



# **Serious Incident Reporting**

LLF ESMS Annex S

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## APPENDIX A SERIOUS INCIDENT REPORT TEMPLATE

### ACRONYMS AND ABBREVIATIONS

Name	Description
FPIC	Free Prior and Informed Consent
LL(s)	Legacy Landscape(s)
LLF	Legacy Landscapes Fund
NGO(s)	Non-Governmental Organization(s)
SI	Serious Incident

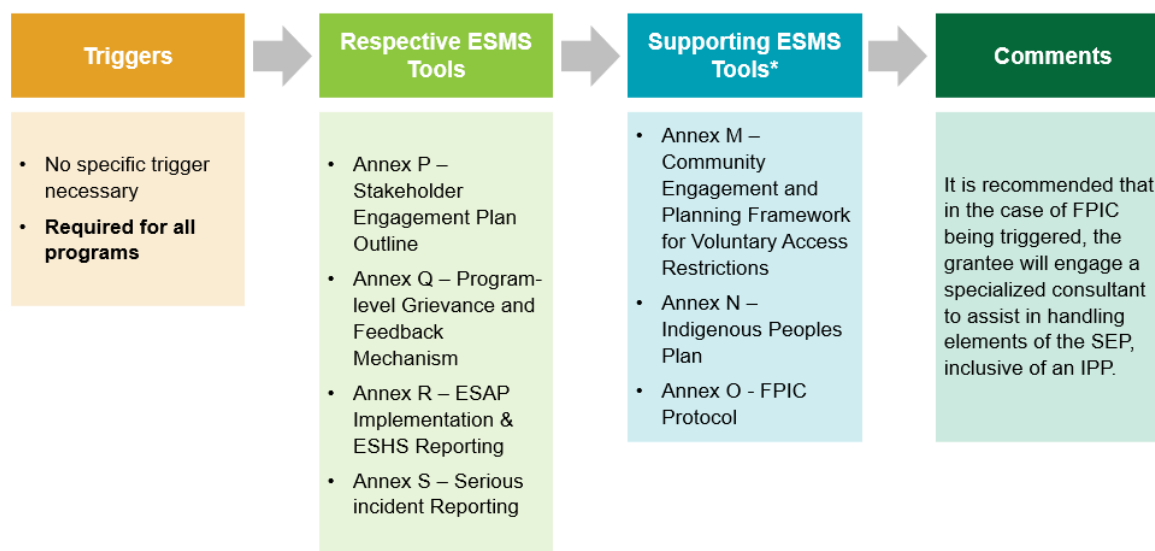
### DOCUMENT HISTORY

Version	Revision	Prepared by	Reviewed by	Approved by	Date	Comments

## 1. INTRODUCTION

Any serious incidents in LLF supported legacy landscapes (LLs) must be reported immediately after the incident occurred. Given the time it may take to prepare a full serious incident (SI) report, the grantee is requested to provide an immediate email (within 48 hours) to LLF as an initial notification while the complete report is being prepared. The full SI report shall be submitted no later than 7 workdays after first notification; the serious incidents reporting template (see Appendix A) shall be used. In case investigations are still ongoing after 7 workdays, the report shall be completed with the then available information. Updates shall be provided regularly until the incident is fully resolved.

The SI reporting is required for all grantee for each LL program that is receiving grant from LLF.



\* The „Supporting ESMS Tools“ are potentially applicable and/or could be used for support of the „Respective ESMS Tool“ but are not triggered by the same trigger. For the annex specific trigger refer to the respective annex document. For example, the SEP always applies, but FPIC may be a supporting document, but it is not triggered under the conditions of the first column (i.e., „Triggers“).

## 2. DEFINITION OF SERIOUS INCIDENT

A SI shall be defined as any unplanned or uncontrolled event with a materially adverse effect on workers, community members or the environment within the LL's defined program area of influence or an event that has the potential to have material or immaterial adverse effects on the LL program execution or gives rise to potential liabilities or reputational risks that could jeopardize the achievement of the LL's overall objectives.

The SI could encompass one or more of the following aspects:

- Health and safety of the grantee and/or LL workers (including from implementation, protected area agency and consortia partner and on-site subcontractors), such as workplace accidents which result in serious injuries or death, discovery of child or forced labor in the program context including the supply chain, kidnapping of grantee and/or LL staff, grievances on serious occupational health and safety-related incidents etc.
- Health and safety as well as livelihood conditions of adjacent communities, such as serious injuries, death or substantial loss of assets<sup>1</sup> due to human wildlife conflicts, accidents in relation to infrastructure established or equipment provided in the program context (e.g., drowning in canals or water reservoirs), involvement in traffic accidents caused by program related activities,

<sup>1</sup> Individual loss of livestock due to human wildlife conflicts will be monitored on LL level and is part of the LL KPI monitoring. Only exceptionally severe losses of livestock could be reported through the serious incident report.

exposure to hazardous substances, grievances on serious community health and safety-incidents etc.

- Threats to the social cohesion of communities caused by the program, such as violent unrest and protests, disputes with local communities and program personnel, intra- or intercommunal conflicts etc.
- Human rights violations in the conduct of anti-poaching and/or law enforcement activities which result in death, serious injuries or substantial damage to/confiscation or loss of community or private property, torture in custody, other forms of violence involving program personnel, contractors/subcontractors and/or members of state security agents (police, gendarmerie, military etc.) related to program activities etc.
- Forced evictions from territories of protected areas or from other sites related to the program and which results in demolition of permanent or temporary shelter and assets etc.<sup>2</sup>
- Discrimination of local communities' rights in relation to restrictions on traditional lands, territories, resources or cultural heritage, but in particular regarding indigenous peoples' rights due to the infringement of the free, prior and informed consent (FPIC) principle etc.
- Gender-based violence associated with personnel employed or engaged by the grantee and/or through third parties related to the program<sup>3</sup>, such as sexual exploitation, sexual abuse, or sexual harassment, physical violence against women etc.
- Environmental risks due to unintended program consequences which result in serious environmental contamination, destruction or degradation of forests, habitats and natural resources (e.g., air, water, soil) etc.
- Legal non-compliances, such as breach of national environmental and social laws, violation of international treaties or threatened legal actions to be filed against the implementing, protected area agency and consortia partners, resulting in fines or court action.
- Reputational risks to all involved actors, such as negative media coverage, NGO accusations or any other activity that could result in substantial adverse attention of outside parties including media/press reports.
- Violations against the Nagoya-protocol regulating access to genetic resources and the fair and equitable sharing of benefits arising from their utilization.
- Any impact on and attempt to contact indigenous peoples living in voluntary isolation.

### **3. FULL SERIOUS INCIDENT REPORTING**

The full SI reporting shall provide answers to the following questions: What happened? How did it happen? Why did it happen? What needs to be corrected? What will be done as corrective actions, when and by whom?

Appendix A contains a template that has to be used by the grantee during the SI reporting and gives an overview of the components of the full SI report. In summary, the full SI report will comprise in each case at minimum:

- Description of the nature of the SI and its on-site and off-site effects;

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<sup>2</sup> This does not include evictions related to clearly destructive, unsustainable, and illegal use practices that are carried out in accordance with host country laws and in full accordance with basic principles of a due process as described by the UN Basic Principles and Guidelines on Development-based Evictions and Displacement.

<sup>3</sup> including from implementation, protected area agency and consortia partners

- Root-cause analysis of the SI, including specifications on roles and responsibilities; procedures in place as well as potential management failings; and
- Details of any immediate response and ongoing corrective actions in order to remedy the effects of the SI and prevent reoccurrence, including regulation of potential liabilities.

Information provided should be clear, unambiguous, and factual (i.e., free from interpretation). Any gaps in the information provided should be highlighted and addressed in the investigation.

#### **4. INFORMATION ON SERIOUS INCIDENT CASE CLOSURE**

The grantee shall keep LLF informed about any progress in respect of remedial actions as well as any open issues/conflicts with regard to the incident that would require further clarification (e.g., complaints/grievances by the victims' families etc.) through regular updates.

## **APPENDIX A      SERIOUS INCIDENT REPORT TEMPLATE**

## SERIOUS INCIDENT REPORTING FORM

General Information																					
LL name, country, region																					
Name of the Grantee																					
Name of the entity submitting the information																					
Name of main person(s)/organizations/companies/wildlife allegedly responsible for causing the incident. Person names can be anonymized.																					
Name or anonymized identity of the alleged victim(s), their age, sex, and place of residence, and in cases involving a group or community as much information as possible																					
Details about the Incident																					
Date and time of the incident (approximate if exact details are unknown)																					
Location of the incident (approximate if exact details are unknown)																					
Type of incident (possible to also cross several, if relevant)	<table border="0"> <tr> <td><i>Health and Safety of Workers</i></td> <td><input type="checkbox"/></td> <td><i>Indigenous Peoples' rights</i></td> <td><input type="checkbox"/></td> </tr> <tr> <td><i>Community Health and Safety</i></td> <td><input type="checkbox"/></td> <td><i>Gender-based Violence</i></td> <td><input type="checkbox"/></td> </tr> <tr> <td><i>Social Cohesion</i></td> <td><input type="checkbox"/></td> <td><i>Stability of the Environment</i></td> <td><input type="checkbox"/></td> </tr> <tr> <td><i>Human Rights</i></td> <td><input type="checkbox"/></td> <td><i>Legal Compliance</i></td> <td><input type="checkbox"/></td> </tr> <tr> <td><i>Forced Evictions</i></td> <td><input type="checkbox"/></td> <td><i>Reputational Risk</i></td> <td><input type="checkbox"/></td> </tr> </table>	<i>Health and Safety of Workers</i>	<input type="checkbox"/>	<i>Indigenous Peoples' rights</i>	<input type="checkbox"/>	<i>Community Health and Safety</i>	<input type="checkbox"/>	<i>Gender-based Violence</i>	<input type="checkbox"/>	<i>Social Cohesion</i>	<input type="checkbox"/>	<i>Stability of the Environment</i>	<input type="checkbox"/>	<i>Human Rights</i>	<input type="checkbox"/>	<i>Legal Compliance</i>	<input type="checkbox"/>	<i>Forced Evictions</i>	<input type="checkbox"/>	<i>Reputational Risk</i>	<input type="checkbox"/>
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<i>Forced Evictions</i>	<input type="checkbox"/>	<i>Reputational Risk</i>	<input type="checkbox"/>																		
Detailed chronological description of the incident and its circumstances (attach supporting documentation such as maps, photos)																					
Root Cause Analysis																					
Detailed description of key causal factors, including outside factors or potential management failings and identification of absent/inadequate/failed/unused management and control measures (e.g. non-compliances with E&S measures or standards)																					
Specification of roles and responsibilities relevant to the incident, including the involvement of authorities																					
Methods applied for conducting the root cause analysis, (e.g. interviews, document reviews, site visits, police reports etc.)																					
Immediate Response and Corrective Actions																					
Description of immediate response and related responsibilities, such as person(s) taken to hospital, police informed, national authorities involved, investigation undertaken etc.																					

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**SERIOUS INCIDENT REPORTING FORM**

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Description of any reaction to the incident by the victims, involved families or communities as well as local/national/international media

Description of corrective actions, next steps and related responsibilities to prevent the incident from happening again and/or follow up to close the case or proceed with further investigations (include short action table with responsibilities and schedule)

**Incident Report Approval**

	Position	Name	Date
Prepared by			
Approved by (Senior LL Management)			