIA) considering the considering the focus of the project on nature-based tourism and Ministry of Culture, Tourism and Civil Aviation (MoCTCA) will be the implementing agency (IA) responsible for the implementation of a smaller part of the project for activities that are under its mandate, such as statistics and research, branding and marketing, and licensing and monitoring of tourism enterprises (Component 1). The MoFE will also be the Executing Agency of the Project which will designate a Project Focal Point to lead the Project Management Office (PMO) within the setup of NTNC tasked with coordinating and implementing the project activities both at national and destination levels. MoCTCA will involve its departments and agencies it supervises, notably the Nepal Tourism Board (NTB). Department of National Parks and Wildlife Conservation (DNPWC), Department of Tourism (DoT) and Nepal Tourism Board (NTB) will also have their respective Implementation Units (IUs) and involved in implementing activities under their respective purview under component 1.2. Local governments with boundaries overlapping with the Project Destinations will implement some specific activities as per their mandate and capacity. NTNC’s existing decentralized units will serve as Field Implementation Units (FIUs) at the Project Destinations already selected, namely the Annapurna CAP in Pokhara, the Manaslu CAP in Gorkha, and the Bardia, Banke and Shukla Phanta National Parks. FIUs will be responsible for the day-to-day management of project activities at the Project Destinations, under the guidance of the PMO and in coordination with provincial and local governments. The Ministries of Industry, Tourism, Forest and Environment (P-MITFE) of concerned Provinces will act as main counterparts of the PMO and the FIUs to ensure coordination at provincial level. A summary of mandates, roles and responsibilities for the project's implementation is provided in table below.

Table 13 - Project Implementing Agencies and their Roles and Responsibilities

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **SN** | **Ministry/Agency/Committee** | **Role** | **Responsibility** | **Remarks** |
| 1 | Project Steering Committee | Project steering | Strategic oversight and guidance | Co-chaired by MoFE and MoCTCA; SC Executive Secretariat will comprise Focal Persons from MoFE, MoCTCA, DNPWC, NTNC, DoTM and NTB |
| 2 | Ministry of Forests and Environment | Main Implementing Agency (Executing Agency) | Overall responsibility and accountability for project implementation | Designate project focal points to NTNC and DNPWC |
| 3 | Ministry of Culture, Tourism and Civil Aviation | Implementing Agency | Implementation of specific roles in Component 1 & 2 | Designate a project focal point to NTB |
| 4 | National Trusts for Nature Conservation | Project Management Office | Overall project coordination at national and destination levels | Project focal point |
| 5 | Department of Tourism | Implementation Unit | Implementation of activities under its purview in component 1.2 |  |
| 6 | Nepal Tourism Board | Implementation Unit | Implementation of activities under its purview in component 1.2 |  |
| 7 | NTNC's Field Units | Field Implementation Unit | Day-to-day management of project activities at the project destinations | Will be under guidance of PMO; Field offices in ACA, MCA, Bardia, Banke and Shukla Phanta NPs |
| 8 | Provincial Ministries of Industry, Tourism, Forests and Environment (MITFE) | Main counterparts of PMO and FIUs | Coordination at provincial level |  |
| 9 | Local governments | Implementation | Facilitate smooth implementation of specific activities under their mandate | PMO will provide technical support for activities such as upgrading, rehabilitating and maintaining local roads, etc. |

The PMO will at least have a Project Coordinator, Finance Officer, Procurement Officer, M&E Officer and Safeguard Compliance Officers.

## 10.2 Safeguards Planning and Implementation

### 10.2.1 Central Level

The safeguards planning and implementation will be performed by PMO under the close guidance of IUs set up within DNPWC. At the PMO, safeguard staff and M&E Officer will work together in coordination with departmental authority. The environmental and social safeguards experts based at PMO will be responsible for all planning as well implementation and monitoring of safeguards measures. Normally, the safeguards related activities will include the followings.

* Preparation of safeguards related guidelines and manuals for use at field level
* Orientation to field level staff on safeguards planning, implementation and monitoring
* Provide guidance to conduct social and environmental screening of each subproject/activity funded under the tourism project
* Conduct /guide to carry out social and environmental assessment of subprojects, if required
* Prepare/guide to prepare social and environmental plans viz ESMP/EMPs, RAP, VCDP, GAP, IEE etc. based on the requirements of subproject interventions and as revealed by screening reports
* Coordinate to implement the mitigation measures in compliance with the social and environmental plans
* Monitor the safeguards compliance, and
* Prepare progress reports.

In addition, the Safeguards Experts will be responsible to monitor and report safeguard compliance to the Safeguards Team of the WB. They will also coordinate with the safeguard focal person at the Department of Environment to make decisions on ESMP and EMP implementation, monitoring and reporting.

### 10.2.2 Field Level

The Unit Conservation Offices (UCOs) will implement the safeguards measures proposed for each subproject activity. There are seven UCOs in ACAP, and a headquarter office in Philim of MCAP. Additionally, there are 57 Conservation Area Management Committees (CAMCs) in ACAP and 7 CAMCs in MCAP. Additional staffs will be hired at the field level to support field implementation with safeguard responsibility. There are one unit each in Banke, Shukla Phanta and Bardiya National Parks. Field level monitoring will be undertaken by field units.

At field level, the contractors and user groups formed by the project will be the key actors in undertaking civil works. As such, all the contractors and user groups need to be made accountable to comply with the safeguard measures.

## 10.3 Capacity assessment and Capacity Building

**Capacity Assessment:** NTNC's current organizational structure at the main office consists of the Progamme, Finance and Administration sections with teams of supporting staff. There are about forty staff altogether engaged in various capacity from A3 (assistants) to D2 (director) positions. Senior staffs of O3 (manager) position hold the responsibility of supervising and managing NTNC's projects specific working areas in the mountains and terai. The staff in O1 (officer) position have respective roles such as Conservation Officer, M&E Officer, GESI Officer, Information Officer, Procurement Officer, Administrative Officer and GIS Officer. There are no separate units set up yet for the above-mentioned functions but is planned to upscale the institutional capacity in such manner. In view of this existing capacity, NTNC's capacity is short to handling a project of larger scope and size such as STENPA. Similarly, the field offices are managed by a team of staff comprising the Project Chief, Conservation Officer, Social Mobilizer, Tourism Officer, GESI Officer, etc. who are shorthanded to undertake E&S safeguard responsibilities of the project. This regard, the PMO will have to play key role in the capacity building of all actors. NTNC’s capacity in managing environmental and social impact and risks is also limited as there is lack of dedicated staff, expertise and experience in managing environmental and social safeguard.

**Capacity strengthening measures:** Project, in recognition of this, includes capacity strengthening support for environmental and social management through trainings, hiring of safeguard consultants, and external monitoring. Orientation on safeguards planning and compliance is crucial to all stakeholders involved in the project activities. Therefore, the project will hire specialized staff to undertake various roles necessary for the project's smooth running. PMO's capacity on E&S safeguards will be strengthened through different measures such as (i) hiring of specialized E&S experts at PMO and field level, (ii) training and orientation on safeguard planning and implementation (iii) hiring of gender expert, (iv) hiring of M&E expert, and (v) hiring of social mobilizers. Capacity development activities will also be proved to other stakeholders which include DNPWC, Contractors, CAMCS, User committees/ groups and representatives of beneficiaries. Capacity building of the stakeholder agencies would involve orientation and training mainly in the following areas.

* Orientation on ESMF planning and mitigation by E&S safeguard experts,
* Trainings on safeguards planning process viz screening, SIA survey, census survey, etc.,
* Consultation procedures and framework,
* Preparation of safeguards plans viz ESMP/EMP, RAP, VCDP/IEE etc.,
* Implementation of safeguards measures viz minimize adverse impacts, change in design, entitlements/compensation for losses,
* Grievance filing, recording and management, and
* Safeguards monitoring and reporting.

A specimen ToR for E&S capacity building expert is provided in Annex 10.

# **Chapter 11: Supervision, Monitoring and Evaluation**

## 11.1 General

## 

Project implementation and monitoring will be mainstreamed within the existing government institutional structures. The overall Project Management Office (PMO) will be hosted by NTNC. The NTNC, in coordination with the MOFE/ DNPWC and MOCTC /NTB will be involved in the implementation of this framework and plans and ensure that any adverse impacts of the project activities are minimized and mitigated fully. NTNC-PMO may have the following staff – A Project Chief, Project Coordinator, and officers responsible for finance, procurement, Social Safeguards, Environmental Safeguards, M&E, and Public Relations/Communication. Other staffs both at center and field level, as needed, may also be appointed. The implementing agency, NTNC, will be facilitated and mainstreamed into existing planning and coordination units at the government level. Dedicated implementation teams at the field level in ACA, MCA, Bardia NP, Banke NP and Shukla Phanta NP will be set up. At minimum, the field teams will comprise a Project Lead and dedicated officers responsible for finance, procurement, safeguards and M&E.

**Regular Supervision:** The E&S safeguard hired by the project will be primarilyresponsible for regular supervision of the activities designed and implemented at the field level. The field-based team involved in the implementation of the activities will be responsible for regular supervision. During supervision, all the works supported with the tourism project fund will be supervised closely on a day to day basis and any faults noticed will be corrected immediately to maintain the designed standards.

**Monitoring** will be an integral part of tourism project management and carried out on a periodic basis. In the proposed project, the central project management body will have the responsibility of monitoring the works covering inputs, process and outputs. Such monitoring is expected to provide feedback to the management in taking timely decisions to improve the performance. As part of the broader M&E framework, the project will also carry out different studies viz baseline study, independent studies and evaluation. Monitoring of safeguards implementation will be an integral part of tourism project cycle and include the followings.

* Undertake periodic monitoring[[12]](#footnote-12) to ensure the implementation of safeguards compliance proposed by the framework on monthly basis by the FIUs and quarterly basis by the PMO;
* Ensure that information for all key indicators as depicted in table 14 below related to various social and environmental impacts/ compliances are fully captured and collected;
* Do the verification of data vis a vis key result monitoring indicator covered;
* Provide recommendations for corrective measures based on the findings from monitoring, and
* Report the outcomes of monitoring.

## 11.2 Monitoring Indicators

Selection of correct indicators is crucial in order to come up with realistic monitoring plan and reporting. The Safeguards Experts assigned in the project will develop monitoring plans along with the key indicators on various safeguards measures, however, not limited to the followings.

Table 14 - Key Monitoring Indicators, Methods and Responsibility

|  |  |  |  |
| --- | --- | --- | --- |
| **Key Monitoring Indicators** | **Methods** | **Schedule** | **Responsibility** |
| 1. **Common Indicators** |  |  |  |
| No. of Screening checklists/ ESMPs /RAPs/ VCDPs prepared | Review progress report | Half Yearly | PMO/Safeguards Team |
| No. of social/environmental issues incorporated in subproject design (i.e change in design, route/place etc. to avoid adverse impacts) | Review progress report/site visit | Quarterly (during regular reporting) | Do |
| 1. **Social Indicators** |  |  |  |
| No. of affected families by type of loss/impacts recorded | Review progress report | Prior to Subproject approval | Do |
| No. of user groups formed/ involved in various construction works/ wage payment to the local user groups within the conservation area/parks | Review contact documents/ site visit | Quarterly | Project site office/Safeguards Team |
| No. of community consultations held; IPs/ vulnerable groups and women participating in different consultations. | Review progress report | Quarterly | PMO/Safeguards Team |
| Compensation for losses as per entitlement matrix/ other assistance paid, if any, to the affected people (Rs) | Verify with CDC data/review progress report | Quarterly | PMO/Safeguards Team |
| No. of local user committees/groups awarded the construction works | Verify with Sub-project Office | Quarterly | PMO/ Subproject Office |
| Value of works awarded to local committees (Rs) | Verify with Sub-project Office | Quarterly | PMO/ Subproject Office |
| No. of grievances/disputes registered at different levels (PMO, PA/Parks, Unit) and number redressed | Review grievance records/progress report | Quarterly | PMO/Safeguards Team |
| 1. **Environmental Indicators** |  |  |  |
| Compensatory Plantation/NTFP plantation carried out against tree felled as per GoN norms | Review Progress Report | Annually | PMO/Safeguard Team |
| Solid waste and effluent management | Review Progress Report | Monthly | PMO/Safeguard Team |
| Use of pesticide in the project area in compared to base line conditions | Review Progress Report Review Progress Report | Quarterly | PMO/Safeguard Team |
| Illegal hunting poaching | Review Progress Report | Quarterly | PMO/Safeguard Team |
| Conduction of Environmental awareness training program | Review Progress Report | Quarterly | PMO/Safeguard Team |
| Enhancement measures for Terrestrial, wetland habitats etc. | Review Progress Report | Quarterly | PMO/Safeguard Team |
| Increase/reduction of human animal conflicts or animal vehicle collision etc. | Review Progress Report | Quarterly | PMO/Safeguard Team |
| Landslide/ erosion prone area treatment with bioengineering or other indigenous techniques | Review Progress Report | Quarterly | PMO/Safeguard Team |

Two types of monitoring will be carried out under the project. One is regular monitoring which will be a part of project implementation and will be carried out internally by the project. The other is third party monitoring which will be carried out by the third party also called independent consultant/firm during specified period as follows.

## 11.3 Regular Monitoring

NTNC has a fully dedicated focal person (M&E Officer) for the monitoring of its regular program. Currently, monitoring is limited to occasional site visits which is undertaken only when it is necessary. In order to carry out monitoring and evaluation of safeguards measures effectively, the M&E system of NTNC will be strengthened gradually with added safeguards experts at PMO. The PMO will be responsible for implementing ESMF and carry out periodic monitoring to ensure that safeguards compliance has been made as per the requirements. Regular monitoring, also called project’s internal monitoring, will be carried out focusing on key outcomes/ outputs and implementation progress by the project team.

## 11.4 Third Party Monitoring

## 

In addition to regular or internal monitoring as mentioned above, the project will also conduct third party monitoring (TPM) through consultant or consulting firm. For this, the project will outsource an independent agency or experts as necessary. Third party or independent monitoring will be carried out thrice during entire project duration. The first TPM shall be at the end of second year of the project implementation and the last TPM will be conducted at the end of project implementation that will also serve the project competition report. The scope of TPM is but not limited to:

* Reviewing ESMP implementation status and compliance with the ESMP mitigation measures;
* Tracking environmental and social implementation performances;
* Reviewing stakeholder engagement and grievance management;
* Undertaking site visits to validate documented information, meeting with workers, management, and stakeholders etc.;
* Identifying corrective and preventive actions to be incorporated in management tool of the client in a manner acceptable to the Bank.

A draft ToR for third party monitoring is provided in Annex 13.

## 11.5 Reporting

The Project will be responsible to make monitoring report public on a specified time frame. In the proposed project, monitoring reports on safeguards compliance will be prepared by the safeguards team. The internal monitoring report will be produced on half yearly basis and shared with the World Bank’s Safeguards Team[[13]](#footnote-13). The PMO will also be responsible to report the progress on safeguards compliance during their regular reporting to the World Bank. Normally, such reporting is made every half yearly and most often coinciding with the Bank’s supervision mission. Similarly, third party monitoring report/ independent monitoring report will be produced during project’s second and fourth year.

# 

# **Chapter 12: Budget for Implementing ESMF**

This chapter provides the indicative budget for implementing the ESMF. The budget includes the cost for E&S screening, implementation of ESMP, RPF and VCDP implementation, E&S expert fees, GRM implementation, safeguard capacity building and M&E.

| **Safeguard Activities** | **Cost Estimation (NRs. In '000)** | **Remarks** |
| --- | --- | --- |
|  | | |
| 1. Environmental and Social Screening | 1000 | Tentative buget for carrying out ES screening based on past experience  One Tourism and one Social Expert will be hired in the two geographical destinations (expert fee and travel) |
| 1. Implementation of ESMP prescribed by Environment and Social Assessment | 15000 | Mitigation measures related with identified sub-project |
| 1. Disclosures and dissemination of environmental safeguard documents | 2500 | Cost involve for FGD, public consultation, notice publication, uploading including logistic arrangement associated during consultation. |
| 1. Supervision, Monitoring and Reporting | 5000 | Sub project level as well as monitoring from PMO (includes travel cost) |
| 1. RPF and VCDP implementation | 10000 | Skill enhancement training, provision of equipment etc., for the project staff |
| 1. Environmental Safeguard Expert (Remuneration) | 7500 | As per your organogram or customize for this project, PMO, PG/LG level and subproject level. |
| 1. Social Safeguard Expert (Remuneration) | 5000 | Same as above |
| 1. E&S safeguard monitors and facilitators | 10800 | At subproject level |
| 1. Grievance Readdress Committee | 1500 | Committees allowance, transportation etc. at subproject level, Province level and PMO level |
| 1. Gender Action Plan implementation | 9875 | Gender sensitization workshops and training for staff, hire GBV victim service providers, Gender Specialist, |
| 1. Third Party Monitoring three during total project period | 7500 | It shall be carried out by independent consultant or firm (National /International) |
| 1. E&S Safeguard capacity building | 23400 | Hiring E&S experts, training and orientation at FIUs, GESI expert & M&E expert |
| 1. Safeguard capacity building/training– Staffs (NTNC staffs PMO and field level, Wardens, provincial and local level, CBOs, CFUGs, Implementing entities etc.). | 8000 | E&S safeguard screening, planning, designing, implementation and monitoring training |
| **Total** | **107,075** |  |

# **Annexes**

## Annex 1: Exclusion List of Project Activities

The following type of activities **(Exclusion List)** will not be implemented under the project in order to avoid significant adverse impacts that are sensitive, diverse or unprecedented and may affect an area broader that the site or facilities subject to physical works. This exclusion list also excludes those activities that require a full EIA by the GoN's legislation and the Category A activities under the World Bank's OP 4.01 Environmental Assessment, OP/BP 4.04 Natural Habitats, OP/BP 4.36 Forestry, OP/BP 4.11 Physical Cultural Resources and OP/BP 4.12 Involuntary Resettlement.

1. **Environmental Activity Lists**

* New alignment and construction of through road in the core zone of protected area;
* Interventions to disrupt natural corridor function;
* High raising infrastructure construction that does not blend with local environment;
* Construction in important biodiversity areas that affects critical habitats;
* Mega construction projects e. g. hydropower, dam, high-tension line etc.
* Introduction of invasive species;
* Linear infrastructure that fragment critical habitats;
* Sub project creating excess pollution (sound, waste, toxins, water) and releasing excessive pollutants;
* Hazardous waste materials generation; and
* Quarry of mines and minerals.

1. **Social Activity Lists**

* Forced physical relocation of people[[14]](#footnote-14).
* Increased community exposure to disease (water borne, water based, water related, vector borne disease as well as communicable disease);
* Application of adverse or discriminatory practices leading to impoverishment of people;
* Use of child labors and other forms of forced labors;
* Activities with enhanced risk of gender-based violence;
* Economic displacement of the households causing significant loss of land, normally more than 10% of total land holding;
* No land with any kind of disputes/ conflicts will be used for the subprojects;
* Restriction to accessing land and natural resource of indigenous people subject to their traditional use and customary rights; and
* Excavations of archeological and cultural/national heritage sites.

**Exclusion list as per the WB Operation Policies (OPs)**

1. All “Category A” projects, likely to have significant adverse environmental impacts that are sensitive, diverse, or unprecedented. These impacts may affect an area broader than the sites or facilities subject to physical works;
2. The Bank does not finance projects that, in its opinion, would involve significant conversion or degradation of critical forest areas or related critical natural habitats;
3. The Bank does not finance projects that contravene applicable international environmental agreements;
4. The Bank does not finance plantations that involve any conversion or degradation of critical natural habitats, including adjacent or downstream critical natural habitats;
5. The OP/BP 4.11 classified following subprojects as “Category A” which involve: (a) significant excavations, demolition, movement of earth, flooding, or other environmental changes; and (b) any project located in, or in the vicinity of, a physical cultural resources site;
6. The Bank does not support projects that, in the Bank's opinion, involve the significant conversion or degradation of critical natural habitats.

## Annex 2: Information used in preparation of ESMF

The following information were collected related to specific aspects:

1. Physical Resources

* Land, water and air;
* Maps (thematic, GIS maps) etc.;
* Relevant data published by Bureau of Statistics;
* Other published documentation on tourism, nature-based tourism and wildlife conservation areas.

1. Biological Resources

* Scientific publications on local biota surveys;
* Ecological studies carried out in the project area and buffer zones;
* Direct observation during field visits and site investigation;
* Information received during FGDs;
* Other relevant publication and research articles.

1. Socio-Economic and Cultural Resources

* Published demographic data and maps;
* Household surveys carried during field investigation;
* Information received during FGDs.

## Annex 3: Environmental and Social Screening Guideline and Checklist

**Guideline for Conducting Environmental Screening**

1. The E&S screening team must be familiar with subproject’s background through secondary information before walk-through survey;
2. During walkthrough the team should held discussion or inquires with communities and observation, inspection along the way;
3. Use ball pen or pencil to fill the checklist. Do not use washable ink or that can erase the information;
4. Insert new page if the spaces provided is not sufficient;
5. The team must carry topographical map with them, mark important environmental features/infrastructures on the map and refer to appropriate section of the checklist. The map should be included as annex to the screening report;
6. The team should take photographs of areas with environmental and social implications, and attach in the report with caption;
7. The team should include summary of the screening findings, listing main environmental and social issues /concerns related to subproject.

1. **Sub Project Introduction**

|  |  |
| --- | --- |
| 1 | District and Municipalities/ Rural Municipalities: |
|  |  |
| 2 | Name of sub project: |
|  |  |
| 3 | Brief description of Activity to be undertaken: |
| 5 | Implementation approach and institutions involved: |

1. Any activity /component not-eligible as per exclusion list (Annex 1)
2. **Baseline Information and Impacts of Sub-Project**

| **S.N.** | **Major Attributes** |
| --- | --- |
| **1** | **Protected /Buffer Zone Area (Name/Location with Flora and Fauna)** |
|
| If Yes, describe in detail. | |
| If Potential Impacts are expected, describe in detail. | |
| **2** | **National Park, Wildlife Conservation, Forest Area (Name Location, Flora and Fauna)** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **3** | **Major water sources- streams/rivers/ponds/lakes/springs (Name, location with aquatic animal)** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **4** | **Landslides location with current condition** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **5** | **Settlement (Name, Location, with major Caste/Ethnicity)** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **6** | **Trade Centers (Name/Types and Nature of Trade)** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **7** | **Public Utility (Name/Number)** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **8** | **Historical/Religious/Cultural Sites such as temple, mosque, community hall etc.** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **9** | **Open Public Spaces/Places** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **10** | **Significant Development Potential (Home stay, horticulture, livestock, floriculture, wind power, Micro hydro, Biogas etc.)** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **11** | **Land use type and pattern** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **12** | **Quarry sites** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **13** | **Tipping sites (Spoil disposal sites)** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **14** | **Existing Situation and availability of labors** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **15** | **Locations for establishing labor camps if required.** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **16** | **Existing situation of waste management and probable locations** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **17** | **Pollution Status (Air/Water/Soil and Noise)** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| **18** | **Community Health and Sanitation Status** |
| If yes, describe in detail | |
| If Potential Impacts are expected, describe in detail. | |
| 1**9** | **Community setting, homogenous, heterogeneous** |
|  | |
| **20** | **Community acceptance, willingness and mindset for changes/development** |
|  | |
| **21** | **Experience of community in similar subproject activity in the past.** |
|  | |

Conclusion of the Screening:

**Name of Proposed Project:**

**A. Environmental and Social Screening Outcome**

Select from the following:

* Category A. Beyond the Scope of the Project and excluded.
* Category B. Further review and management is needed. There are possible environmental and social benefits, impacts, and/or risks associated with the project (or specific project component), but these are predominantly direct and site specific or very short-term and easily assessed and mitigated by implementing provisions of EMPs that shall be prepared.
* Category 3. Further review and management is needed, and it is possible to identify these with a reasonable degree of certainty. Impacts and risks are limited in scale and can be identified with a reasonable degree of certainty and can often be handled through application of standard best practice or SS- ESMP shall be prepared to manage the E&S impacts during execution of the subproject activities.

**B. Environmental and Social Issues** (for projects requiring further environmental and social review and need to prepare Environment & Social Management Plan (ESMP).

*In this section, list out briefly the key potential environmental and social issues related with the subproject implementation. This includes both environmental and social opportunities that will be seized to strengthen the project, as well as risks that need to be managed. The above table shall be used to highlight the issues and candid opinion shall be provided for further actions.*

Screened by: Signature Date:

1…………………… …………………….. …………………..

2……………… ……………………. ……………..

## Annex 4: Steps in ES Assessment (GoN requirement IEE &EIA) and (WB requirement on ESIA)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **S.N.** | **Steps** | **GoN Requirement** | | **WB Requirement** | **Steps to satisfy both GoN and WB** |
| **IEE** | **EIA** |
| 1 | Screening/Planning/Designing | Schedule 1 of EPR, 1997 (Based on threshold limit) | Schedule 2 of EPR 1997 (Based on threshold limit) | Based on Risk category and investment ceiling. | * Detailed screening of subprojects including consultations/FPIC with affected people and IPs as relevant * Preparation of detailed plans (ESMP, RAP, VCDP, GAP) considering AP's concerns * Disclosure of ESMF and other plans |
| 2 | Project Implementation | Limited options as prescribed in EPR, 1997 | | * Implementation of ESMF requirements * Exploration of detailed alternative design to suit E&S requirement through active consultation | * Implementation of ESMF (ESMP and SS-EMPs, social plans) * EHS compliance * Public consultation and capacity building |
| 3 | Monitoring and Reporting | Provision of project audit at the end of the project | | Stringent monitoring of ESMF's requirements compliance | * Close supervision and monitoring of safeguard/EHS compliance * Use of adequate indicators during monitoring * Periodic and third-party monitoring (independent) |

## Annex 5: Indicative Outline of ESMP

**Outline of the ESMP**

1. **Introduction** 
   1. Background of Project Area
   2. Description of Project and its Activities
   3. Scope of ESMP
   4. Objectives of ESMP

2. **Project Principles and Procedures**

2.1. Sub-Project Implementation Modality;

2.2. Desk Review;

2.3. Consultation Meeting and Field Visit;

2.4 Documentation and Approval Process;

2.5 Dissemination and Disclosure.

3. **Description of Baseline Situation in Project Area (Physical, Biological and Socio-Economic and Cultural Environment)**

3.1 ***Physical Environment***

1. Climatic and weather conditions in Project Area;
2. Accessibility to the Project Area;
3. Information on natural resources such as stream, river, rivulets, availability of drinking water sources, flood, landslide etc.;
4. Availability of construction materials, quarry sites etc.;
5. Debris/Solid Waste/Effluent Management practices in Project Area;
6. Existing Infrastructure and current trend of infrastructure Development.
7. Health, Sanitation & Safety and Drainage System;
8. Existing trails and their characteristics;
9. Use of Chemical fertilizers and pesticides
10. Any other specific issues.

3.2 ***Biological Environment***

1. Flora and Fauna in Project Area;
2. Natural Habitat and Community;
3. Forest and NTFP resources;
4. Ecologically Sensitive Areas (Wetland, Breeding Centers, hot spots Core areas etc.)
5. Any other specific issues

3.3 ***Socio-Economic and Cultural Environment***

1. Social, economic cultural setting;
2. Commercialization and cropping patterns;
3. Beneficiary Household Information;
4. Vulnerable HHs/Community;
5. Resettlement and Relocation;
6. Diseases or health hazards;
7. **Environmental and Social (E&S) Impact Assessment and Mitigation Management Plan**

1. **E&S Monitoring and Reporting Mechanism and Plan**
2. **Capacity Development and Training for Subproject Implementation**
3. **E&S Mitigation and Monitoring Cost**
4. **Grievance Redress Mechanism**
5. **Conclusions and Recommendation**

1. **Appendices**

## Annex 6: Guidelines on Free Prior Informed Consultation (FPIC)

The right to free, prior, and informed consultation (**FPIC**) is a key principle of international human rights law. It is intended to protect the legal and customary rights of Indigenous Peoples[[15]](#footnote-15) and prevent further destruction of their lives, cultures, and livelihoods. The Operation Directives 4.10 on Indigenous Peoples emphasized to design and implement projects in a way that fosters full respect for Indigenous Peoples’ dignity, human rights, and cultural uniqueness and so that they; (a) receive culturally compatible social and economic benefits; and (b) do not suffer adverse effects during the development process following these generic steps mentioned below:

Screen early to determine whether Indigenous Peoples are present in, or have collective attachment to, the project area. Indigenous Peoples are identified as possessing the following characteristics in varying degrees: self-identification and recognition of this identity by others; collective attachment to geographically distinct habitats and territories; presence of distinct customary cultural, economic, social or political institutions; and indigenous language;

1. Undertake free, prior and informed consultation with affected Indigenous Peoples to ascertain their broad community support for projects affecting them and to solicit their participation: (a) in designing, implementing, and monitoring measures to avoid adverse impacts, or when avoidance is not feasible, to minimize, mitigate or compensate such effects; and (b) in tailoring benefits in a culturally appropriate manner;
2. Undertake the social assessment or use similar methods to assess potential projects impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options preferred by the affected Indigenous Peoples in the provision of benefits and design of mitigation measures. Identify social and economic benefits for Indigenous Peoples that are culturally appropriate, and gender and inter-generationally inclusive and develop measures to avoid, minimize and/or mitigate adverse impacts on Indigenous Peoples;
3. Where restriction of access of Indigenous Peoples to parks and protected areas is not avoidable, ensure that the affected Indigenous Peoples’ communities participate in the design, implementation, monitoring and evaluation of management plans for such parks and protected areas and share equitably in benefits from the parks and protected areas;
4. Put in place an action plan for the legal recognition of customary rights to land and territories, when the project involves: (a) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples traditionally owned, or customarily used or occupied; or (b) the acquisition of such lands;
5. Do not undertake commercial development of cultural resources or knowledge of Indigenous Peoples without obtaining their prior agreement to such development;
6. Prepare an Indigenous Peoples Plan that is based on the social assessment and draws on Indigenous knowledge, in consultation with the affected Indigenous Peoples’ communities and using qualified professionals. Normally, this plan would include a framework for continued consultation with the affected communities during project implementation; specify measures to ensure that Indigenous Peoples receive culturally appropriate benefits, and identify measures to avoid, minimize, mitigate or compensate for any adverse effects; and include grievance procedures, monitoring and evaluation arrangements, and the budget for implementing the planned measures;
7. Disclose the draft Indigenous Peoples Plan, including documentation of the consultation process, in a timely manner before appraisal formally begins, in an accessible place and in a form and language that are understandable to key stakeholders;
8. Monitor implementation of the Indigenous Peoples Plan, using experienced social scientists.

**FPIC GUIDING PRINCIPLES**

As highlighted by Anderson 2011, “Respecting the right to FPIC is, by definition, a locally and culturally specific process in which the affected communities themselves determine the steps involved. It is therefore not possible to produce a universally applicable ‘how to do it’ guideline.” However, it is possible to identify a set of key elements or components of an FPIC process, bearing in mind that these will need to be adapted through locally-appropriate processes. Therefore, the Guiding principles for FPIC believes that decision-making processes will be:

* **Free** from coercion, intimidation or manipulation;
* **Prior** to allocation of land for particular uses or approval of specific projects. Lead time should reflect respect for time requirements of indigenous consultation/consensus processes;
* **Informed**, based on full information, at least, about the nature and scope of any proposed project or activity; areas that will be affected; the potential economic, social, cultural and environmental risks and benefits; and the timeframe of the proposed project and organizations/actors likely to be involved. Information shall be in a language easily understood by the affected people, delivered in a culturally-appropriate way, and available from independent sources. Communities may also require capacity building on unfamiliar issues to be truly informed;
* **Consultation** requires time and an effective system for communicating among all affected community members and taking decisions through customary or other community-defined decision-making processes. Consultation shall be part of ongoing processes of communication and negotiation, rather than a one-off action.

**General Procedures for FPIC**

The emerging best practice is to seek consultation at multiple stages; for example, at the outset of assessments/planning for a project, to project design documents, and as a requirement for any contractual agreements. Therefore, key elements in the FPIC procedures are:

1. **Identifying customary lands and rights holders**- This step is an essential foundation for FPIC as it establishes who the rights-holders to a given area are, and therefore who needs to give consent to a particular activity. As land claims based on customary rights are often not formally recognized in law, fulfilling this element may require support for a participatory community mapping process to document community-recognized rights over forests. Mapping should include different groups within the community (who may have differences in knowledge, interests and uses of resources) as well as neighboring communities (to validate and agree boundaries);
2. **Identifying and engaging with appropriate community decision-making institutions/ authorities-** Communities should be represented by institutions they choose themselves through a verifiable process, which may differ from institutions set up under government structures. Communities may also develop or designate new bodies to engage in participatory development of a project initiative; for example, where the geographical scale of the initiative spans several community institutions, or where structures of representative in relation to outsiders are not yet in place. Representation should be broadly inclusive of all rights-holding communities in the area and of all groups within the community (women, youth); ensuring full representation of diverse interests may require specific attention and activities.
3. **Identifying and engaging support organizations-** Engaging with support organizations - such as regional or national representative organizations of indigenous peoples and/or expert or advocacy groups on indigenous/community rights – enables communities to access independent information and advice about the project initiative from a rights perspective. In addition, support organizations can work with communities to promote enabling policy frameworks for their local activities, where these are not yet in place or need to be strengthened. Engaging with higher-level organizations further helps promote transparency of the project initiative, and learning about effective consultation processes that can be spread to other areas. Partnerships between actors with diverse political and technical skills, for instance between indigenous forest communities and organizations with social or conservation expertise can also facilitate information sharing and capacity building. However, such support organizations cannot make the decisions for the communities;
4. **Building mutual understanding and agreement on a locally-appropriate FPIC process-** This element addresses the need for outside actors to understand local community decision-making processes and for communities to define their own process as well as expectations regarding information and support from outside groups. Aspects of the local process may include: who makes decisions, timeframes for community discussions and agreement, how potentially marginalized groups will be involved, requirements to reach a decision, points along a process at which FPIC is needed, and how agreements will be documented. Aspects of outside support that may need to be defined include how and when information about a proposed initiative will be communicated and in what forms, and the types of capacity building that communities may need to understand and make decisions about the proposed initiative. Information sharing and engagement and/or capacity building activities with other entities (e.g. government, private sector) may also be needed to build support and respect for the FPIC process.
5. **Providing information-** Information provision addresses the principle that decision-making and consent shall be informed. Specific relevant information will vary depending on the stage of the work (e.g. initiating a process, designing a project, developing a project implementation agreement). Types of information that may be relevant at different stages are:
   1. ***Stage 1*** **(Initiating process):** Information on climate change and its impacts, and how it is developing in the national context, on the international and national context of rights - including to FPIC, assessment plans, who will be involved;
   2. ***Stage 2 (Project design):*** Proposed changes in land/resource use, results of assessments of potential impacts and costs, benefit sharing arrangements, legal implications, etc.;

* 1. ***Stage 3 (Project implementation):*** Specific terms of the implementation agreement, based on the results of negotiation.

*General guidelines on how information shall be provided include that it shall be:*

* Open and transparent;
* In locally-appropriate languages and forms;
* Delivered in timely and culturally-appropriate ways.

*General guidelines on what information should be provided include:*

* Balanced treatment of potential positive and negative impacts of an initiative;
* An assessment of costs and benefits, and their distribution;
* Alternatives and outcomes of different scenarios;
* Information on community’s legal rights and legal implications of the proposed project (e.g. implications for land/resource rights, status of carbon rights etc.).

1. **Engaging in negotiation and supporting decision-making**- Negotiation consists of a two-way dialogue between communities and project proponents or facilitators (e.g. government, private sector, NGO) on proposals, interests and concerns. In the context of this project initiatives, key issues are likely to include the nature and extent of any changes to forest use, roles of communities in forest management and monitoring, and how communities will secure and manage anticipated benefits. Interactive dialogue is likely to be interspersed with periods of time for community leaders and members to freely discuss their concerns and proposals among themselves. Communities may also need additional technical advice on specific aspects of proposals under discussion, and have rights to independent advice as needed. Ample time shall be allowed for a conclusion to this process, which may not conform to standard project timelines;
2. **Documenting consultation-based agreements-** The specific agreements should be documented in a mutually agreed form among all parties. The content of agreements will vary according to the stage of the work; the project implementation agreements, for example, would likely include specifics of the agreed costs and benefits to the community, resource management requirements and any regulations on use. An agreement may also document forms of capacity-building or technical support to be provided by outside actors to enable communities to fulfill obligations; for example, in relation to resource management or distribution of benefits.
3. **Supporting and monitoring implementation of agreements-** The community implementation agreements may require ongoing technical or capacity-building support, which enables parties to hold each other accountable to agreed results as well as to adaptively manage where actual outcomes may diverge from projections (e.g. of community costs or benefits). Community rights-holders should be substantively involved at all stages of designing and carrying out monitoring of agreements, rather than just carrying out paid data collection;
4. **Establishing and operating a conflict resolution mechanism-** A conflict resolution mechanism provides a process for resolving differences that may arise in the course of implementation of agreements. Defining in advance how differences will be communicated and resolved helps to ensure that they do not grow into broader conflicts that derail the project. Best practices for conflict resolution (or “grievance”) mechanisms developed from private sector experience provide useful guidelines that can be drawn on in this programs and projects;

## Annex 7: Grievance Filing Format

**Grievance/Complaint Format for Local Unit Level Office**

**of Conservation Areas or National Parks**

**Sustainable Tourism Enhancement of Nepal’s Protected Areas Project,**

To,

The Coordinator,

Field Unit Office

ACA/MCA/Banke/Bardia/Suklaphant NP

**Subject: Regarding Grievance/Complaint**

With regard to ……………………………………… under the **Sustainable Tourism Enhancement of Nepal’s Protected Areas Project,** located at …………………..District……………..Rural Municipality/Municipality, Ward No…… I/we do hereby submit the complaint as follows:

|  |
| --- |
| Details of complaint |

Attached Documents………………….

1.

Yours' Sincerely

2.

Signature:………… Name:…………

Address:…………..

Mobile No:……….

Date:……………

## Annex 8: Sample ToC of Resettlement Action Plan

|  |
| --- |
| **Abbreviations**  **EXECUTIVE Summary**   1. **Introduction**     1. Project Description    2. Objectives of Plan    3. Scope of Resettlement Action Plan    4. Survey of Affected People (Methodology used for census survey of HHs, FGDs, Key Informant Survey etc.)    5. Survey of Affected Properties (Measurement, assets valuation, data verification etc.)    6. Efforts to Avoid and Minimize Impacts 2. **Resettlement Policy Framework**    1. Resettlement Principles    2. GoN Policies and Regulatory Framework    3. World Bank Policies    4. Policy Gaps and Fulfillment 3. **Socio-economic Profiles of the Affected People (To be based on Census Survey)**    1. Project Area and Locations    2. Social Profiles of Affected Population (Directly and indirectly affected population by social groups, gender, occupations/income etc.)    3. Economic Profiles of Affected Population (Income sources/ levels, livelihood sources including land, livestock and other assets covering both farm and off-farm sources)    4. Social Facilities Available (Education, health, market, transportation, water etc.) 4. **Impact Assessment and Mitigation (To be based on Census Survey of Affected HHs)**    1. Identification of Impacts (loss of land and income including physical and economic displacement)    2. Beneficial Impacts and Enhancement Measures    3. Adverse Impacts and Management (loss of land, business or other income sources, loss of employment, loss of access to physical/natural resources etc. Detailed loss of land, structures and other assets of each household to be documented and put in the annex based on the survey and measurement of losses)    4. Mitigation Options of Lost Assets    5. Resettlement Impacts (Loss of different assets owned by title holders and nontitle holders and legal status)    6. Detailed Entitlements 5. **Public Consultations and Information Dissemination** 6. **Resettlement Budget**     1. Compensation for Lost Assets and Basis    2. Resettlement and Rehabilitation (R&R) Assistance    3. Supports for Livelihoods Improvement and Other Assistances 7. **Implementation Plan**     1. Implementing Agencies    2. Implementation Schedule 8. **Grievance Management** 9. **Monitoring and Evaluation** |

## Annex 9: Specimen Gender Action Plan (GAP)

1. **Background**

This Gender Action Plan (GAP) is part of the strategy for optimizing the benefits of development projects to women by institutionalizing gender issues. The GoN has taken strategy to involve women in development for achieving poverty reduction goals and empowering women, which is also the one of the objectives of project (Name of the Project) financed under this project.

Women (especially from poor and vulnerable group) likely to be adversely affected by the project activities, which can be properly mitigated by enhancing beneficial impact of the project interventions through rigorous consultations and implementation of mitigation provisions prescribed in ESIA.

1. **Methodology**

The methodology adopted for the preparation of the GAP includes data/information collection through primary as well as secondary sources and their analysis leading to the development of the GAP document. The tools and techniques employed shall be first hand data/ information collection involved meetings with the women member of the PAFs/SPAFs, interactions with women groups, consultation with CBOs, CSOs, Rural Municipalities and focus group discussion with key informants in the project area. Formal and informal interaction shall be carried out with project team members and stakeholders and specially designed checklist shall be employed as well to collect the information. In addition to that, desk study of secondary sources of data/information at local and project level, annual report published by the Women Development Office (WDO) at district level shall also be reviewed, processed, validated and analyzed using basic mathematical and statistical techniques.

1. **Information/Data Analysis**

Information and data are analyzed in tabular form which includes households, consolidated information of population in project area, major caste/ ethnic information and affected women headed households based on the extent of impact.

1. **Socio-Economic and Ethnic information**

Short paragraph on findings from socio-economic information of affected women headed HHs and sample Dalit/Ethnic household.

1. **Status of Job Division in the project area**

Short paragraph based on findings of Focus Group Discussion (FGD) of Women Group.

1. **Need Assessment and Priority of Women**

Short paragraph on need and priority of women identified during FGD that need to be recommended to include in Gender Action Plan (GAP) and implement during execution of the project. This will include but not limited to, Skill Development Training, Income Generation Activities, Empowerment/Awareness Raising Program, Leadership Development, Safe Motherhood/Reproductive health, Hygiene and Sanitation etc.

1. **GAP Programs and Budget**

Based on the need assessment and women priority GAP programs shall be planned and budget shall be allocated accordingly.

1. **Implementation Arrangement**

After the approval of the program, the list of participants for the above mentioned GAP activities will be finalized based on meeting/ consultation held at the time of planning of GAP, coordinating with various local organizations, CBOs, mother groups and affected families. The Action & Implementation Plan shall be summarized in tabular format as mentioned below:

|  |  |  |
| --- | --- | --- |
| **Activities** | **Time line** | **Remarks** |
| Meeting/Consultation/FGD |  |  |
| Desk Study |  |  |
| Preparation and Submission of GAP |  |  |
| Approval of GAP |  |  |
| Hiring of NGO/CBO etc. |  |  |
| Conduction of Planned activities |  |  |
| Monitoring of GAP implementation |  |  |

## Annex 10: Specimen ToR for E&S Capacity Building Expert

**Terms of Reference (TOR)**

For

**Environmental/Social Safeguard Capacity Development Expert**

**SCOPE OF THE CONSULTANCY SERVICE**:

The Consultant shall work under the management of the PMO. The Consultant shall however ensure that the services carried out are fully adequate to attain the objectives set out in the ESMF of STENPA project. The Consultant’s duties shall include but not necessarily be limited to:

**Support and Guidance:**

* Ensure the compliance of Environmental and Social Management Framework (ESMF) prepared for the implementation of the STENPA, World bank safeguard policy and other project documents and support in preparing Environmental safeguards implementation action plan on behalf of the PMO and in close coordination with FIUs;
* Support and guide the Environmental Specialist based at PMO and FIUs for effective compliance of Environmental and Social Management Framework (ESMF) of the project during planning, implementation, monitoring and supervision of the safeguard works;
* Support and guide the Environmental safeguard specialist at PMO and FIUs to understand their responsibilities for environmental safeguard friendly implementation of sub-projects in accordance with project’s plan and design, budget, specifications, estimated cost, bid documents and contract agreement clause;
* Support and guide PMO and FIUs to prepare Environmental Screening and Environmental management plan EMP/EMAP) of the proposed subproject activities;
* Support and guide to record and resolve grievances regarding social/environmental/technical in the subproject areas;
* Support and guide to PMO and FIUs for resolving site specific environmental issues during the implementation of the sub-projects;
* Support and guide for the preparation of plan of action regarding conduction of user committee meeting, collecting information and organize sub projects related information dissemination/awareness raising program to stakeholders as well as general users on sub projects improvement, construction and maintenance procedures and provision of the ESMF;
* Support PMO and FIUs to carry out the operational safety and health required for labors and workers at the construction site;
  + Support and guidance for undertaking Community Based Performance Monitoring (CBPM), as per the procedure presented in the ESMF; and
  + All kind of support and guidance related with environmental safeguard to PMOs and FIUs as requested.

**Orientation, training and workshop:**

* + Provide orientation to safeguard specialists at PMO and FIUs on implementation plan of Environmental safeguard and provisions of ESMF under STENPA;
  + Assist and facilitate to conduct orientation to local level stakeholders along with contractors on the provision of ESMF and environmental safeguards issues;
  + Assist to conduct orientation to contractors and workers on issues of child labor, mode of payment, participation of women and local labor, application of labor camp management and Occupational Health and Safety Guidelines; and
  + Assist to design and implement the programs such as; awareness on environmental safeguard issues, and different trainings as required during project implementation.

**Monitoring and Supervision:**

* + Capacitate in monitoring and supervision of performance of Environmental specialists and safeguard consultant based at PMO and FIUs, respectively on undertaking the safeguard activities. Monitoring of compliance of safeguard measures including implementation of Resettlement Action Plan (RAP), Gender Action Plan (GAP), and Vulnerable Community Development Plan (VCDP); and
  + Capacitate in monitoring and supervision of compliance of recommendations made by central and field level.

**MINIMUM QUALIFICATION REQUIRED FOR ELIGIBILITY**

The applicants must satisfy the following three eligible criteria.

* The applicant must have Master degree in Environmental Engineering/ Environmental Management /Environmental science /Social science or equivalent from a recognized University/Institution.
* Minimum seven (5) years of general experience in related with Environmental and Social safeguard works.
* Minimum Five (3) years of specific experience in tourism related Environmental/Social safeguard works.

## Annex 11: Land Donation Agreement Form

The following agreement has been made between the resident of ………………… zone ……………….. district ………………VDC/Municipality ward no …… grandson/daughter/daughter in law of ……………………………….. the sun/daughter/wife of ………………………… aged Mr./Mrs/ Miss …………………… (hereafter called second party) and the Project Executing Agency…..,, ………………… (hereafter called first party).

1. The second party has accepted (or not accepted) the request of the first party to donate ………. area of land out of ……… area of land registered in her/his name situated in ……………….. district, ………………VDC/Municipality ward no………… recorded in sheet/map no………… and parcel no………….

2. The second party hereby grants/not grants donation of the area land mentioned in article 1 for the construction/ improvement of ……………………………………. free of cost for the benefit of the community and tourism development of the area.

Witnesses

1.

2.

3. The value land/of buildings/structures, others … in the donated land mentioned in article 1 is agreed as follows:

Land : Rs…………………

Building/hut/shop : Rs. …………………

Cattle shed/other structures : Rs. …………………

Others Rs,,,,,,,,,,,,,,,,,,,,,,,,,

Other than the land, the first party will provide compensation for other losses within ……… days to second party.

4. The second party will vacant the land/ remove the compensated building/ structures, trees and crops within ……… days of signing. If the second party won't vacant the land till the mentioned date then the first party will have full right to enter into the donated land.

5. The second party will not claim any compensation against the donation of this land asset, nor obstruct the construction process on the land after this date.

6. The EA …………………… shall construct and improve the school facilities and take all possible precautions to avoid damage to adjacent land/structure/other assets.

7. Both parties agree that the sub project so constructed shall be come publicly owned.

8. The provision of this agreement will come into action from the date of signing of this deed.

Signature of first party Signature of second party

Name: Name:

Designation: Address:

Office: Right Left

Witness (Third Party)

We certify that there is no pressure upon him to donate land voluntarily

1)

2)

3)……………………………….

## Annex 12: IPs and Vulnerable Groups Impact Screening & Categorization Form

**A. Project Data**

Sub-project Title:

**B. Identification of Impact on IPs/ Vulnerable Group in Sub-project Area**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Impact on Indigenous Peoples (IPs)/ Ethnic Minority (EM)/ Vulnerable Group** | **Not known** | **Yes** | **No** | **Remarks or identified problems, if any** |
| Are there Dalits, *Janajatis*, or ethnic minorities present in project locations? |  |  |  |  |
| Do they maintain distinctive customs and traditions and economic activities in their locality? |  |  |  |  |
| Will the project in any way affect their economic and social activity and make them more vulnerable? |  |  |  |  |
| Will the project affect their socioeconomic and cultural integrity? |  |  |  |  |
| Will the project disrupt their community life? |  |  |  |  |
| Will the project positively affect their health, education, livelihood or social security status? |  |  |  |  |
| Will the project negatively affect their health, education, livelihood or social security status? |  |  |  |  |
| Will the project alter or undermine their local knowledge, customary behaviors or institutions? |  |  |  |  |
| Are IP and VC households likely to lose customary rights over, access to land? |  |  |  |  |
| Are IPs and VCs likely to lose shelter/business and be displaced? |  |  |  |  |
| In case no disruption of indigenous community life as a whole, will there be loss of housing, strip of land, crops, trees and other fixed assets owned or controlled by individual indigenous households? |  |  |  |  |

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| C. Specific Impacts on IPs and VCs | | | | | | | | | |
| No of IP families losing land | No VC families losing land | No of IP HHs losing house over 10% of their residence | Govt land required in Sq. mts. | Forest land required in Sq mts | No of IP/VC houses affected | No of IP/VC shops affected | No of other IP/VC structures affected | No of IP/VC Squatters affected | Public utilities affected |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |

**D. Anticipated project impacts on indigenous peoples**

|  |  |  |
| --- | --- | --- |
| **Project activity and output** | **Anticipated positive effect** | **Anticipated negative effect** |
| 1. |  |  |
| 2. |  |  |
| 3. |  |  |
| 4. |  |  |
| 5. |  |  |

**E. Decision on Categorization**

After reviewing the above, it is determined that the sub-project is:

Categorized as an A project, an Indigenous Peoples Development Plan (IPDP) is required

Categorized as a B project, a specific action favorable to indigenous peoples is required and addressed through a specific provision in related plans such as a Resettlement Plan, or a general Social Action Plan

Categorized as a ‘C’ project, no IPDP or specific action required

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Prepared by: Reviewed by:**

Date: Date:

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Approved by: Endorsed by:**

Date: Date:

## Annex 13: Draft ToR for Third Party Monitoring

Draft Terms of Reference1

Sustainable Tourism Enhancement in Nepal’s Protected Areas (STENPA)

ToR for Environmental & Social Safeguard Consultant to conduct Third Party Monitoring

|  |  |
| --- | --- |
| **Position: Third Party/** Independent Environmental & Social Safeguard Consultant | |
| **Base Station:** Flexible/Project Management Office. | |
| **Project: Sustainable Tourism Enhancement in Nepal's Protected Areas** | |
| **Expected Date to Start the Assignment:** | **Duration:** |
| **Reports to:** | **Title:** |
| **BACKGROUND** | |
| Brief project description and rationale for hiring third party consultant. | |
| **OBJECTIVES TO BE ACHIEVED** | |
| Objective of the work is to prepare the report on overall safeguard performance / compliance in line with the project’s Environmental and social management framework (ESMF) | |
| **SCOPE OF THE WORK (Roles and Responsibilities)** | |
| * Under close guidance of Project Director and co-operation with project team, the consultant will carry out his/her duties to prepare the Independent Safeguards Compliance Report for Tourism Project. * Review Project’s safeguard objectives and implementation modalities and other documents of the Project in in Protected Areas. * Review periodic monitoring reports and assess environmental and social safeguards planning process adopted at subproject levels including consultations and documentations. * Undertake field visit in sample sites covering environmental and social safeguards considerations and assess safeguard compliance and best practices adopted (i.e environmental and social screening, preparation of ESMPs, RAP and other tools including land donations for minor infrastructures as relevant) during planning and implementation. * Review and assesses Grievance Redress Mechanism (GRM) followed at different levels/hierarchies of the project and its effectiveness. * Review project's internal monitoring and reporting system on safeguards compliance. * Draw inferences and provide recommendations on safeguards compliance of the project. | |
| **SPECIFIC TASKS** | |
| * Consultant should be fully committed to finish the task in given time frame. * Review and analyze the project activities (sub-project screening, ESMP, ECoPs and E&S monitoring and reporting as per the Environmental and Social Management Framework) and other plans, if any. * Assess safeguards compliance at planning and implementation including compensation, livelihood /income restoration of people including vulnerable groups, skills and training provided to the people; land donations and documentations, transfers/lease (donation forms, signed MOUs, land purchase, legal transfer/lease documents etc. * Project activities disclosure (communication and co-ordination) * Good practices adopted in safeguards compliance during the implementation of subproject activities under the project * GESI and women involving in safeguards compliance including their involvement in livelihood improvement, skills enhancement, income generation, management and decision makings. * Monitoring of Community Development Programs/Activities /infrastructures developed with the project’s supports. * Assess project's grievance redress mechanism including their documentation and management.   Assess safeguards monitoring and reporting practices. | |
| **KEY OUTPUTS/DELIVERABLES** | |
| **REQUIRED COMPETENCIES** | |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

To be updated as required during consultant recruitment process.

## Annex 14: Major Highlights of Labor Rules, 2018 (2075) related with the E&S Safeguard

The Government of Nepal (“**GoN**”) has framed the Labor Rules, 2075 (2018) ("**Labor Rules**") by exercising the power conferred to it under Section 184 of the Labor Act, 2074 (2017) (“**Labor Act**”) which was passed by the Council of Ministers on May 28, 2018 (Jestha 14, 2075). The Labor Rule has been published in Nepal Gazette on June 22, 2018 (Asar 08, 2075) with immediate effect and has repealed the then Labor Rules, 1994 (2050) (**“Previous Labor Rules”**). Major highlights of the Labor Rules related with the environment and Social Safeguard have been briefly described in the following paragraphs.

**Occupational safety and health policy**

**Formulation of Health and Safety Policy:** Employers are required to maintain an occupational health and safety policy. The policy should cover different measures in accordance with the entity’s nature of business. The policy should be drafted in a way which includes provisions related to arrangements Employee’s safety and security, Employee’s health, probable accident in workplace, precautions to be taken while operating devices and machines in workplace and precautions to be taken while using chemical substances.

**Additional duty of the Employer on workplace safety**: The Employer is required to (a) make necessary arrangements to take the Employee to the hospital or health center in case of sickness or accident while working (b) inform the Labor Office regarding the fulfillment of obligations towards the Employees regarding occupational safety and health.

**Duties of manufacturer, importer and supplier**: Pursuant to the Labor Rules, it shall be the duty of manufacturer, importer and supplier to provide sufficient information to the Employer regarding management and precautions to be taken for chemical substance that may not come into use and regarding safe use and storage of chemical products used in workplace.

**Formation of Safety and Health Committee**: The Labor Rules requires that a safety and health committee should be formed in every entity where 20 or more workers are engaged in work. The Labor Rules has laid down the works, duties and rights of the safety and health committee. It is further required for the safety and health committee to convene meetings at a time and place decided by the Coordinator at least 4 times a year. Please also refer to the committee to this brief for the formation and health and safety policy.

**Specific provisions relating to the safety of the works having health hazards**: The Labor Rules has provided the detail safety measures to be followed by Employer such as for the safety of eyes, for the operation of pressure plants, prevention from fire, chemical substance, testing pressure plant and boilers, safety from hazardous machine and equipment's etc. The Labor Act has also prescribes the limits for weight lifting which is (a) 55 kg for adult male, and (b) 45 kg for adult woman. This weight lifting limit is not applicable for lifting of sacks jointly.

**General Environment of Work Place**: The Labor Rules has also specifies certain requirements for work place in terms and health and safety.

The requirement include, among others (a) proper cleanliness, (b) passage of fresh air, proper light and temperature, (c) solid waste management, (d) sound control measures, (e) 15 cubic meter space to Employees to the extent possible as per the nature of work, (f) healthy drinking water, (g) bathroom or modern toilet, (h) tobacco free zone, (g) mandatory medical checkup for the entities undertaking health hazardous activities, and (i) provide appropriate time for the lunch/tiffin to the Employees.

**Special provision relating to the Employees performing intellectual work:** Labor Rules requires Employers to arrange suitable environment in workplace in order to prevent fatigue or tiredness of the Employees continuously working on computers for a long time or Employees engaged in mental or intellectual work.

**Other Health and Safety Arrangements**

|  |  |  |  |
| --- | --- | --- | --- |
| **S.N.** | **Arrangement** | **Details** | **Remarks** |
| 1 | Child Care Center | Triggers where 50 or more female Employees are engaged at work. | Can be arranged by individual Employer or in the association with other Employers |
| 2 | Rest Room | Triggers where 50 or more Employees are engaged at work. |  |
| 3 | Canteen | Triggers where 50 or more Employees are at the same time at same workplace |  |
| 4 | First Aid | For the primary treatment of Employees in case of any accident at workplace.  Also triggers in case the Employee meets accident. | Employer shall bear all the cost incurred for such treatment. |

**Notice of Accident:** Employer or the representative of Employer should provide notice, within 7 days, to the Labor Office in case any Employee meets accident which results injury or death of such Employee. Such notice should include the details including the date, time, reason and place of accident, and the name, address of the Employee including the name of hospital where treatment takes place.

**List of occupational disease and compensation:** The Labor Rules authorizes the Government to publish list of the occupational diseases in Nepal Gazette. Any dispute relating to whether or not a disease is an occupational disease can be settled by the committee formed by the Government comprising of specialized medical practitioner as per the criteria set out by International Labor Organization. The Ministry of Labor has the authority to specify the amount of medical costs and compensation to be paid to the Employee by the Employer in the case of occupational diseases.

**Labor Audit**

The Employer is required to conduct a labor audit by the end of the month of *Poush as per Nepali Calendar* every year (Mid-January). The Labor Audit should be conducted as per the criteria defined by the Ministry of Labor.

The audit may be conducted by the managerial level Employee of the entity or any other individual or entity associated in the field of labor. If any false details are found in the labor audit report, Department of Labor can impose up to twenty thousand rupees fine on the person providing false details or the management of the entity.

A copy of the report of labor audit should be provided to the Labor Relation Committee. The report should also be submitted to the following regulatory authorities such as (a) to Nepal Rastra Bank by the bank and financial institutions, (b) to Insurance Board by the insurance companies, (c) to District Administration Office by Non-government organizations, (d) to the authority establishing or issuing license for approval by other entities**.**

**Maintenance of personal records and retention of such record:** As per the Labor Rules the Employer should maintain personal and attendance record of the Employees. The record should include name, address, family details, citizenship certificate copy, contact number, email address and other important details of the Employee working with the Employer. The Employer is required to retain the records of Employee’s remuneration and attendance for at least five (5) years.

**Public Holiday and Weekly Off of Domestic Workers**: The Labor Rules provides that domestic workers are entitled to twelve (12) day paid public holiday and one (1) day paid weekly off every week. If the worker is engaged in work on weekly off or public holiday, the Employer should provide replacing holiday within 21 days or overtime payment for such work.

## Annex 15: GoN prescribed National Standards on Air/Noise/Water/Effluent

1. **Air**

Nepal does not have any specific law on air pollution control. *Environment Protection Act* (*Official Gazette,* *June 24/1997) and Environment Protection Rules* (*Official Gazette, June 26/1997)* are umbrella legislation.

Emission standards for in-use and new diesel generators (DG) sets, industrial boilers, cement industries, crusher industries and diesel generators were introduced in 2012. The government has also introduced brick kiln stack emission standard in 2008.

According EPR, 1997, all industries as referred to in Schedule-7 has to obtain the **provisional pollution control** **certificate**. This certificate is issued by concerned body for one year of operation of such industry shall causeno Substantial adverse impact on environment or there is possibility of reducing or controlling such effect. Whereas if industry specific standards are available, the industry has to obtain the **permanent pollution** **control certificate** valid for three years to those industries after having their examination from the designatedlaboratory or as mentioned. Ministry of Forests and Environment (Previously named as Ministry of Population and Environment) and/or Department of Environment decides on what, when and how pollution abatement measures/equipment shall the plant implement (Rule 15, Sub Rule 5, EPR, 1997).

1. **Noise**

Nepal does not have a specific law to address noise pollution. *Environment Protection Act* (*Official Gazette,* *June 24/1997) and Environment Protection Rules* (*Official Gazette, June 26/1997)* are umbrella legislation.Sound Quality National Standard, 2012 are put in place for noise. According to *Environment Protection Rules* (*Official Gazette, June 26/1997),* Ministry of Forests and Environment (Previously named as Ministry of Population and Environment) is the in charge of implementing the proper measures for noise reduction.

According to Sound Quality National Standard, 2012 noise limits differs based on the type of location. There are two types of noise limit- day and night limits. The noise limit for night are stricter then day.

|  |  |  |
| --- | --- | --- |
| **Zone** | **Noise limit in Decibel** | |
|  | **Day time** | **Night time** |
| Industrial | 75 | 70 |
| Commercial | 65 | 55 |
| Rural Residential | 45 | 40 |
| Urban Residential | 55 | 50 |
| Mixed Residential | 63 | 55 |
| Silent | 50 | 40 |

1. **Drinking Water[[16]](#footnote-16)**

Government of Nepal issued notice to implement National Drinking Water Quality Standards, 2062 (2006) under the provision of Water Resources Act, 2049 (1993), Clause 18 and Sub Clause 1. The Standard are as follows:

1. **National Drinking Water Quality Standard**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| S.N. | Category | Parameters | Units | Concentration | Remark |
| Limits |
|  |  |  |  |  |
| 1 |  | Turbidity | NTU | 5 (10) |  |
| 2 |  | pH |  | 6.5-8.5\* |  |
| 3 | Physical | Color | TCU | 5 (15) |  |
| 4 | Taste and Odor |  | Non- |  |
|  |  | objectionable |  |
|  |  |  |  |  |
| 5 |  | TDS | mg/L | 1000 |  |
| 6 |  | Electrical conductivity (EC) | µs/cm | 1500 |  |
| 7 |  | Iron | mg/L | 0.3 (3) |  |
| 8 |  | Manganese | mg/L | 0.2 |  |
| 9 |  | Arsenic | mg/L | 0.05 |  |
| 10 |  | Cadmium | mg/L | 0.003 |  |
| 11 |  | Chromium | mg/L | 0.05 |  |
| 12 |  | Cyanide | mg/L | 0.07 |  |
| 13 |  | Fluoride | mg/L | 0.5 -1.5\* |  |
| 14 |  | Lead | mg/L | 0.01 |  |
| 15 |  | Ammonia | mg/L | 1.5 |  |
| 16 |  | Chloride | mg/L | 250 |  |
| 17 | Chemical | Sulphate | mg/L | 250 |  |
| 18 |  | Nitrate | mg/L | 50 |  |
| 19 |  | Copper | mg/L | 1 |  |
| 20 |  | Total Hardness | mg/L as | 500 |  |
|  | CaCo3 |  |
|  |  |  |  |  |
| 21 |  | Calcium | mg/l | 200 |  |
| 22 |  | Zinc | mg/L | 3 |  |
| 23 |  | Mercury | mg/L | 0.001 |  |
| 24 |  | Aluminum | mg/L | 0.2 |  |
| 25 |  | Residual Chlorine | mg/L | 0.1-0.2\* | in systems |
|  | using |
|  |  |  |  |  | chlorination |
| 26 |  | E. Coli | MPN/100 | 0 |  |
| Microbiological | ml |  |
|  |  |  |  |
| 27 | Total Coliform | MPN/100 | 0 in 95% |  |
|  |  |
|  | ml | samples |  |
|  |  |  |  |

* These values show lower and upper limits

( ) Values in parenthesis refers the acceptable values only when alternative is not available.

1. **Rural Ground Water Supply Systems**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Category | Parameter | Unit | Maximum | Remarks |
|  |  |  | Concentration |  |
|  |  |  | Limits |  |
| Physical | Turbidity\_ | NTU | 5(10) |  |
|  | pH |  | 6.5-8.5\* |  |
|  | Color | TCU | 5(15) |  |
|  | Taste & Odor |  | Non objectionable |  |
|  | Electrical | µS/cm | 1500 |  |
|  | Conductivity |  |  |  |
|  | Iron | mg/l | 0.3(3) |  |
|  | Manganese | mg/l | 0.2 |  |
|  | Arsenic | mg/l | 0.05 |  |
|  | Fluoride | mg/l | 0.5-1.5\* |  |
|  | Ammonia | mg/l | 1.5 |  |
|  | Nitrate | mg/l | 50 |  |
|  | Total Hardness | mg/l | 500 |  |
|  | Calcium | mg/l | 200 |  |
|  | Residual Chlorine | mg/l | 0.1-0.2\* | In systems |
| Chemical |  |  |  | using |
|  |  |  | chlorination |
|  |  |  |  |
| Microbiological | E-Coli | MPN | 0 |  |
|  |  | /100 ml |  |  |
|  | Total Coliform | MPN | 0 ( 95% sample) |  |
|  |  | /100 ml |  |  |

* These values show lower and upper limits

( ) Values in parenthesis refers the acceptable values only when alternative is not available.

1. **Rural Surface Water Supply Systems**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Category | Parameter | Unit | Maximum | Remarks |
|  |  |  | Concentration |  |
|  |  |  | Limits |  |
| Physical | Turbidity\_ | NTU | 5(10) |  |
|  | pH |  | 6.5-8.5\* |  |
|  | Color | TCU | 5(15) |  |
|  | Taste & Odor |  | Non |  |
|  |  |  | objectionable |  |
|  | Electrical | µS/cm | 1500 |  |
|  | Conductivity |  |  |  |
|  | Iron | mg/l | 0.3(3) |  |
|  | Manganese | mg/l | 0.2 |  |
|  | Chromium | mg/l | 0.05 |  |
|  | Fluoride | mg/l | 0.5-1.5\* |  |
|  | Ammonia | mg/l | 1.5 |  |
|  | Nitrate | mg/l | 50 |  |
|  | Total Hardness | mg/l | 500 |  |
|  | Calcium | mg/l | 200 |  |
|  | Residual Chlorine | mg/l | 0.1-0.2\* | In systems |
| Chemical |  |  |  | using |
|  |  |  | chlorination |
|  |  |  |  |  |
| Microbiological | E-Coli | MPN /100 ml | 0 |  |
|  | Total Coliform | MPN /100 ml | 0 ( 95% sample) |  |

* These values show lower and upper limits

( ) Values in parenthesis refers the acceptable values only when alternative is not available.

1. **Waste Water (Effluent or Sewage)**

EPR 1997 requires for industrial unit which generate effluents to meet the pollution standards specified in Schedule 7 of EPR. According to EPR 1997, no one shall emit or cause to emit the noise, heat and waste from any mechanical means, industrial establishment or any other place in contravention of the standards prescribed.

Government of Nepal has generic and specific standards for specific industries. The specific standards are as tolerance level for industrial effluents to be discharged into inland surface waters for tanning industries, wool processing industries, fermentation industries, vegetable ghee and oil industries, paper and pulp industries, dairy industries, sugar industries, cotton textile industries, shop industries, galvanizing and electroplating industries, paint industries, non-alcoholic beverage industries and pharmaceutical industries. Similarly, generic standards are also in place for industrial effluents to be discharged into inland surface waters, into public sewers, and into inland surface waters from combined wastewater treatment plant. There are also sampling and analyzing methods for same.

According EPR, 1997, all industries as referred to in Schedule-7 has to obtain the **provisional pollution control** **certificate**. This certificate is issued by concerned body for one year of operation of such industry shall causeno Substantial adverse impact on environment or there is possibility of reducing or controlling such effect. Whereas if industry specific standards are available, the industry has to obtain the **permanent pollution** **control certificate** valid for three years to those industries after having their examination from the designatedlaboratory or as mentioned. While issuing provisional or permanent pollution control certificate, the concerned body may, as required, prescribe terms and conditions to be complied by industry (Rule 15, Sub Rule 5, EPR, 1997).

GENERAL STANDARDS AND CRITERIA FOR THE DISCHARGE OF INDUSTRIAL EFFLUENTS INTO INLAND SURFACE WATERS[[17]](#footnote-17)

|  |  |
| --- | --- |
| **Characteristics** | **Tolerance Limit** |
| Total Suspended solids, mg/L, Max | 50 |
| Particle size of total suspended particles | Shall pass 850-micron Sieve. |
| pH | 5.5 to 9.0 |
|  | Shall not exceed 40 degree C in any section of the |
|  | stream within 15 meters down-stream from the |
| Temperature | effluent outlet. |
| Biochemical oxygen demand (BOD) for 5 days at |  |
| 20 degree C, mg/L, Max | 50 |
| Oils and grease, mg/L, Max | 10 |
| Phenolic compounds, mg/L, Max | 1 |
| Cyanides (as CN), mg/L, Max | 0.2 |
| Sulphides (as S), mg/L, Max | 2 |
| Radioactive materials: |  |
| a. Alpha emitters, c/ml, Max | 7-Oct |
| b. Beta emitters, c/ml, Max | 8-Oct |
| Insecticides | Absent |
| Total residual chlorine, mg/L | 1 |
| Fluorides (as F), mg/L, Max | 2 |
| Arsenic (as As), mg/L, Max | 0.2 |
| Cadmium (as, Cd), mg/L, Max | 2 |
| Hexavalent chromium (as Cr), mg/L, Max | 0.1 |
| Copper (as Cu), mg/L, Max | 3 |
| Lead (as Pb), mg/L, Max | 0.1 |
| Mercury (as Hg), mg/L, Max | 0.01 |
| Nickel (as Ni), mg/L, Max | 3 |
| Selenium (as Se), mg/L, Max | 0.05 |
| Zinc (as Zn), mg/L, Max | 5 |
| Ammonia nitrogen, mg/L, Max | 50 |
| Chemical Oxygen Demand, mg/L, Max | 250 |
| Silver, mg/L, Max | 0.1 |

1. **Waste Management in Nepal**

EPR 1997 requires for industrial unit which generate waste to meet the pollution standards specified in Schedule 7 of EPR. According to EPR 1997, no one shall emit or cause to emit the noise, heat and waste from any mechanical means, industrial establishment or any other place in contravention of the standards prescribed.

According EPR, 1997, all industries as referred to in Schedule-7 has to obtain the **provisional pollution control** **certificate**. This certificate is issued by concerned body for one year of operation of such industry shall causeno Substantial adverse impact on environment or there is possibility of reducing or controlling such effect. Whereas if industry specific standards are available, the industry has to obtain the **permanent pollution** **control certificate** valid for three years to those industries after having their examination from the designatedlaboratory or as mentioned. While issuing provisional or permanent pollution control certificate, the concerned body may, as required, prescribe terms and conditions to be complied by industry (Rule 15, Sub Rule 5, EPR, 1997). The EPA 1997 also made provision for appointing Environment Inspector in order to effectively carry out a control measures to be made by businesses to mitigate, avoid or control the pollution they generate or activities required to be carried out in accordance with the IEE or EIA.

The first policy on waste management “National Policy on Solid Waste Management” was formulated in 1996 to tackle the growing problem of solid waste management problems due to urbanization and industrialization. The policy emphasized on waste management in municipal and urban areas. The key objectives of this policy are to make management work of the solid wastes simple and effective and minimize environmental pollution caused by the solid wastes and adverse effect thereof to the public health.

According to Local Self Governance Act, 1999, the local government authorities are responsible for solid waste management activities within its jurisdiction. Solid Waste Management Act 2011 came into existence with the objective of management of the solid waste in a systematic and effective way by reducing at its source, re-use, processing or discharge and for maintaining a clean and healthy environment through the reduction of adverse effects that may be caused to the public health and environment. This act made local body shall be responsible for the management of solid waste by construction and operation of infrastructure like transfer station, landfill site, processing plant, compost plant, biogas-plant and also collection of waste, final disposal and processing. As of this act, littering everywhere, placing, discharging or causing to discharge harmful waste by industrial enterprise or health institutions, emanating from industry or health institution shall be considered to have committed an offense.

## Annex 16: Guidelines for protecting Physical Cultural Resources Avoiding Impacts on Cultural and Historical Properties

Cultural heritage are sites, structures, and remains of archeological, historical, religious, cultural, and aesthetic value. It is important to assess site to understand the significance of a site and to provide due protection according the aesthetic, historical, scientific, and social value.

* **Preventive Measures**
  + Specify in the works contracts/agreements all required steps, notifications and preservative actions in case new/undiscovered archeological or other culturally interesting terms and encountered during excavation works. The clauses will specify whom to inform and how to proceed with works after the respective approval;
  + Align the trail or any other developmental activities in such a way that sites known for cultural heritage is at reasonably fair distance (to prevent possible impacts by development activity induced impacts such as air pollution, vibrations, damage aesthetics and noise, etc.
* **Mitigation Measures**
  + The contractors (if involved) or community workers are responsible for strictly instructing workers to stay away from respected local cultural assets, to avoid any direct harm to those items or to hurt the traditional feelings of local people;
  + Avoid any actions that bear the risk to destroy the sites or alter their scientific or aesthetic character;
  + In case of accidental damages, the responsible agency will be obliged to inform immediately the archaeological department who will then decide further actions;
  + In case of accidental damages, the Contractor will be obliged to carry out immediate corrective and repair measures to satisfy the local population and, as applicable, the representative of the archaeological department.
* **Chance Find Procedures**

As subprojects will be located across the nation's National Parks, Wildlife Reserves and Conservation Areas, possibility of encountering cultural sites during construction may be inevitable.

If such physical cultural resources defined as “movable or immovable objects, sites, structures or groups of structures having archaeological, pale-ontological, historical, architectural, religious, aesthetic, or other cultural significance is found during construction, this has to be immediately informed to the local authority as per the law of the land.

All findings belong to the Government of Nepal. The department of Archeology will determine the final destination of any artifact (object) that is salvaged during the construction process. Construction activity will immediately halt and will not resume until authorized by the competent authority (Representative Local Government or Department of Archeology or Chief District Officer etc.).

All the workers need to be trained or aware by responsible agency, especially those working on earth movements and excavations, on recognition of artifacts (object) most likely to be found in the area. The Department of Archeology, or any other recognized Historical or Archaeological Institute can be requested to provide this training.

## Annex 17: Species protected under Schedule-1 of NPWC Act

(Source: National Parks and Wildlife Conservation Act, 1973)

**Mammals**

Assamese Monkey - *Macaca assamensis*

Pangolin - *Manis crasscaudata and Manis pentadactyla*

Hispid Hare *- Caprolagus hispidus Gangetica*

Dolphin *- Platanista gangetica*

Grey Wolf - *Canis lupus*

Himalayan Brown Bear *- Ursus arctos*

Red Panda - *Ailurus fulgens*

Lingsang - *Prionodon pardicolor*

Striped Hyena *- Hyaena hyaena*

Leopard Cat - *Felis (Prionailurus) bengalensis*

Lynx *- Lynx lynx*

Clouded Leopard - *Neofelis nebulosa*

Tiger *- Panthera tigris tigris*

Snow Leopard - *Panthera* *uncia*

Wild Elephant *- Elephas maximus*

One-horned rhinoceros *- Rhinoceros unicornis*

Pygmy Hog *- Sus salvanius*

Musk Deer *- Moschus chrysogaster*

Swamp Deer - *Cervus duvaucelii*

Gaur - *Bos gaurus*

Wild Yak - *Bos grunniens (mutus)*

Wild Buffalo - *Bubalus arnee*

Great Tibetan Sheep - *Ammon hodgsonil*

Tibetan Antelope - *Pantholops hodgsoni*

Black buck - *Antilope cervicapra*

Four-horned Antelope - *Tetracerus quadricornis*

**Birds**

Black Stork - *Ciconia nigra*

White Stork - *Ciconia ciconia*

Sarus Crane - *Grus antigone*

Cheer Pheasant - *Catreus wallichii*

Impeyon pheasant - *Lophophorus impejanus*

Crimson-horned Pheasant - *Tragopan satyra*

Bengal Florican - *Houbaropsis bengalensis*

Lesser Florican - *Eupodotis indica*

Giant Hornbill - *Buceros bicomis*

**Reptiles**

Python *- Python molurus Gharial*

Crocodile - *Gavialis gangeticus*

Golden Monitor Lizard - *Varanus flavescens*

## Annex 18: Plant Species and Forest products protected under the Forest Regulations, 1995 (amended 2001)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **S.N.** | **Botanical Name or Forest Resources** | **Vernacular Name** | **IUCN Status** | **CITIS Code** |
| ***Species Banned for Collection and Export*** | | | | |
| 1 | *Dactylorhiza hatagirea* | Panch Aule |  | II |
| 2 | *Picrorhiza scrophulariiflora* | Kutki |  |  |
| 3 | *Juglans regia (bark)* | Okhar |  |  |
| ***Species Banned for Export without Processing*** | | | | |
| 1 | *Abies spectalilis* | Talis patra |  |  |
| 2 | *Cinnamomum glaucescens* | Sugandhakokila |  |  |
| 3 | *Cordyceps sinensis* | Yarsa Gomba |  |  |
| 4 | *Lichen species* | Jhyau |  |  |
| 5 | *Nardostachhys grandifloral* | Jatamansi |  |  |
| 6 | *Rauvolfa serpentine* | Sarpagandha | V | II |
| 7 | *Taxus buccata sub-sp. Wallichiana* | Loth Salla |  |  |
| 8 | *Valerina jatamansii* | Sugandabala |  |  |
| ***Tiber Tree Banned for Felling, Transportation and Export*** | | | | |
| 1 | *Acacia catechu* | Khayer |  |  |
| 2 | *Bombax ceiba* | Simal | T |  |
| 3 | *Dalbergia latifolia* | Satisal |  |  |
| 4 | *Juglans regia* | Okhar |  |  |
| 5 | *Michelia champaca* | Champ |  |  |
| 6 | *Petrocarpus marsupium* | Bijay Sal | E |  |
| 7 | *Shorea robusta* | Sal, Sakhuwa |  |  |

**Note:** *IUCN Threat Categories:* *E= endangered; T=threatened; V= vulnerable*

## Annex 19: Some Good Practices in Conservation and PA Management

Biogas technology in buffer zone communities

Deforestation, degradation and conversion of forest lands into agriculture and settlement puts tremendous pressure on the forests. Communities residing in the buffer zones around the protected areas are dependent on forest for timber, fuelwood, thatch grasses and non-timber products to meet their basic needs. Majority of the households practice traditional methods in their everyday activities such as using fuelwood for cooking and heating, harvesting timber and grasses as building materials and depend on local plants for medicinal, commercial and cultural/religious use. A large bulk of demand for forest products are for energy needs and about 77 percent of the total energy demand of the country is fulfilled by fuelwood (WCES 2010). While harvesting of forest products for energy demands exert pressure on forest resources, the associated health hazards from using fuelwood indoors are also high that result in poor respiratory health. Fetching fuelwood from the forest is also time consuming and reduces the work efficiency, especially of women who bear the responsibility of doing household chores.

As an alternative to fuelwood, introduction of biogas technology in the buffer zone households has brought major benefit to the households and contributed to improving living standards. The major conservation benefit of biogas is on the direct reduction of forest deterioration. The use of biogas is most valued by the benefitting households for its significant time saving and increasing work efficiency; reduced work burden; better, renewable, quicker and easier fuel than firewood; and improvement of family health. While the obvious environmental benefits of using biogas is in the reduction of pressure on forest, using biogas also influence positive family relations, positive change of the individual in general cleanliness, indirect savings on health-related expenses, and increased time allocation by women and children in continuing their education. All these positive effects of biogas technology have resulted in the communities to embrace and understand the value of using clean energy into conserving the surrounding environment. NTNC has a long history of engaging the buffer zone local communities in environment protection by adopting biogas technology throughout the Terai Arc Landscape (TAL) region, making this conservation endeavor a model of success. Some of the major sites where biogas has brought positive change in people's lives and enhanced environment conservation are Shivapur, Thakurdwara and Suryapatuwa VDCs of Bardia district; Bacchauli, Khumroj and Padampur VDCs of Chitwan district; and Bhimdutta municipality and Jhalari VDC of Kanchanpur district where in totality, more than 1,800 households have installed biogas through NTNC.



A household with biogas plant

Protecting trees through alternatives

Households of ACA Manang follow Buddhist tradition who use trees for *Dharjyo*, which is a pole used to mount prayer cloths. The prayer flags are replaced more than once a year in each household and naturally tend to put undue pressure on forests. In effort to reduce the felling of trees for this purpose, NTNC-ACAP in Manang has introduced iron poles as substitutes to the wooden prayer flags. This initiative has brought success in changing the local behavior of relying on forests for *Dharjyo* and in the process, local communities have internalized the value of using iron poles to protect the forests, and that deforestation is avoidable by using simple but practical solutions. Before the use of iron poles, significant number of trees were cut from the already limited forested areas in Manang. However, this has changed for good because iron poles have replaced wooden poles, saving the forests. This case exemplifies how people are willing to change when suitable alternatives are put in place and the translation of willingness into actions stimulates the protection of the common good.



A *Dharjyo*

Cultivating community participation for conservation in ACA

The major objective of conservation area management is to address local issues by accommodating local communities in the process of protected area management. The objective has some good justifications. First, there is a close link between socio-culture and tradition of local communities with the resources of the area. Second, communities have traditional knowledge, skills, and practices required for the management of local resources. Third, the livelihoods of local communities are primarily derived from local resources, which justify their right and responsibility to be involved in the management. Moreover, the involvement of local communities in conservation area management also rationalizes the conservation cost by plowing back the revenue generated from the conservation area. In order to implement the ACA programs, the operational plan 1986 made provision to form a village level non-political Conservation and Development Committee (CDC) that could make decision about local issues including forest resources based on people’s consensus as far as possible. This provision of CDC drastically reduced people’s burden of going to the distantly located district forest office (DFO) and facing the administrative and bureaucratic procedures to get permission for timber and other materials for construction of houses and livestock shelters. With the time, the CDC gathered more practical experience and developed its own rules and regulations to protect the VDC’s forests. They even started to fine the rule breakers (KMTNC-ACAP 1997). Conservation Area Management Regulations 2053 (1996) and Conservation Area Management Directives (1999) empowered the CDC and renamed it as Conservation Area Management Committee (CAMC). The CAMC is a Village Development Committee (VDC) level organization with 15 members represented from all nine wards, one chairman and one secretary, and four nominated members from social workers, women, and disadvantaged groups.

There are 57 CAMCs now operating in all Unit Conservation Areas (UCOs) in ACA who fulfill the responsibility to conserve the natural resources and contribute in the local development through mobilization of local resources. The committees operate by VDC level conservation and development plans and implement them in collaboration with VDC, District Development Committee (DDC), and local line agencies. Based on local needs, the CAMCs have sub-committees of Forest Management, Tourism Management, Mother Groups, Village Electricity Management etc., which could exercise the authorities and responsibilities delegated by the CAMC. These committees are authorized to collect users’ fee and utilize the revenue for conservation and development of the area. All these grassroot efforts have ensured a lasting harmony between the people and environment while balancing the need of economy and development. The success of CAMC approach to community-based conservation demonstrates how conservation and development can go together through a strong local support gained by entrusting the management of conservation areas to the rightful owners and stewards.



Active participation of Mother's Group

CAMC members in discussion of conservation agenda

Alternative energy technology

One of the objectives of Integrated Conservation and Development Program (ICDP) is to develop or introduce new technology or improve the existing one to fit local needs and prevent environmental impacts. Biomass energy consumption (e.g., firewood and dung) is one of the prime examples of environmental degradation. Firewood consumption in ACA was the major cause of deforestation. The forest area was shrinking and there was an acute shortage of firewood during 1970s-1980s. This was a real burden particularly for women and children who exhausted their time and energy in search of firewood. There was no alternative source of energy for heating and cooking. ACAP took up this issue urgently for intervention because it was the priority of local people. Various alternative energy sources such as hydropower, solar, biogas, and improved cooking stoves were introduced in order to curtail the use of firewood and other sources of biomass energy. Starting from 1987, ACAP introduced 2,183 improved cooking stoves, 906 biogas plants, 254 solar units, and 20 hydropower projects by 2006. Introduction of energy technology was accompanied by awareness program, community forest program, tree plantation in degraded areas, and so on. These alternative energy sources together with other relevant programs effectively substituted the use of firewood, which generated multiple positive impacts in ACA: a) regeneration and increase of forest area, b) reduction of environmental pollution, c) better health and sanitation, and d) availability of extra time of women and children for productive work like income generation and schooling.



Community managed micro hydro

Safe Drinking Water to reduce Plastic Pollution

Unavailability of safe drinking water in destination areas is one of the major problems that contributes to environmental pollution because of plastic water bottles brought along by the visitors. Purchasing plastic water bottles along the trekking routes is also not a good idea as it contributes to plastic waste generation. The bottles are not recycled and end up in refuse pits. Boiled drinking water are available through hotels but can be costly, raising the daily spending just for maintaining the bare minimum for health care. In order to reduce this problem, ACA has been providing safe drinking water for visitors through "Clean Water Stations" spread across various points in the trekking trails. So far, there are 26 station in ACA. The water stations use ozone generator machines to purify water of harmful pathogens through the process of ozonation. As a result, visitors have easy access to clean drinking water and replaced the need to bring or purchase bottled water. As a successful example of this initiative, now a days, the Ghandruk village of ACA has significantly reduced the use of plastic bottles that has contributed to the reduction of nonbiodegradable wastes.

Tourism as driver of local development

Poverty alleviation is the focus of economic development program. In ACA, it focused primarily on: a) income generation activities based on local opportunities, b) promotion of skill development for quality improvements of existing products and services, and c) manufacturing and marketing new products (e.g., products of nettle fiber and carpets from sheep wool). Promotion of tourism was considered as a viable option to achieve these objectives of economic development in the Annapurna region. Tourism was linked to commercialization of agriculture such as cultivation of tea, fruits, vegetables, and production of vegetable seeds in the area.

Tourism is a mainstay of ACA. It can fetch ample benefits to local communities and generate resources and enthusiasm for nature conservation as well. The number of tourists visiting ACA increased steadily from the 1980s and reaching more than 37,000 by the early 1990s and more than 76,000 by the year 2000 after which it declined drastically due to insurgency in the country. Although tourism has inflicted some adverse social and environmental impacts, it has been the focal program for ICDP and sustainable development of ACA for several reasons. First, revenue collected from tourism (e.g., trekking permits) provided financial sustainability for its conservation and development activities. For example, trekking revenue covered more than 85%during the period of 1996-2001. Second, in addition to supporting local entrepreneurs (e.g., local hotel and teashop owners) for income generation, tourism has also significantly contributed to motivating the entrepreneurs for environmental conservation. Third, it has introduced new skills and technology and updated relevant information through volunteer and self-help programs. Tourists/visitors have donated and established funds for some activities such as scholarships for school children. Finally, besides many other contributions, tourism has also helped diversify conservation programs and change the attitude of local people towards conservation and development.

Both the Operational plan and Management plan of ACA considered these negative and positive aspects of tourism in developing tourism management activities. For example, local hotel and teashop owners were lacking ideas and skills in hotel management, food preparation, guest relation, sanitation, and communication and information according to the taste of visitors. The ACAP program provided such skills through a number of formal and informal training, which significantly helped in improving the services. Now, there are more than 700 such teashops and hotels with skilled manpower, alternative energy sources, and environment friendly products from local resources. Economic indicators such as lifestyle (e.g., housing and consumption pattern), purchasing capacity, possession of household appliances (e.g., television), schools, health posts, etc. suggested that the economic status of local people has been rising. Tourism is largely responsible for such positive changes in the economic status of ACA. In order to enhance the economic development and also maintain the balance between economy and environment, ACA should go for quality tourism in future by attracting quality tourists who are ready to pay more entrance fees and spend more days. This demands that ACA be developed as a special destination with improved facilities, diversified products and programs (e.g., new routes and sites), and new style of marketing and promotion of tourism.



## Annex 20: Description of Existing Environment of Destination Areas

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**1. Bardia National Park**

**1.1 Physical environment**

Location

The Bardia National Park is primarily located in Bardia district and spreading towards Surkhet and Banke districts. It is the largest protected area in the Tarai region of Nepal which covers an area of 968 sq. km. The total area of the park's buffer zone (BZ) is of 507 sq. km. In addition to Bardia district, the buffer zone is extended to Banke and Surkhet districts. The BZ includes 110 Wards of 20 Village Development Committees (VDCs) with the population of 1,14,201 and 17,146 households.

Topography

The park's landscape consists of two broad physiographic zones; Siwalik/Churia and Flat Tarai land. The large northern part, Siwalik is comprised of steep to moderately steep undulating terrain and southern part is almost flat. Important landscapes are Karnali flood plain, the Babai river valley and Siwaliks. Most of the park and buffer zone area is covered by forests (76%) and followed by cultivated lands (13%), shrub land (3.64%), grass lands (1.47%), and water bodies (1.63%).

Climate

Two bio-climatic zones exist in the BNP including lower tropical zone (below 500m) and upper tropical zone (501-1000m). The upper tropical zone is comparatively cool which experience like sub-tropical monsoon whereas lower tropical zone is too dry and hot. Recorded mean annual temperature of the park is 210 C with lowest temperature of 30 C during January and maximum temperature over 400 C during May-June. Three distinct seasons can be observed in a year, they are: hot and dry season (February to mid-June), hot and wet (mid-June to late September), and cool and dry (late September to February). Annual recorded rainfall ranges from 2000 mm (at Chisapani area/Churia) to 1400 mm (at Gulriya/Southern lowland). Monsoon rain is prevalent in the area, about 90% of the total precipitation occurs during three months (July, August and September). Winter rains are scanty but have significant role in maintaining the hydrology of the park.

Geology/Soils

The Siwalik Hills are composed of unconsolidated rock materials mainly made-up of sedimentary rocks (mostly limestone and quartz) and big boulders which are very weak, and therefore, vulnerable to rapid erosion. The Bhabar belt is formed through the accumulation of gravel, boulders, stones and sand which are washed down from the foot hills. The flat plain is made-up of alluvium, layers of unconsolidated materials deposited by the rivers. River flood plains are sandy whereas other land consists of Silty to clay soil type. Mass movements such as landslides and mud flows are common in the Siwaliks during the rainy season accelerating flood and removal of vegetation. The Siwalik degradation caused by encroachment, illegal collection of forest product, grazing and fire has detrimental effects on ground water and river water pollution.

Hydrology/Drainage

The park is located along the Karnali river basin, the biggest river basin of the country. Karnali, Babai and Orahi rivers are the major tributaries that drain the park. Karnali River, the largest tributary of the basin passes through the park from north to south. The south-western Karnali flood plain of an area of about 100 sq. km is regarded as "biodiversity hot-spot". The Babai River, originated from the ridges of the Siwaliks, flows from east to west at the middle of the park stretches about 40 km within the park. Other rivers of Siwalik origin such as Orahi, Ambasa, Karelia Nala and Maan Khola drain the eastern sector of the park. Only few ox-bow lakes are found inside the park.

**1.2 Biological resource and land use**

Fauna

Fifty-six species of mammals, 438 birds, 52 herpetofauna, and 121 fishes have been recorded from the park area. The park is prime habitat for Royal Bengal Tiger *(Panthera tigris tigris).* Other symbolic mammalian species includes: Asian Elephant *(Elephus maximus)*, One-horned Rhinoceros *(Rhinoceros unicornis)*, Dolphin *(Platanista gangetica)*, Swamp deer *(Cervus duvaucelli)*, Black buck *(Antelope cervicarpa)*, Hispid hare *(Caprologus hispidus)* and Common leopard *(Panthera pardus)*. The park is also rich in ungulate diversity. Out of total 6 species of deer, 5 species such as Samber deer *(Cervious unicolar),* Spotted deer *(Axis axis)*, Hog deer *(Axis porcinus)*, Swamp deer *(Cervus duvaucelli)* and Barking deer *(Muntiacus muntjak)* are found in the park. Endangered Gharial crocodile *(Gavialis gangeticus)*, Marsh Mugger *(Crocodilus palustris),* and Burmese Python *(Python molurus)* are symbolic reptiles of the park. Bird species symbolic to the park include the Endangered Bengal florican *(Houbaripsis bengalensis)* and lesser florican *(Sypheotides indica)*, Critically Endangered White-rumped vulture *(Gyps bengalensis)*, Peacock *(Pavo cristatus)* and Bar-headed gees *(Anser indicus),* Giant Horn Bill *(Buceros bicornis)*, Eurasian Eagle Owl *(Bubo bubo).*

Flora

A total of 839 species of flora have been estimated in the park. Among these, 170 are estimated to be vascular plants. Eight pteridophytes, 1 gymnosperm, 140 dicotyledons and 26 monocotyledons have been recorded so far. The park consists of mainly three major vegetation types viz. (i) Chirpine forest, (ii) hill Sal forest and (iii) lower tropical Sal and mixed broad-leaved forest. Chirpine and hill Sal forest are found in the Siwaliks and the latter in the foothills. Chirpine *(Pinus roxburghii)* is found above 500 meter in the northern Siwalik region. Sal is the dominant tree species (71%) of the park. Other major associates of the Sal forest includes; Karma *(Adina cardifolia)*, Bot-Dhangero *(Lagerestromia parviflora)*, Asna*(Terminalia tomentosa)*, Barro *(Terminalia belerica)*, Jamun *(Syzgium cumini)*, Tantari *(Dillenia pentagyna)*, Sindure/Rohini *(Malotus philipinenansis)*, Mahuwa *(Madhuca indica)*, Bhalayo *(Semicarpus anacardium)*, Rajbriksha *(Cassia fistula)*, Siris *(Albizia*sp*)*, Bel *(Aegle marmelos)* etc. Major dominant riverine species includes: Khair *(Acacia catechu)*, Sisoo *(Dalbergia sisoo)*, Simal *(Bombax ceiba)*, and Vellor*(Trewia nudiflora)*. Dhangero *(Woodfordia fruticosa)*, Lwangful *(Lantana camara)*, Besarma/Bihaya *(Ipomea fistulosa)*, Titepati *(Artimissia dubia)*, Asare/Kadipatta*(Murraya koenigii)*, Kurilo *(Asparagus recemosus)*, Tapre *(Cassia tora)* are the major shrubs found in the park. The major grassland species of the park includes: Elephant grass (*Themeda villosa), Kans(Saccharum spontaneum)*, Siru *(Imperata cyllindrica)*, Dubo *(Cynodon dactylon)*, Babiyo *(Eulaliopsis binata)*, and Khar *(Vetivaria zizanoides)*.

Ecosystem

Altogether seven forest ecosystem types have been identified in BNP; Upper Siwalik Chirpine-Oak forest, Siwalik Chirpine-Oak forest, Tropical hill Sal forest in inner valleys, Tarai Tropical Sal forest, Khair-Sisoo scrub and riverine forest, Bhabar light forest and Tarai cultivated land (NBRB, 2007). Of the 200 global eco-regions identified by World Wildlife Fund (WWF), the park holds two eco-regions, the Tarai-duar savannas and grasslands, and the Sub-tropical Broad-leaf Forests.

Land use

The park can be distinguished into five distinct land use types, viz.(i) the Siwalik, (ii) the Bhabar, (iii) the river valley, (iv) the alluvial lowland, and (v) the riverine floodplains. Important landscapes are Karnali flood plain, the Babai river valley and Siwaliks. Most of the park and buffer zone area is covered by forests (76%) and followed by cultivated lands (13%), shrub land (3.64%), grass lands (1.47%), and water bodies (1.63%). About 33% of the buffer zone area is under good forest cover, 17% under grassland and degraded forest, over 43% under agricultural land and 7% other land use.

**1.3 Socio-economy and human settlement**

Located in province five of the country, Bardia district is situated in the terai region of the country with elevation starting from below 300 m and going up to 1,564 masl and hot tropical climate. With an area of 2,025 km2 and population of 426,576 living in 83,147 households, about 56% of the total population are Indigenous People (IPs) with Tharu as the most populous ethnic group. Bardia district has been divided into six municipalities and two rural municipalities. Madhesi community with many castes and sects are the dominant population in the district with Tharu being the most common language spoken. The average household size of the district is 5.23 and predominant occupation of the district is agriculture, but the production system is traditional and mostly subsistence. Integrated crop-livestock farming is the predominant production system. Rice and wheat are the predominant crops cultivated in 50,000 ha and 17,800 ha respectively, producing about 202,800 MT of rice and 66,300 MT of wheat in 2015/16. The average annual household income is $1,086 with 28.7% of the population in poverty. Household statistics show that 96.3% own their own home but homes are mostly mud bonded in foundation and wall, and roofed by galvanized iron. Wood is the used as the main fuel for cooking at 87.6% and 62.6% have access to electricity. The human development indices of the district are not very encouraging as the literacy rate is only at 65% where 58% of women are literate and 74% of males are literate; and 50.6% children under age five are malnourished. Wildlife tourism is Bardia National Park is growing steadily over the past few years where tourists visit to experience the pristine wilderness of the park. The fast-flowing water of the Rapti river and wildness of the park provide excellent jungle safari and rafting expeditions. Since the past few years, more tourists are drawn to the park by the high prospect of sighting tigers in the wild. In 2017/18 the park received 17,959 visitors, although an increase compared to the previous years, it is much lower than other parks such as Chitwan National Park.

**1.4 Physical cultural resources**

Besides the national park, Bardia district is known for its Tharu culture. The district is mainly inhabited by Danguara Tharu people who have their own language, customs and traditions. Small villages like Dalla and Kailashi in the countryside are some of the cultural attractions with rich Tharu culture. Different cultural experience includes folk dance, handicraft sale and exhibits, museum displays, traditional customs, religious rituals and festivals. Homestay facilities operated by local communities provide various cultural and traditional programs. The Thakur baba temple of Thakurwara municipality is a major religious attraction to Hindu pilgrims.

**2. Banke National Park**

**2.1 Physical environment**

Location

Banke National Park extends over 550 km2 in Banke district and its buffer zone, 343 km2, encompasses parts of Banke, Dang and Salyan districts. It is connected with Bardia National Park towards the west which further links with Katerniaghat Wildlife Sanctuary in India via national and community forests of Khata corridor. Similarly, it also adjoins with Kamdi corridor, through national and community forests, and connects Suhelwa Wildlife Sanctuary (SWS) of India. It is an important component of Terai Arc Landscape (TAL) which provides additional habitat for tigers.

Topography

Plains**:** This is a narrow strip which stretches east to west parallel to the National Highway in the southern part of the Park with elevation ranging from 153 m to 250 masl. This region contains various forest types: Sal forest, Riverine forest, Floodplain forest, and Khair-Sissoo forest along the streams.

Bhabar/foothills:This is the region north of the plains and at the foothills of the Churia hills. The altitudinal variation ranges from 250 m to about 600 m. The main forest types found in this region are: Hill Sal forest, Mixed hardwood forest, and Riverine forest.

Churia ridge:This is the Churia hill region with altitudinal range from 600 m up to 1247 masl. Mixed Churia hill forest is the main forest type found in the area with hill Sal forests found scattered in places.

Climate

The park has sub-tropical monsoonal climate with summer monsoon from mid-June to early October followed by relatively long, cold dry winter. There are three distinct seasons: hot-dry (February to mid-June), monsoon (mid-June to early October), and cold dry (early October to February). The area is located in the far-western climatic zone and has a tropical monsoon climate with high humidity throughout the year. Summer is characterized by hot, dry and westerly windy weather where temperature can reach as high as 390C. The hot humid days give way to the monsoon season that typically lasts from late June until September when rivers become flooded and most of the roads are virtually impassable. Spring refers to a pleasant climate with slightly post monsoon rain and not extreme temperature. The weather in winter is also pleasant with cold morning and nights with occasional cold waves during two months of December and January. The average annual rainfall of the park is 1,474 mm and about 80% of rainfall occurs within four months of rainy season i.e. June to September. Rains are scanty in winter season although few intermittent showers take place during the period.

Geology/Soils

The geological formation of the Churia range is the determining factor for the soil types of the park. Exposed rocks consist of fine-grained sand stone with pockets of clay, shale, conglomerate and freshwater limestone. The Bhabar zone receives boulder, cobbles, gravel, and coarse sand interceded with silt and clay from the Churia.

Hydrology/Drainage

Two major rivers, Rapti and Babai enclose the buffer zone. Rapti River forms the southern boundary, whereas the Babai River has demarcated the northern boundary of BZ. The Churia ridge forms the catchment boundary and divides the basin. All the rivers of the Park originate from the Churia hills. Main streams in the Rapti catchment (southern aspect) of the Park are Kathauti, Jethi, Syalmare, Ranighat, Jhijhari, Baghsal, Paruwa, Muguwa, Khairi, Sukhar, Lumba/Rolpali, Sauri, Bairiya, Oz Khola and Tilkanya and Malai Khola lies within Babai catchment (northern aspect). Water discharge of these rivers/streams is very high during rainy season. Much of the small streams remain dry during summer season.

**2.2 Biological resources and land use**

Fauna

Mammals:The Park is home to 34 species of mammals. Among them, seven species are protected under National Parks and Wildlife Conservation (NPWC) Act 2029. These protected species are: Tiger (*Panthera tigris*), Leopard Cat (*Felis bengalensis*), Spotted Lingsang (*Prionodon pardicolor*), Asian Wild Elephant (*Elephus maximus*), Striped Hyaena (*Hyaena hyaena*), Four-horned Antelope (*Tetracerus quadricornis*) and Indian Pangolin (*Manis crassicaudata*). Similarly, the common species recorded in the Park are Common Leopard (*Panthera pardus*), Jackal (*Canis aureus*), Fox (*Vulpus bengalensis*), Jungle cat (*Felis chaus*), Bluebull (*Boselaphus tragocamelus*), Hog deer (*Axis porcinus*), Wild Boar (*Sus scrofa*), Sloth bear (*Melursus ursinus*), Spotted deer (*Axis axis*), Barking deer (*Muntiacus muntjak*), Sambar (*Cervus unicolor*), Common Ghoral (*Naemorhaedus goral*), Rhesus monkey (*Macaca mulata*) and Porcupine (*Hystrix indica*).

Birds:To date, 236 species of bird have been reported from the park out of which one protected bird species is reported under NPWC Act, 2029 *i.e.* Great Hornbill. Great Slaty Woodpecker (*Mulleripicus pulverulentus*), Egyptian Vulture (*Neophron percnopterus*), Whiterumped Vulture (*Gyps bengalensis*), Steppe Eagle (*Aquila nipalensis*), Woolley-necked Stork (*Ciconia episcopus*) and Hodgson’s Bushchat (*Saxicola insignis*) are the six globally threatened species found in the park. Some nationally threatened species found in the Park are Grey Francolin (*Francolinus pondicerianus*), Northern Pintail (*Anas acuta*), Great Hornbill (*Buceros bicornis*), Yellow-wattled Lapwing (*Vanellus malarbaricus*), Himalayan Vulture (*Gyps himalayensis*) and Asian Openbill (*Anastomus oscitans*).

Herpeto-fauna:Twenty-four species of reptiles and nine amphibian species have been reported from the area. Asatic (Rock *Python*) and Golden monitor lizard (*Varanus flavescens)* is endangered species reported from the area and are therefore protected species in the Herpeto-fauna list of NPWC Act 2029. Other common reptiles reported are Garden lizard *(Calotes versicolor),* Brookes' house gecko *(Hemidactylus brookii),* Agama *(Agama tuberculata),* Krait *(Bungarus caeruleus),* King Cobra *(Naja naja)*, and Viper (*Vipera russelli)*. The common ambhibian species recorded in the Park include Bull frog (*Rana tigerina),* Marbled toad *(Bufo stomaticus)* and Common toad *(Bufo melanstictus)*.

Fish diversity:Several fish species are found in the major river systems of the Park. To date, 55 species of fish have been reported out of which 35 fish species are reported from Rapti River only.

Flora

The composition of forests, change from site to site even within similar forest types. Forest composition, structure and status change according to the horizontal as well as vertical gradients of the park. The Bhabar/ foothills of the Churia are more diverse than either of the lowland plains and the Churia forests. Likewise, the western and middle part of the Park are more diverse than the eastern sector. Of the several floras recorded in the Park, 263 species have been identified. Sal (*Shorea robusta),* Asna *(Terminalia tomentosa),* Chiraunjee *(Buchanania latifolia),* Bajhi *(Anogeisus latifolia),* Sissoo *(Delbergia sisoo),* Khair *(Acacia catechu),* Dumri *(Ficus glomerata),* Sindure *(Mallatous philippinsis)*, and Jamun (*Eugenia jambolana)* are the dominant species in terms of density and basal area. About 20 to 30% of the area is dominated by Sal forest and other species include Barro *(Terminalia belerica),* Harro *(Terminalia chebula),* Karma *(Adina cordifolia),* Kusum *(Schleichera trijuga),* Bhalayo *(Semecarpas anacardium),* Tantari *(Dillenia pentagyna)* and Bot Dhaiyanro *(Lagerstroemia parvifl ora)*.

Ecosystem

The park represents the mid-western Terai ecosystem of Nepal containing an array of eight ecosystem types such as Sal forest, deciduous riverine forest, savannahs and grasslands, mixed hardwood forest, flood plain community, bhawar and foot hills of Churia range. The plains contain various forest types – Sal forest, riverine forest, flood plain forest, and Khair-Sisso along the streams. The Bharbar zone form the region north of the plains and at the foothills of Churia hills that contain mixed hardwood forest and riverine forest. The Churia hills region fall within the altitudinal range of 600 m to 1,247 masl with mixed Churia hill forest with Sal forests scattered in places.

Land use

The core area of the park is predominantly forests contributing to 91% of the area. Other coverage includes bush, grasslands, sand and small water bodies. The major land use types in the buffer zone are forests (74%) and agriculture (11%).

**2.3 Socio-economy and human settlement**

Banke district is located in province five of the terai region of the country with elevation starting from 153 m and going up to 1,247 masl and sub-tropical monsoonal climate. With Nepaljung as the headquarter, Banke covers an area of 2,337 km2 and population of 491,313 living in 94,693 households, about 24% of the total population are Indigenous People (IPs) with Tharu as the most populous ethnic group. Banke district has been divided into one sub-metropolitan city, one municipality and six rural rural municipalities. Madhesi community with are the dominant population in the district with Tharu, Musalman, Yadav and Kurmi bing the main caste groups. Tharu is the most common language spoken. The average household size of the district is 5.19 and predominant occupation of the district is agriculture. Rice and wheat are the predominant crops cultivated in 36,500 ha and 19,050 ha respectively, producing about 85,442 MT of rice and 3,200 MT of wheat in 2015/16. The average annual household income is $1,133 with 26.4% of the population in poverty. Household statistics show that 88.1% own their own home but homes are mostly mud bonded in foundation and wall, and roofed by galvanized iron. Wood is the used as the main fuel for cooking at 74.4% and 68.8% have access to electricity. The literacy rate is only at 62% where 55% of women are literate and 70% of males are literate; and 44.8% children under age five are malnourished. Banke National Park adjoins Bardia National Park and is equally rich in biodiversity and cultural attractions. Domestic tourists account for most tourists and the park received only four foreign visitors in FY 2017/18.

**2.4 Physical cultural resources**

Banke district holds similar cultural characteristics with Bardia district. Since a past few years, few homestays are in operation. Some wetlands such as Badhaiya tal, Rani tal and Purainapureni lake and religious sites such as Bageswori temple are attractions to domestic tourists.

1. **Shukla Phanta National Park**
   1. **Physical environment**

Location

Shukla Phanta National Park (SuNP) lies in the bordering south-western section of terai in Kanchanpur district. It covers an area of 305 km2 of open grassland, forests, riverbeds and tropical wetlands in the core area and the buffer zone area covers 243.5 km2. The park has the largest grassland in the far-western terai. It is also home to Nepal's, and perhaps even Asia's largest population of swamp deer. The park shares a common boundary with the Indian state of Uttar Pradesh in the south and west which is formed by the Mahakali river, a major tributary of the Ganges river. It is bordered on the eastern side by the Chaudhar river and to the north by a forest belt and cultivations. The park was previously a wildlife reserve and upgraded into the national park in 2016.

Topography

It lies within the coordinate 28042'29"E - 29003'08"E and 80003'08"N - 80025'53"N. Altitude gradient varies from 174 m to 1,386 m.

Climate

The park has lower sub-tropical and upper-tropical bio-climatic zones that fall in the park's Silwaliks region and lower tropical bio-climatic zone in the terai part. The park has a tropical monsoon climate with four different seasons: winter, spring, summer and monsoon. The mean monthly temperature varies from 10 ̊C to 12 ̊C in winter, gradually rising to 17 ̊C in the spring and 26 ̊C in the summer. December and January are fairly cold and misty with occasional frost. The average annual rainfall ranges from 1,300 mm to 2,300 mm, 80% of which falls during monsoon. The relative humidity remains fairly high throughout the year except in the dry months of the pre-monsoon period.

Geology/soils

There are five different soils in ShuNP. The soils in the riverine forests of khair and sisso along Mahakali river are loamy-sand with small gravel and stones; in the mixed forests they are sandy loam; in the Sal forests, they are loam to sandy loam with high organic content; and in the Siwaliks the soils consist mainly of sandstone, conglomerate, quartizite, shales, and micaceous sandstone.

Hydrology/Drainage

The Mahakali River is the major river system of the area which flows forming the western boundary of the park. However, the park does not benefit much from such large river. There are few rivers that support this park viz. Bahuni, Chaudhar, Radha and Syali rivers which flows through the NP and mixes with the Mahakali. Also, there are degraded wetlands/ ponds inside park such asRani Tal, Khairkandra Tal, etc.

* 1. **Biological resources and land use**

Fauna

The faunal diversity of the park comprises 43 species of mammals, 349 species of birds 2 species of reptiles, 21 species of fish and 20 species of amphibians. It is the prime habitat for the endangered swamp deer (*Cervus duvauceli*) and currently holds about 2,000 swamp deer.  It is also home to threatened species of global importance, including the Bengal tiger (Panthera tigris), greater one-horned rhinoceros (Rhinoceros unicornis), Asian elephant (Elephas maximus), Bengal florican (Houbaropsis bengalensis) and Hodgson’s bushchat (Saxicola insignis).

Flora

The park has the highest number of plant species from Terai, Nepal so far for any given protected area, comprising 665 species of plants (109 tree species, 70 shrubs, 432 herbs, 41 climbers, 4 epiphytes and 9 others) belonging to 438 genera and 118 families. Among these species, a total of 8 species fall into different IUCN threat categories.

Ecosystem

The park consists of three major ecosystem types viz. Terai tropical Sal forest, Khair-sisso riverine forests and terai duar-savannah grassland. About 80% of the park is occupied by different stages of Sal forests. Ground vegetation is poor in the mature Sal forests where there is closed canopy while grasses like *Narenga porphyrocoma, Themada arundinacea, Saccharum bangalense*, etc. are present in immature forests with relatively open canopy. The riverine vegetation present in the Mahakali floodplain comprises khair-sisso forests, and pure stands of sisso on the banks of the Mahakali river. Mixed deciduous forests occupy the lower part of the reserve with major species such as guthali, jamun, simal, sindure, and fiscus species. The major grassland *'Shukla Phanta'* covers an area of 54 km2 south-west of Bauni river and south of the forests. Other grassland includes S*undari phanta, Karaiya phanta, Singhpur phanta, Mangalsera Phanta*, etc.

Land use

The land use type of the park is 52% Sal forests, 10% wetlands, 30% grassland, 16% riverine forests and 2% mixed forests.

* 1. **Socio-economy and human settlement**

Kanchanpur district is located in province seven of the terai region of the country with elevation starting with Bhimdatta as its district headquarter. With an area of 1,610 km2, the district has 7 municipalities and 2 gaunpalikas where 451,248 people (52% males, 56% females) reside in the 82,134 households. The most representative ethnic group in the district are the Chhetris (29%) followed by Tharus (26%) and Brahmins (16%) and mix of other ethnic groups. The Doteli language is the most spoken language (40%) followed by the Tharu language (25%) and Nepali (16%). The average household size of the district is 5.49 and predominant occupation of the district is subsistence agriculture farming. Rice and wheat are the predominant crops cultivated in 45,796 ha and 31,342 ha respectively, producing about 145,207 MT of rice and 75,439 MT of wheat in 2015/16. The average annual household income is $938 with 31.4% of the population in poverty. Household statistics show that 94.1% own their own home and 82% use fuel cooking for cooking while 75.2% have access to electricity. The literacy rate is at 71% where 61% of women are literate and 81% of males are literate; and 31.7% children under age five are malnourished.

**3.4 Physical cultural resources**

The famous destination here is suspension bridge (1496.5 m), Tanakpur dam, etc. There is a temple inside the park which is worshipped mainly by Tharu community called Singhapal Babathan. Outside the park within few kilometer radiuses there are Banda Lake, Rautela temple, Bishnu temple, Bhamkeni temple, Linga temple, Bedkot Lake temple, Siddhanath temple etc. Also, the fring area is rich in cultural and ethnic diversity with typical village of Rana Tharu and Dagaura Tharu. Typical culture of Khas Brahman and Chhetri of western hill region can be also be found.

1. **Annapurna Conservation Area**

**4.1 Physical environment**

Location

The Annapurna Conservation Area (ACA) is the community managed first & largest protected area of Nepal that covers 5.18% of country’s surface area but 27% of total protected area coverage of Nepal. The entire massif and surrounding area have an extent of 7,629 km2 in between 83°34' to 84°25’ E longitude and 28°15' to 28°50' N latitude. The constituencies of ACA spread in 91 wards of 15 *Gaunpalika* (Rural Municipality) in 5 districts (Kaski, Lamjung, Manang, Mustand and Myagdi) under Province-4 in the Western Development Region of Nepal.

Topography

Altitudes gradient in ACA varies greatly between 950m in Madi valley to 8;091m in Annapurna I from sea level within 115 km of aerial distances. Two distinct ecological regions are found here which are:

1) Trans-Himalayan Regionholds two valleys of *Upper Kali Gandaki* and *Upper Marsyangdi*. Topography of this region is steppe with broken terrain cliff; talus; and scree with vast ranges of alpine pastureland.

*Upper Kali Gandaki* lies north to the Himalaya; which constitutes areas north of *Larjung-Ghasa* to the Tibetan border along *Kali-Gandaki Valley. Marpha; Jomsom; Thini; Muktinath* and *Damodarkunda* are at far north of the Upper *Mustang*.

*Upper Marsyangdi Valley* is It is surrounded by the Himalaya on all direction such as Annapurna in south; Mukut in west; Damodar in north and Mahalangur in east; and is situated at north of *Marsyangdi River.* This valley occupies areas north of *Chame; Pisang; Dhikurpokhari; Humde; Manang; Bhraka; Tanki Manang to Thorang Phedi* with *Nar* and *Phu* Valley.

2) Cis-Himalayan Region covers vast area of *Modi Valley; Bhujung Region; Lower Kali Gandaki Valley; Lower Marsyangdi Valley* and area West of *Modi*.

The *Modi Valley* is the formation of *Modi River* originated from the base of Annapurna VI & *Lamjung Himal* and cuts a deep valley draining south across different vegetation zones.

The *Bhujung Region* is along the eastern bank of the *Midim River* on south slope of *Lamjung Himal*. Watersheds of the *Midim* & *Khudikhola* has dense forests.

The *Lower Kali Gandaki Valley*: Most of this valley lies within ACA; and is characterized by subtropical and temperate climatic zones.

The *Lower Marsyangdi Valley* is the mix representation of tropical to temperate regions fully occupied by human settlements.

The *West to Modi*: The subtropical climatic zone of this area has dense human settlements; whereas the south slope of it has the temperate climatic zone with pure stands of the rhododendron forests.

Climate

ACA demonstrates ranges of climatic zones from tropical to nival. Annual mean temperature is 14 ̊C (maximum 35 ̊C and minimum -0.3 ̊C). Rainfall type greatly correlates to the aspect, altitude and rain shade area. The southern region has the highest precipitation range in Nepal; whereas the northern aspect receives 25 to 500 mm of precipitation annually with a record of the lowest rainfall in *Dhiee, Upper Mustang*. Microclimate varies with altitude & aspects and annual rainfall ranges in between 193 mm to 2,987 mm from trans-Himalayan region (*Mustang*) to *cis*-Himalyan region (*Ghandruk*). An average daily temperature decreases from December to February and reaches maximum from May to July. Seasonal climate is dominated by the southerly monsoon from June to September. ACA records both the highest and lowest precipitation in Nepal.

Geology/Soils

The Cis-Himalayan section of ACA consists of four types of geological structures. They are the *High Himalayan Region a*bove 4000 masl perpetually snow covered; *Ghanapokhara Group* with weak formation of the Main Central Thrust traversing between 1500-2000masl; *Naudanda Group* at the south of *Ghanapokhara G*roup with weak formulation of stone; and *Seti Group* mainly in south of *Lwang* formed from bursting of glacial deposit from *Machhapuchre* Mountain. The *Kali Gandaki River valley* of ACA is the storehouse of Ammonoid fossils from the prehistoric Tethys Sea dating back 60 million years. Besides, some areas are vulnerable to the soil erosion which are *Madi watershed* in *Rabaidandgaun* and *Pakhurikot (ward 8 & 9)*; *Dhartidanda* & *Purano Bhachok Chaur* (*ward 10)*; eastern & western part of *Yanjakot (ward 1); Setikhola Chaur & Namarjung (ward 2)*; *Madi River* bank from *Sondha* to *Sikles* and hill amidst *Chipli* and *Khilang of Madi Gaunpalika* in *Kaski* district. Similarly, *Sardikhola* & *Dhiprangkhola* areas in *Seti watershed; Idi Khola* area *in Mardi watershed;* and *Modi River* bank of *Landruk;* head of *Kyumrungkhola; Uri* & *Kimchegaun* and *Bhurungdi Khola* areas *of Annpurna Gaunpalika/Kaski* in *Modi* watershed are prone areas to landslide & soil erosion.

Hydrology/Drainage

The *Kali Gandaki; Marsyangdi; Seti; Madi* and *Modi Rivers* are major river system in ACA. Of this *Kali Gandaki* is the 3rd largest river of Nepal (Length: 630 km; Basin: 46;300 km2; Average annual discharge: 176m3/s) originated as the *Chhuama Khola* from the *Nhubine Himal* Glacier (*Mustang*; 6;268 m) then nearing *Lo Manthang* where it is called *Nhichung Khola*. It then flows southwest and meets *Kak Khola* at *Kagbeni* flowing south through a steep *Kali Gandaki Gorge*. It drains to *Trishuli* at *Devighat* (Chitwan). *Marshyangdi* (Length: 150 km; Basin: 3;850 km2; Average annual discharge: 210 m3/s) starts from the confluence of *Khangsar Khola* and *Jharsang Khola* from the northwest of the Annapurna massif near *Manang* village.). *Seti* River also called *Seti Gandak* or *Seti Khola* (Length: 223 km) rises from the base of the Annapurna massif (II) and Annapurna slope (III); and flows south and south-east before joining to the *Marsyangdi River*; and drains to *Trishuli River*. The *Madi Khola* (Length: 70 km) is originated from *Kawache-See* glacier lake in the southern flank of Annapurna II; and flows south Annapurna massif. *Modi Khola* runs from the Annapurna Sanctuary down to *Landruk* and *Lumle* and joins to *Kali Gandaki* in *Modi Beni* (Parbat district).

There exist many waterfalls in the Annapurna Trekking Circuit and two major high-altitude fresh water lakes are *Damodar Kunda* (*Mustang*) and *Tilicho* (*Manang*). *Damodar Kunda* lies on *Upper Mustang* as the belief centre of the Hindu and Buddhist pilgrimages. *Tilicho* is the highest freshwater lake for its size in the world (4.8 km²; Average depth: 85m) and one of the popular hiking sites and highest ever altitude scuba dive in Annapurna Circuit. Other lakes are *Titi* & *Dhumba* (*Mustang*); *Kang La Tal* (*Manang*); *Dudh Pokhari* (*Lamjung*) and *Kapuche* (*Kaski*).

**4.2 Biological resources and land use**

Fauna

ACA harbors 105 mammal species; 488 bird species; 41 reptile species; 23 amphibian species; 20 fish species; 347 butterfly species; 7 nematodes species; 1 annelids species; 8 species of arthropod insects; 2 species of mollusks and many species of zooplankton. Such diversity represents over 50% of mammals; >55% of birds; >33% of reptiles; about 20% of amphibians and about 9% species of fishes of Nepal's total. Among invertebrate; butterfly and mollusks account for >53% and 1% of Nepal respectively. Some major wild animals of ACA are the Snow Leopard; Tibetan Wild Ass; Tibetan Gazelle; Tibetan Argali; Brown Bear; Tibetan Fox; Himalayan Black Bear; Red Panda; Lynx; Steppe Pole Cat; Pallas Cat; Himalayan Wolf; Common Leopard and Musk Deer. The major birds include six species of Pheasant; Himalayan Griffon; Eurasian Griffon and Tibetan Sand Grouse.

Flora

Plant diversity of ACA represents over 18% of country’s flora; with 1,264 species of flowering plants including 41 species of orchid; 15 species of gymnosperm; and 73 species of pteridophytes. Monocot- dicot relationship is almost 1:6. Similarly, gymnosperm and orchid of ACA share their species wealth by >48% and 9% respectively in their national account. Further, ACA is the second largest Rhododendron pocket with nine species in Nepal after *Tinjure-Milke-Jaljale*, the eastern Nepal. Over 430 plant species have been used as plant based NTFPs. Some major NTFPs in ACA include *Neopicrorhiza scrophulariiflora; Dactylorhiza hatagirea; Daphne spp; Cordyceps sinensis* and some minerals like *Silajit;* gemstone etc. Of NTFPs/plants, more than 200 species are used for the domestic and commercial purposes, and 18 species are considered commercially valuable.

Ecosystem

ACA is the only protected area in Nepal having 4 physiographic regions and 6 climatic zones, where 9 ecosystems and 22 forests types occur. In a stretch less than 50 km, tropical hardwood trees (such as *Shorea robusta, Terminalia tomentosa, Bombax ceilba and Eugenia jambolana*), pine-clad hills and oak forests at medium altitudes, the rhododendrons and firs that give away to birches and junipers before the vegetation changes to alpine scrublands, grasslands, meadows, and finally, a treeless zone can all be found.

Land use

The land use pattern in ACA is dominated by barren land (>3789 km2; about 50%) followed by grassland (1622.3 km2; >21%). Of barren land; *Lo-Manthang* Unit Conservation Area (UCO) takes lion share of about >43% followed by *Manang* (over 34%). In total; forestland covers >15% followed by grassland (21.3%); glaciers (4.4%) and shrubland (4%). Snow cover is limited to *Manang* (34.8 km2; 0.46%). Freshwater rivers & lakes cover a nominal area of 0.2%) mainly in *Manang* and *Lo-Manthang*. Of total forests, over 22% is in *Sikles*; *Bhujung* (over 22%) and *Ghandruk* (about 20%). Lo-Manthang does not have forest cover. In *Manang*, forests are observed up to *Khangsar* in the north slope only. Shrubland is very noticeable in *Manang* and *Jomsom*. Only 3.1% of land is under sparse agriculture which is higher in *Ghandruk* and *Bhujung*. The northern UCOs are food deficit areas and exhibit transhumant features.

**4.3 Socio-economy and human settlement**

ACA holds the human population of 91,688 with more than 45% of male and over 54% female. There exist more than 28 caste/groups with diverse cultural and linguistic variations. The *Gurung* are the dominating hill community by 30%, and their clusters much pronounced in *Bhujung; Sikles;Ghandruk* and *Lwang*. The second dominating group is the hill *Brahmin* (>14%) followed by the *Kami* (13%), *Magar* and *Chhetree*. Other minority castes are the *Damai/Dholi; Tamang; Sarki; Thakali;Lhoba; Rai; Gharti/Bhujel; Dalit; Thakuri; Newar; Ghale; Bhote; Badi; Dashnami; Sherpa; Chhantyal; Musalman; Hyolmo; Tharu; Limbu and Kulung (Rai).* Most of these have population of less than 1%. The *Gurung; Magar; Sherpa; Thakali; Rai* and so on represent the Tibeto-Burman ethnolinguistic group and the Hill *Brahmin*; *Chhetree; Damai; Kami* and so on are from the Indo-Aryan ethnolinguistic branch. Both the groups speak Nepali as the common language; and have religious faith on the Hinduism & Buddhism. However, the Tibeto-Burmans have been living with the sacred cultural practices and rituals at the foundation of the Buddhism especially in the *Manang* and *Mustang*. The literacy rate of aged 5 years and above in ACA is 64.67%, which is slightly higher than the national rate of 63.9%. Of this, male and female literacy is 75.3% and 56.7% respectively.

Agriculture, remittance and tourism are the major sources of economy in ACA. UCOs except *Manang* & *Mustang* are food surplus. The major crops grown are rice, maize, wheat and millet in UCOs of *Kaski* and *Lumjung*, whereas maize; wheat; barley; buckwheat and potatoes in *Manang, Myagdi* and *Mustang*. The commercial cultivation of fruits & vegetables is popular in areas accessible to better market centres. The commercial apple farming in *Mustang* started almost two decades ago, and now introduced in *Manang*. Animal husbandry is the major agro-activity at high altitude with transhumance practice*.* Recently, remittance has become one of the sources of HHs' income in ACA. ACA is one of the most splendid ecotourism and the largest and the world-class trekking destinations where >126,000 tourists annually visit here.

**4.4 Physical cultural resources**

The *Gurungs* believed of having their origin from the Tibet now in the cis-Himalayan valleys from centuries are very artful in blending the natural paradise & scenic splendors with the belief of the Buddhism & Hinduism from the long time. The *Bhujung; Ghalegaon; Ghandruk; Landruk; Lwang* and *Sikles* are typical the *Gurung* hamlets with cherished tradition and culture. The *Brahmin; Chhetree; Damai* and *Kami* add essence upon the cultural value of area. Besides, the *Thakali, Manange* and *Loba* in the trans-Himalayan ACA are predominantly extraordinary in their own dialect; unique rituals & traditions; belief; weapon & tools; survival strategies and so on. ACA mingles the taste of the Hindu, Buddhist and pre-Buddhist (Bon-po). Some unique traditions in ACA are *Amchi* (folk medicine practice in *Mustang*); *Ghatu* (folk *Gurung* dance blended with Hindu myth); *Losar* (the Tibetan New Year festive); *Saga Lug Ka* (Ritual for good faith on the climate for superior harvest); *Duk Chu (*Monk's dance for a prosperous year); *Tenji* (annual festive in *Lo-Manthang*); and *Toranla* (Festival in the lower *Mustang*)*.* Table below shows the key ethno-cultural heritage related resources in ACA.

|  |  |
| --- | --- |
| **Structures** | **Name** |
| 1. Monasteries | Thumpen Shad Drup Dharkeling Gumba |
|  | Lo Ghekar Monastery |
|  | Luri Gumba |
|  | Thupchen Gumba |
|  | Ghar Gumba |
|  | Chhyoede Gumba |
|  | Nyphu Gumba |
|  | Namgyal Gumba |
|  | Sangba Gumba |
|  | Narshing Gumba |
|  | Cave monastery |
| 2. Cave settlement |  |
| 3. Religious schools | Monsatic schools |
| 4. Holy places | Muktinath temple |
| 5. Holy lakes | Damodar Kunda |
|  | Tilicho Lake |
|  | Dudh Kunda |
| 6. Religious deities | Chhorten |
|  | Chhorten Gates |
|  | Mane Wheel |
| 7. Historic remnants | Kagbeni, Tsarang, Lo-Manthang |
| 8. Model areas | SAARC Model Village, Ghalegaun |

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**5. Manaslu Conservation Area**

**5.1 Physical environment**

Location

Manaslu Conservation Area (MCA) lies in the northcentral region of Nepal, on the eastern slopes of the Kali Gangaki river basin. Its northern border is co-incident with Nepal’s national border with Tibet Autonomous Region of China. It covers 1,663 sq km and includes seven VDCs of Gorkha District, viz. Samagaon, Lho, Prok, Bihi, Chumchet, Chhekampar and Sirdibas.

Topography

MCA lies in the northern section of the Gorkha district and its elevation ranges from 1,239 m in the south to 8,163 m at its highest point, Mt. Manaslu. Other major peaks include Himalchuli (7,893 m) and Shringi (7,187 m). Important high passes include Larke La (5,205 m) and Gya La (5,375 m) passes respectively. Major rivers draining the MCA are Budhi Gandaki and Syar Khola, while Kalchuvan (Kal Tal) and Birendra Tal are important high-altitude lakes in the conservation area.

Climate

MCA has five climatic zones: viz. sub-tropical, temperate, sub-alpine, alpine and nival. The sub-tropical zone lies between 1,000 m and 2,000 m with average summer and winter temperatures ranging between 31-34ºC and 8-13ºC, respectively. The temperate zone occurs in the higher hills above 2,000 m and below 3,000 m. In this zone, average summer temperatures range from 22º to 25ºC while winter temperatures range from 2º to 6ºC. Frost and snowfall are common during winter (January and February). The sub-alpine zone lies between 3,000 m and 4,000 m with snowfall likely for about four to six months (December to May). In this zone, winter is very cold and annual summer temperatures average between 6º and 10oC. The alpine zone, between 4,000 m and 5,000 m, is mostly open meadows. The nival zone occurs at elevations above 4,500 m.

Monsoon rains usually lasts from June to September. Average annual rainfall is around 1,900m. A significant portion of MCA is surrounded by high mountains, protecting it from direct southern monsoon clouds and creating partial rain-shadow areas. However, because monsoon clouds reach the lower ranges of the Budi Gandaki and Syar Khola valleys, thus, the valley floor is relative wet while comparing with surrounding slopes and side valleys.

Geology

MCA constitutes the Cis-Himalaya in the south and the arid Trans-Himalayan high pastures in the north. The four types of geological structures of MCA are the *High Himalayan Region a*bove 4000 masl perpetually snow covered; weak formation of the Main Central Thrust between 1500-2000 masl; weak formation of stone descending southwards; and mainly in south formations from bursting of glacial deposit from Manaslu and associated mountains. The *Budi* *Gandaki River valley* of MCA is the storehouse of Ammonoid fossils from the prehistoric Tethys Sea. Lower parts of Nurbi valley, upper parts Tsum valley and along the trail to MCA are vulnerable to soil landslide and soil erosion.

Hydrology

The *Budi* *Gandaki* is themajor river system in MCA that originates from Fukan Glacier and Mount Manaslu flowing northwest to south until it joins with the Siyar Khola at Nyakfedi from where the confluence of two rivers become Budi Gandaki and continue to flow southwards draining most of MCA. There are a few important wetlands and lakes on the north and east side of the Manaslu and Himal Chuli mountains. Some of the lakes have potential of becoming popular tourist destination within MCA for their spectacular scenery, but the approach trails have to be developed. Chhonak Tal, at 3,350 m and the source of Deng Khola, is a particularly picturesque lake, covering an area of about half a hectare. Likewise, Kal Tal and Birendra Tal are important wetland of the area. Kal Tal is the largest lake in Manaslu and is situated at an elevation of 3,630 m. The Birendra Tal (3,570 m) near Samagaon and at the foot of the Manaslu glacier; covers an area of about three to four hectares.

**5.2 Biological resources and land use**

Fauna

MCA harbors 39 species of mammals, 201 bird species 5 reptile species, 4 amphibian species, 1 fish species and 13 butterfly species. Some major wild animals of MCA are the Snow Leopard, Musk deer, grey wolf, blue sheep and Himalayan tahr.

Flora

The altitudinal variations and complex terrain of the MCA create different types of habitats

and micro-climatic conditions that contribute to the floral diversity. A total of 756 species of plants have been recorded, of these, 696 species belong to 115 angiosperm Families, 13 species to 4 gymnosperm Families, 37 species of pteridophytes, 3 species of lichens and 7 species in the Mycophyta group. Some noteworthy plants in MCA include *Dactylorhiza hatagirea* and *Cordyceps sinensis* which have high commercial value. Several other plants found in the MCA with commercial value but are banned for export in crude form from the country: *viz. Abies spectabilis*, *Nardostachys grandiflora*, *Taxus baccata* subsp. *wallichiana*, *Valeriana jatamansi*. Species of lichen (*Parmelia*, *Ramalina* and *Usnea*) are also noteworthy plant species of commercial interest.

Ecosystem

MCA contains eight ecosystems which are temperate broadleaf forests, mixed conifer forests, sub-alpine conifer, alpine scrubs, wetlands, glaciers, snow and glacier lakes; and cryosphere. The vegetation ecosystem represented in MCA ranges from the sub-tropical Himalayan forests in the southern areas to the arid Trans-Himalayan high pastures in the north, bordering Tibet.

Land use

The topographic maps of the Government of Nepal (1996) lists the following land use and land cover categories in MCA: agriculture land; forest; shrub land; grassland; river/river bed; snow/glacier; lake/pond; barren land; rocks; and cutting/cliffs. Area coverage under agriculture is 1.8% %, forest 13.28%, shrub land 2.79%, grassland 23.66%, river/riverbed 1.21%, snow/glacier 6.8%, lake/pond 0.047%, barren land 49.99% and cutting/cliff 0.38%.

**5.3 Socio-economy and human settlement**

The total population in MCA is 6,923 comprising of 3,665 females and 3,258 males. There are 56 major villages in MCA. Samagaon VDC has only two villages, while Sirdibas VDC has 17 villages. The average family size is 3.5 persons per households, with 1,949 households. Sirdibas VDC has the highest (572) and Prok VDC has the lowest (187) number of households. The major ethnic group in all VDCs, except Sirdibas, is Bhotia (also known as Lama). Gurung and Karki are the major ethnic groups in Sirdibas VDC with three households of Ghale. In Namrung village of Prok VDC, there are 7 households of Thakali who migrated from Mustang District a few generations ago. There is one Kami household in Samagaon VDC. In MCA, the majority of the population (67.57%) above 6 years of age are illiterate. Of the total literate population, 44.25% are male and 21.98% are female. Primary sources of income in MCA are agriculture and livestock herding. Around two third 62% of households in the MCA are involved in agriculture and livestock herding followed by wage labour (17%), business (11%), foreign employment (4%), and service (3%). Few proportions of households (1%) are involved in tourism related activities. Trekking is the major tourism form of tourism in MCA. Of the two main trails, one goes west through Nubri valley and crosses Larke Pass links with Annapurna region and the other goes east to Tsum valley. The main tourist season is from September to November. Around 75% of the trekkers visiting MCA trek towards Nubri valley while the remaining trekkers visit the Tsum valley. The number of tourist visitors over the recent years has shown gradual increase with 7,091 visitors in 2017/18, about 19 percent increase from 2016/17 and 68 percent increase form 2015/16 figures.

**5.4 Physical cultural resources**

Villagers from Prok and Chhekampar claimed to be Gurung, Shah and Neupane, are mostly Buddhists. They celebrate Buddhist festivals, the Lhosar being the major festival celebrated in the month of Falgun (February-March). Many communities also celebrate occasional festivals with *mane nach* (dance), arrow shooting, and offering puja in Gompas. Monasteries locally named as ‘*Gumbas’* are important socio-religious institutions in MCA. There are 92 gumbas in MCA. Important gumbas in MCA are Shringi Gumba in Bihi, and Mu and Rachen Gumbas in Chhekampar. Gumbas are culturally important for the preservation of cultural artifacts such as ancient idols, hand-written sacred books, and *thankas.*

1. Several GoN legislations are in process of reforms as a part of implementation of federalism. The relevant changes, when taken place may be incorporated as and when they become effective. [↑](#footnote-ref-1)
2. Natural habitats are land and water areas where most of the original native plant and animal species are still present and natural habitats comprises many types of terrestrial, freshwater, costal and marine ecosystem. [↑](#footnote-ref-2)
3. Waste and Resource Action Program U.K. 2011 [↑](#footnote-ref-3)
4. The total number of tourist arrival in the five Project destinations was 185,814 in the year 2017 (144,409 ACAP, 5,475 Manaslu, 17,697 Krishnasar, 17,959 Bardiya and 4 Banke National Parks, Source: Gandhi Associates, 2019. [↑](#footnote-ref-4)
5. Impacts are considered "minor" if the affected people are not physically displaced and less than 10 percent of their productive assets are lost. [↑](#footnote-ref-5)
6. Displaced persons may be classified in one of the following three groups: (a)  those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); (b)  those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan, and(c) those who have no recognizable legal right or claim to the land they are occupying. [↑](#footnote-ref-6)
7. "Replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. [↑](#footnote-ref-7)
8. Among the indigenous communities namely "Gurungs and Thakalis" in ACA and MCA and "Tharus" in Banke, Bardia and Krishnasagar Site, women's status in many respects (social, economic and others) are relatively much better (with lower patriarchic and discriminatory values) than other higher caste people of Nepal. This advantage among these communities places women in a better situation to realize the benefits directly from different opportunities created by project activities both in the short and long run. In higher caste groups, this issue is more conspicuous. [↑](#footnote-ref-8)
9. Field visit is suggested for the preparation of gender action plans as the activities/ actions tend to differ in different sites depending upon the needs and priorities of women [↑](#footnote-ref-9)
10. UNDP Human Development Report 2017 [↑](#footnote-ref-10)
11. PIU is understood as Destination Level Units [↑](#footnote-ref-11)
12. Periodic monitoring will be done on quarterly basis by the PMO and on monthly basis at the FIUs. [↑](#footnote-ref-12)
13. It would be ideal for the Project to do half yearly monitoring so that it will coincide with the timing of visiting mission. [↑](#footnote-ref-13)
14. This is defined as a situation when people do not wish to engage in consultation with the project and do not agree for relocation even if they are provided compensation and other assistance as per the entitlement provision. [↑](#footnote-ref-14)
15. Indigenous Peoples in Nepal have distinct cultures, languages and belief systems. They live across the country – the mountains, the hills and the plains. They are in majority in as many as 27 of the total 75 districts. Most of indigenous people live in remote and rural areas and make a living out of subsistence farming. As per the 2011 census, Nepal has 126 castes and ethnic groups speaking as many as 123 languages. And 90 percent of these languages are spoken by Indigenous Peoples. Indigenous Peoples of Nepal are officially described as Indigenous Nationalities (Adivasi Janajati). They make up for 35.81 per cent of the country's total population (approximately 8.5 million out of the 26 million Nepalese) (Source: https://www.indigenousvoice.com/en/indigenous-peoples/national.html) [↑](#footnote-ref-15)
16. National Drinking Water Quality Standards, 2005 Implementation Directives for National Drinking Water Quality Standards, 2005 [↑](#footnote-ref-16)
17. GoN, Urban Environment Management Framework 2068 (2011). [↑](#footnote-ref-17)