



Terms of Reference

Environmental and Social Due Diligence

Legacy Landscape Name

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ACRONYMS AND ABBREVIATIONS

Name	Description
AFD	Agence Française de Développement
BMZ	Federal Ministry for Economic Cooperation and Development
E&S	Environmental and Social
ESAP	Environmental and Social Action Plan
ESDD	Environmental and Social Due Diligence
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
HWC	Human Wildlife Conflict
IUCN	International Union for Conservation of Nature
KfW	KfW Development Bank
LL	Legacy Landscape
LLF	Legacy Landscapes Fund
NGO	Non-Governmental Organisation
PAs	Protected Areas
SEP	Stakeholder Engagement Plan
ToR	Terms of Reference
UNGP	United Nations Guiding Principles (on Business and Human Rights)
WB ESS	World Bank Environmental and Social Standards
WWF	World Wide Fund for Nature

DOCUMENT HISTORY

Version	Revision	Prepared by	Reviewed by	Approved by	Date	Comments

1. BACKGROUND

1.1 Legacy Landscapes Fund

Legacy Landscapes Fund (hereafter refed as “LLF” or the “Fund”) is a joint initiative by the Federal Ministry for Economic Cooperation and Development (BMZ), KfW Development Bank (KfW), Agence Française de Développement (AFD) and multiple conservation partners.

The Fund’s overall goal is to permanently finance key conservation activities, inside and in the buffer zones of legally recognized protected areas (PAs), in globally significant biogeographical realms and landscapes of developing countries. To this end, LLF develops a scalable portfolio of at least 30 important legacy landscapes by 2030. The LLF’s goal shall be achieved by long-lasting partnerships between experienced NGOs and PA authorities as well as indigenous and local communities in order to efficiently conserve and manage PAs and their buffer zones (in the following both are referred to as “legacy landscapes” or “LL”).

As a co-funding mechanism from both public and private (philanthropic) sources, LLF will finance selected LL projects with up to EUR 1.0 million per year for the management and protection of LL-sites according to the evaluation of key performance indicators.

1.2 Evaluation of applications for LLF Funding

Following the evaluation process indicated in the LLF’s environmental and social management system (ESMS), LLF selects the potential grantees (i.e., LL programs) for a minimum of 15 years or in perpetuity financing. The initial assessment includes checking all concept notes (i.e., grant applications) against the eligibility criteria, LLF exclusion list and LLF environmental, social and human rights policy statement.

At the next step, successful applicants are required to go through an environmental and social due diligence (i.e., the “assignment” under these terms of reference) conducted by an appointed independent consultant (hereafter referred as the “consultant”). The results of the environmental and social due diligence (ESDD) will then inform the general decision about whether:

- The given application will be rejected (in case the ESDD would identify any high environmental and social [E&S] risks or red flag issues which could not be mitigated and would jeopardize the development of sustainable LL programs); or
- The applicant can proceed to develop the full proposal including the E&S safeguard actions and measures to mitigate the identified risks and challenges.

LLF acknowledge that some LLs might operate in volatile socio-political settings with potential challenges in relation to fragility, conflict, and violence. Those LL programs potentially might have high environmental and social risks, and an important goal of the ESDD exercise is to assess the current situation and have a better overview and understanding of all contextual risks. LLF also recognizes that LL might have high contextual E&S risks, while the actual program activities that are proposed to be funded by LLF might have lower E&S risks. So, both types of risks, contextual and program-based, should be considered and assessed during the ESDD process.

2. ASSIGNMENT

2.1 LL subject to ESDD under this Assignment

These terms of reference (ToR) is for conducting the ESDD for the XXLL. Brief summary information about the XXLL is provided in Appendix A.

2.2 Objectives

The key objective of this assignment is to evaluate if the existing E&S safeguard procedures of the management of XXLL are sufficiently complete and in compliance with the applicable standards (refer to 2.3). Thus, placing LLF in a position to avoid, mitigate, manage and/or remedy any E&S risk and impact resulting from the management of XXLL, including but not limited to the operation of law enforcement personnel, the management of access restrictions and all relevant cooperation with local communities in the conservation context.

The assessment of documents and plans, procedures and routines will be undertaken against the requirements of the applicable standards. Any gaps and shortcomings as well as any E&S risks resulting from such gaps will be identified. As conclusion of the ESDD, the consultant will develop an environmental and social action plan (ESAP), comprising the proposed measures for gap closure including responsibilities and timelines.

2.3 Applicable Standards

The consultant must complete this assignment while following the applicable standards described below.

All LL programs supported by LLF have to adhere to national environmental, social, occupational health and safety standard and guidelines and labour laws, as well as legislation related to law enforcement in the conservation context in the host country, including requirements for public disclosure and engagement.

Furthermore, all LL programs seeking financial support from LLF have to comply with the following international environmental and social standards and guidelines:

- KfW's Sustainability Guideline (KfW, 2022)¹;
- Human rights guidelines of the German Federal Ministry for Economic Cooperation and Development (BMZ in its German acronym)²;
- World Bank Environmental and Social Standards (WB ESS 1-10) and Corresponding Guidance Notes³;
- World Bank Group's General Environmental and Health and Safety Guidelines and Industry Specific Guidelines, as applicable;
- ILO Core Labour Conventions⁴;, including Convention 169 (ILO 169)⁵;
- The United Nations Guiding Principles on Business and Human Rights (UNGP, 2011)⁶;
- The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP, 2007)⁷;
- Good Practice Note: Addressing Gender Based Violence in Investment Project Financing involving major Civil Works (WB, 2018)⁸;

¹ <https://www.kfw.de/KfW-Group/Service/Download-Center/Konzernthemen/Nachhaltigkeit/Richtlinien/>

² Guidelines on Incorporating Human Rights Standards and Principles, Including Gender, in Programme Proposals for Bilateral German Technical and Financial Cooperation. Available at <https://www.bmz.de/en/suche?search=human+rights+guideline>

³ [Environmental and Social Standards \(ESS\) \(worldbank.org\)](https://www.worldbank.org/en/environmental-social-standards)

⁴ Core Labour Standards of the International Labour Organization. International Labour Organization. Available at: <https://www.ilo.org/global/standards/lang-en/index.htm>

⁵

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0::NO::P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:REV,en,C169,Document

⁶ [guidingprinciplesbusinesshr_en.pdf \(ohchr.org\)](https://www.ohchr.org/en/guidingprinciplesbusinesshr_en.pdf)

⁷ <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

⁸ <http://pubdocs.worldbank.org/en/399881538336159607/Good-Practice-Note-Addressing-Gender-Based-Violencev2.pdf>

- Good Practice Note: Assessing and Managing the Risks and Impacts of the Use of Security Personnel, (WB, 2018)⁹;
- The Voluntary Principles (VPs) on Security and Human Rights (2010)¹⁰;
- UN Basic Principles and Guidelines on Development-based Evictions and Displacement, (namely §§ 42, 49, 52, 54 and 60)¹¹;
- The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (FAO, 2012)¹².

NOTE: the applicable standards listed above as well as additional international good practices and topic specific requirements and guidance are reflected in the LLF ESMS documents that will be available to the appointed consultant shortly after the assignment kick off.

2.4 Available Information

To support this assignment and the overall ESDD process, the potential grantee will share available information on the respective LL program, which might comprise, but will be not limited to:

- Concept note for application for the LLF grant;
- LL annual work plans, management plan and related action plans;
- Management documents such as human wildlife conflict (HWC) and/or coexistence management plans;
- Any documentation on community-based natural resource management and/or community outreach activities/programs as appropriate;
- Any documented agreements with local communities regarding LL management or other relevant subjects;
- E&S safeguard documents (e.g., process framework, environmental and social management framework);
- Law enforcement operating procedures, training curricula and other documents related to the area of law enforcement, including operation of voluntary community-based guards or similar support staff;
- Stakeholder engagement plan (SEP) or any other documents related to community engagement and participation;
- LL grievance mechanism, documentation of grievances and their resolution;
- Reports on any serious accidents or incidents related to LL management/law enforcement/HWC;
- Biodiversity and socio-economic baseline information.

2.5 Approach for the Assignment

In order to achieve the objectives of this assignment the consultant is expected to work in close collaboration with the proposing grantee as well as with other relevant staff and key stakeholders of the XXLL, to conduct a site visit, as feasible and to the extent possible (e.g., considering COVID19 related travel restrictions).

⁹ <http://documents.worldbank.org/curated/en/692931540325377520/Environment-and-Social-Framework-ESF-Good-Practice-Note-on-Security-Personnel-English.pdf>

¹⁰ https://docs.wixstatic.com/ugd/f623ce_60604aa96d1c4bdccb633916da951f25.pdf

¹¹ https://www.ohchr.org/sites/default/files/Documents/Issues/Housing/Guidelines_en.pdf

¹² <https://www.fao.org/policy-support/mechanisms/mechanisms-details/en/c/448858/>

This assignment covers development of the ESDD only for the XXLL program. However, the ESDDs for different proposed LL's will be undertaken simultaneously and therefore have to be performed with comparable approaches and methodologies. To support a harmonized approach and understanding, LLF plans to hold a series of joint calls with the Consultants and/or the proposing Grantees for the different ESDDs early by commencement of the Assignments, in the course of the Assignments and after completion of the ESDDs.

3. SCOPE OF WORK

3.1 Overview

The ToR provide an outline of the consultant's tasks under this assignment. In their proposal, the consultant shall critically verify the scope of work (see below) and extend, reduce, or amend these tasks wherever such is deemed necessary according to the consultant's professional judgement and knowledge.

The overall scope of the assignment follows the outline below and is described in the task sections:

- **Desk review and preparation of methodology:** Describe the applied methodology for conducting the assignment based on an initial desk review of available LL documents;
- **LL context and site visit:** Conduct a site visit and stakeholders engagement; describe and assess the physical, biological, socioeconomic and cultural context of the XXLL; this would include the respective national legal and administrative framework;
- **Risk assessment:** Identify and assess environmental, social and human rights risks and impacts that could potentially result/have resulted from the management/establishment of the XXLL and its associated facilities and activities; complement the assessment by a high level social and human rights risk assessment for the conservation sector in the host country of the XXLL; this will include E&S categorisation of the LL program;
- **Gap analysis:** Conduct a gap analysis that assesses whether or not the existing management system, plans and procedures currently in place are adequate to manage the environmental and social risks and impacts identified in line with the applicable standards; **Environmental and social action plan (ESAP)** for gap closure: Develop an ESAP with concrete measures to close any gaps, identify required safeguards documents that may be necessary to assure compliance of the existing management system, plans and procedures (including any capacity building requirements);
- **Environmental and social due diligence (ESDD) report:** Develop an ESDD report for the XXLL.

The consultant must develop and present a detailed approach and methodology for the tasks described below (see also task 1) in the first stage of the assignment. The consultant must also provide in the proposal for this assignment an outline of the approach for conducting the tasks as well communication strategies with the potential grantee, XXLL management team, LLF and other relevant stakeholders. The sections below provide further overview of the tasks' requirements of this assignment.

3.2 Task 1: Desk Review and Preparation of Methodology

3.2.1 Desk Review

The consultant will be provided with the above-mentioned available information (chapter 2.4) and shall become familiar with the documentation and with the applicable standards and guidelines (refer to chapter 2.3). In addition, the consultant shall, to the extent possible during task 1, identify, collate and familiarise with relevant laws and regulations of the relevant LL host country.

3.2.2 Preparation Calls

To support a consistent approach and understanding, the consultant will, at minimum, participate in two preparation calls in the course of task 1:

- Joint call with LLF and all ESDD consultants for the proposed LL's;
- Joint call with LLF and the proposing grantee for XXLL funding.

3.2.3 Methodology and Work Plan

Based on the initial information analysis and the preparation calls, the consultant shall develop a methodology and work plan.

3.2.3.1 Methodology

The methodology should cover the consultant's approach to undertake this assignment. Generally, the methodology chapter will ultimately be part of the ESDD report. The methodology should include:

- Initial identification of key risk areas to be subject to an in-depth analysis in the course of the assignment,
- The list of the reviewed documents,
- The outline of the ESDD report,
- Consultant's approach for the site visit, virtual consultations, and stakeholder engagement.

Consultations, virtually or on site are critical to complement the review of available documentation. Hence, the consultant shall identify the relevant parties and stakeholders for remote and direct consultation, based on document review and on consultation with the proposing grantee (who will be one of the key stakeholders for information gathering and will collaborate with the consultant to identify and set up meetings with other relevant stakeholders).

The proposing grantee will advise on and support the preparation and execution of the site visits and the meetings with local stakeholders. The consultant shall plan both, remote and direct consultation, with appropriate material and tools (e.g., key informant interview guides, focus group discussion guides, and questionnaires to be used to prepare remote consultation, in a culturally-appropriate manner). Regulations and restrictions related to travel (e.g., the COVID19 situation) have to be taken into account for the planning and execution of the site visit. The consultant shall also develop a security plan as appropriate for the field visit; the outline of this plan and general approach should be part of the proposal for this assignment. The consultant will have the overall responsibility for travel arrangements, logistics, any approvals and permits to be obtained and for security provisions during field work.

3.2.3.2 Work Plan

The work plan shall distinguish between activities to be carried out on a desktop basis and activities to be carried out directly on site (i.e., during the site visit). The work plan shall refer to the tasks as described in these ToR as well as to the consultants approach as described in the proposal and shall include any additional tasks as identified by the consultant during the preparation phase.

Task 1: Deliverables

- Preparation calls;
- Final methodology for the assignment (incl. for the stakeholder consultations, e.g., stakeholder list, guiding questions for the stakeholder groups);
- Work plan;
- Final security plan for field work.

3.3 Task 2: LL Context and Site Visit

Once LLF approves the work plan, the consultant shall undertake the site visit to the LL area and stakeholder engagements (i.e., virtual and face-to-face consultations) in order to verify/amend existing information, collect additional information, specifically from local communities, management personnel and other relevant stakeholders.

The consultant must take into consideration that LLF financed programs are often located in landscapes and co-management settings where the proposing grantees may only have limited control and influence over either their co-management partner, e.g., national government agencies, or other third parties operating in the LL, such as military forces or private entities. Related risks, including associated activities/facilities (hence by/through third parties), that often bear substantial reputational risks, will have to be assessed and addressed in accordance with ESS1 and proportionate to their severity and the proposing grantees contribution as well as leverage over the causing entity. Therefore, the consultant must conduct a stakeholder risk mapping that includes all relevant agencies and third parties and the E&S risks and impacts that may be directly connected to the LLF financed LL as a part of this assignment. The mapping result should be included in the ESDD report (task 5) and, thereafter, the consultant has to differentiate in the ESAP (task 4) the different levels of responsibility according to the UNGP and its involvement framework.

Based on the “involvement framework” of the UN Guiding Principles on Business and Human Rights (UNGP), the ESDD should integrate in its stakeholder mapping as per task 2 a stakeholder risk mapping that includes all relevant agencies and third parties and the E&S risks and impacts that may be directly connected to the LLF financed LL and, thereafter, differentiate in the ESAP the different levels of responsibility according to the UNGP.

Upon completion of site visits and stakeholder consultations, the consultant will hold a status call with LLF in order to share and discuss relevant findings. This call will be prepared by the consultant in the format of a briefing note with findings and outcomes of the assignment so far.

3.3.1 Field Visits

Data collection and consultation processes under this assignment shall include to the extent feasible a field visit to sites in the LL's program area that are representative for informing the development of the ESDD (task 5) and the risk assessment as part of the ESDD (task 3). The selection of sites/communities to be visited will be based on consultation with the proposing grantee and on reasonable selection criteria with a view to the risk areas under assessment.

Site visit and field work shall be carried out in cooperation with the proposing grantee and LL management staff as appropriate. Information shall be obtained from local communities, using to the extent possible in the scope of this assignment, participatory rural appraisal methods based on a mix of qualitative and quantitative data collection techniques, including focus group discussions.

The consultant will be responsible for travel arrangements, security provisions and logistics and will be supported by the proposing grantee within planning of site visits, e.g., within preparatory communication with relevant stakeholders or within obtaining any approvals or permits for field work as appropriate. The site visit should be conducted per approved by LLF methodology that was developed during task 1.

3.3.2 Stakeholders Consultation

During the site visit, the consultant must conduct stakeholder consultations (i.e., virtual and/or face-to-face). Institutional stakeholders relevant in the context of the assignment, e.g., environmental agencies/administrations, institutions related to terrestrial and water resources management, institutions related to forestry and agriculture, protected areas' managements as appropriate as well as relevant social institutions are expected to be consulted in person, to the extent feasible. In case

direct meetings would not be possible, these stakeholders may be contacted remotely, based on virtual meetings.

The consultant must carry out any field work and consultations with maximum sensitivity, cognisant of any potential disturbance and with culturally appropriate formats of engagement. The approach and list of the potential stakeholders to be consulted should be presented by the consultant in the methodology (see task 1).

Task 2: Deliverables

- Stakeholder mapping (not standalone deliverable, will inform deliverables of Task 5);
- Brief note call after the field work.

3.4 Task 3: Risk Assessment and Gap Analysis

LLF financed programs are often located in areas with high contextual environmental and social risks and where the proposing grantee may have only limited control and influence over other entities involved in the area. E&S risks, including those from associated activities/facilities have to be assessed and addressed in accordance with ESS1 and proportionate to their severity and the proposing grantees contribution as well as leverage over the causing entity as part of this assignment.

By applying such a UN Guiding Principles lens, all identified risks and impacts will be differentiated and categorized according to whether they may be **caused** (solely) by the LL; **contributed** to by the LL (i.e. in parallel or through a third party) as well as those impacts and risks to which the LL may be **“directly linked”** by way of its relationships. Any other identified impacts which fall **outside of this scope of responsibility (no linkage)**, but which may be relevant to LLF on reputational or other normative grounds, shall also be categorized.

In cases where the LL or grantee is linked to the E&S risk and impact, it must use its leverage to encourage third parties to stop the activity causing the impact and/or to provide remedy. Therefore, and as part of the assignment, the consultant shall conduct an assessment of existing leverage avenues to address significant impacts identified and suggest potential untapped areas for strengthening leverage (including through collaborative efforts).

Further guidance of this regard is included in the LLF’s ESMS tools and will be shared with the appointed consultant.

3.4.1 Risk Assessment

Based on further document review as well as the findings of site visits and stakeholders consultations, the consultant shall conduct an environmental, social and human rights risk assessment aligned with the applicable standards. The risk assessment will refer to key environmental, social and human rights risks that result/have resulted from the management/establishment of the XXLL. The assessment will cover the risks to be expected from the activities outside LLF’s funding support or influence (i.e., part of the contextual risks) as well as from the activities planned under the funding as the potential grantee’s concept note.

The risk assessment should have a focus on, but may not be limited to the following aspects:

- Assessment of the XXLL host country risks, relevant national legal and administrative framework;
- Legacy issues related to establishment and past management of XXLL; in regards to forced evictions, human rights violations in the context of law enforcement, FPIC violations, gender based violence etc.;
- Activities (existing or foreseen) that result in human rights risks in the context of law enforcement;
- Activities (existing or foreseen) that result in community health and safety risks in the context of human wildlife conflict (HWC);

- Activities in the area of access and use restrictions which may result in human rights risks and significant impacts on local livelihoods;
- Activities (existing or foreseen) that result in physical displacement of people or communities;
- Activities (existing or foreseen) that result in impacts on indigenous peoples and/or vulnerable groups;
- Activities (existing or foreseen) that result in boundary conflicts and social disputes;
- Any other serious incidents or accidents; grievances submitted to the LL management or other relevant parties;
- Activities that affect biodiversity values of the LL.

The risk assessment will identify potential red flags or no-go's (if any). It is recommended that the summary of the risk identification and ranking be presented in a table format along the structure of the WB ESS 1-10. Appendix B provides an example of the summary table format that combines outcomes of the risk assessment and gap analysis (see section 3.4.2 below).

The risk assessment will help determine the overall E&S risk category of the LL program, which will include E&S category of the contextual risk and E&S category of the activities planned by the grantee for LLF funding. LLF will provide its E&S categorisation tool to the appointed consultant shortly after award of the assignment.

3.4.2 Gap Analysis

Based on the review of available documentation, results of site visits, and the risk assessment, the consultant will review existing management practices, safeguard instruments and procedures against the applicable standards in order to identify and assess any gaps between the current environmental and social management of the XXLL; and the requirements of the applicable standards. Focus shall be, but not limited to, on the following aspects of the management of XXLL:

- Law enforcement standard operation procedures (SOPs), trainings records, code of conducts and other routines as appropriate;
- Procedures on the compensation of impacts on local livelihoods resulting from access restrictions to natural resources; any agreements with local communities regarding access regulations for natural resources; any physical relocation or evictions of illegal encroachers;
- Mitigation strategy and compensation scheme for addressing HWC;
- Stakeholder engagement and participatory planning procedures, incl. FPIC protocols/guidelines for engagement with indigenous peoples;
- Grievance redress mechanism;
- Monitoring, reporting and evaluation system on E&S requirements, compliance and performance;
- Reporting requirements on serious incidents and accidents;

In addition to the assessment of applied processes and procedures the gap analysis should also cover to the extent possible the adequacy of the capacities and resources of the XXLL: Management staff in order to diligently address the issues identified in the risk assessment and gap analysis.

All gaps should be assigned a colour based on their level of compliance. Appendix B provides an overview of the required format for the gap assessment table and guidance for the gap category ranking.

Task 3: Deliverables

- Risk assessment and gap analysis (not standalone deliverable; it will inform deliverables of task 5).

3.5 Task 4: Environmental and Social Action Plan (ESAP) for Gap Closure

Based on the identified gaps the consultant shall develop an ESAP for the steps that are required to achieve gap closure. Activities in the ESAP shall be presented with an appropriate level of detail, including timelines, responsibilities, and indication of necessary budget.

The ESAP shall present measures including:

- Prioritization of measures according to the assessment and, to the extent possible, distinguishing between:
 - Short term immediate and high priority measures to be integrated into the potential Grantee's proposal as for immediate action and implementation; this would be actions to be implemented as soon as possible after start of the funding period;
 - Measures and processes which would be implemented over a longer period, including milestones (envisaged LLF funding period is minimum 15 years or in perpetuity);
- Definition of additional E&S safeguard instruments and documents (e.g., a socio-economic baseline, an indigenous peoples plan (IPP), a process framework (according to WB ESS5) etc.);
- Definition of responsibilities in implementing the recommended measures of gap closure, as per UNGP: In cases where the grantee is causing the impact, the consultant has to present in the ESAP mitigation measure and/or action as required per the applicable standards and international good practices. Where the proposing grantee may be contributing to a certain human rights or other E&S risk, it will also be required to take action to prevent and mitigate such risk (proportional to the extent of the contribution) and use its influence with other parties which may be contributing to the risk. Where the proposing grantee may be linked to certain human rights or other E&S risk, it will be required to document its best efforts through which it has sought to influence others to change their wrongful practices. When E&S risks and impacts are caused by a third party, the ESAP shall also include potential action items that fall under the responsibility of and duty to use leverage through LLF and other donor agencies (i.e., KfW and AFD). Further guidance of applying the UNGP involvement framework is included in the LLF's ESMS annexes and will be shared with the appointed consultant shortly after the assignment kick off).
- Setting of realistic deadlines and timeframes for the completion of the measures (with the emphasis on achieving compliance as soon as possible, e.g., prior to approval, prior to contractual signing, prior to first disbursement, during inception phase, before construction etc.).

Appendix C presents an ESAP format that should be used by the consultant. Note that it is expected that all consultants involved in the ESDDs will use this format. Should deviations be deemed as necessary, this should be mentioned in the consultant's proposal and agreed in the joint briefing call, so that all ESDDs are conducted under the same logic and provide comparable outputs.

Task 4: Deliverables

- The ESAP (not standalone deliverable, part of the task 5).

3.6 Task 5: ESDD Report and Joint Completion Call

This task 5 describes the required structure and the components of the ESDD report and task 3 and Task 4 requirements to the development of the respective parts of the report. Thus, tasks 3, 4 and 5 should be completed in parallel.

The Consultant will report on the findings of the assignment, in a concise ESDD report. With regard to environmental-, social-, security- and human rights risks, the report will identify relevant shortcomings and weaknesses in institutional policies, management plans and practices. The ESDD report will also highlight any management constraints attributable to institutional weaknesses outside of the sphere of

influence of the protected area management. The findings will be reflected against the requirements of the applicable standards.

The ESDD report shall contain at minimum the following key chapters:

- Non-technical summary;
- Approach and methodology for the assignment (*see task 1, section 3.2.3.1*)
- National legal and administrative framework (incl.: overall environmental, biodiversity, social and human rights risks in the conservation sector in the host country of the LL);
- The LL description incl.:
 - The LL management history up to date;
 - Biodiversity values of the LL and conservation needs;
 - Land tenure regime (in particular in connectivity to adjacent areas outside of the protected area);
 - Stakeholders mapping (*see task 2, section 3.3*);
- Risk assessment (*see task 3, section 3.4.1*) incl.:
 - Results of document review and analysis;
 - Findings of field work and of stakeholders consultations;
- Gap analysis (*see Task 3, section 3.4.2*) incl.:
 - Implications of findings;
 - Key gaps against the requirements of the applicable standards;
- Proposed categorization (*as per LLF ESMS categorisation tool, will be provided*);
- Environmental and social action plan (*see task 4, section 3.5*);
- Annexes (e.g., ToR, list of stakeholders met, list of documents reviewed, checklists, structured guidance for continuous risk assessment).

Upon completion of the ESDD process, it is planned that all ESDD consultants and/or grantees together shall have a joint call with LLF. This call will serve an overall debriefing, lessons learned and experience sharing opportunity.

Task 5: Deliverables

- ESDD report;
- Briefing and debriefing calls with LLF.

4. SCHEDULE AND ESTIMATED EFFORTS

The assignment is expected to commence in QX 202X and the ESDD process shall be completed within 3-6 months.

Table 1 indicates an estimated effort for the different tasks. Person days may be distributed between different team members of the consultant's study team. Additional efforts may be integrated for the work of any assistants (e.g., to support field work). In case a consultant is engaged in several ESDDs, sufficient capacity for each LL site must be assured.

Table 1 Estimated Efforts

Task	Time Input (person days)
Task 1	10
Task 2	20
Task 3	10
Task 4	10
Task 5	5
Total input	55 (up to 60 days)

5. DELIVERABLES

The deliverables for each task are provided under the respective task. All deliverables should be delivered in English language and in word and pdf formats.

6. KEY QUALIFICATIONS

The consultant must propose a qualified team to undertake the assignment. The consultant is expected to have the range of qualifications, skills and experience to effectively fulfil the above scope of work. The consultant will be selected based on the expertise and years of relevant experience in the following areas: demonstrated previous experience in applying the international E&S standards that listed in the applicable standards, E&S services for similar projects, socio-economic baseline studies, and stakeholder/community engagement and consultation.

The following qualifications are mandatory:

- **International Environmental and Social Specialists:** track record on E&S impact assessment, management, auditing and monitoring of similar projects with a minimum of 5 years of relevant experience (resettlement action plans, process framework etc. in line with ESS 5, environmental and social management frameworks or plans in line with ESS 1-10, monitoring and reporting of E&S aspects). Expertise to include human rights issues in context of law enforcement, including experience in the conservation sector in the relevant geographies. Language capacities in the XXLL country working language as well as in English are a must.
- **National Environmental and Social Specialists:** track record on E&S impact assessment, management auditing and monitoring of similar projects with a minimum of 5 years of relevant experience (resettlement action plans, process framework etc. in line with ESS 5, environmental and social management frameworks or plans in line with ESS 1-10, monitoring and reporting in E&S aspects) in nature conservation in XXLL the region

The consultant shall provide updated curricula vitae (CV) of the proposed international and national / regional staff (for a CV template see Appendix XX). All else equal, candidates with prior relevant experience and familiarity with country E&S regulatory context and requirements will be given preferential consideration.

The consultant may hire and use subcontractors and specialized local firms. The consultant is encouraged to outline previous work history in his proposal with any sub-contractors or specialists along with the methodology for ensuring quality control in the workflow process. Please note that key staff presented in the consultant's proposal may not be replaced without the prior approval of LLF.

APPENDIX A BRIEF SUMMARY ABOUT LL

Overview of XXLL

Item	Details
Program/LL Title	
Name of the potential Grantee or Consortium partners	
Match fund provider	
Brief description of the XXLL <i>(incl. USP, size of IUCN 1 and other area, biodiversity and climate relevance, national park authority, budget and % LLF contribution)</i>	
LL Objectives	
Status of the LL Area	<i>Please specify</i>
<input type="checkbox"/> Legally Designated Park	
<input type="checkbox"/> National Nature Conservation Area	
<input type="checkbox"/> Community Conservation Area	
<input type="checkbox"/> Ramsar site	
<input type="checkbox"/> Other, please specify:	
The LL program and/or activity, incl. any measures that are required for maintaining the LL but are not financed by LLF	<i>Please specify</i>
<input type="checkbox"/> Expansion, demarcation and/or maintenance of conservation areas	
<input type="checkbox"/> Provision of alternative income opportunities to compensate for any livelihood and access restrictions	
<input type="checkbox"/> Incentives for voluntary livelihood and access restrictions	
<input type="checkbox"/> Development and support of law enforcement capacities (patrols, rangers, social fencing etc.)	
<input type="checkbox"/> Construction of Basic Infrastructure	
<input type="checkbox"/> other; please specify	

Available Documents for Review	<i>Please specify</i>
<input type="checkbox"/> Management Plan	
<input type="checkbox"/> Progress Reports	
<input type="checkbox"/> Official E&S Assessments approved by authorities	
<input type="checkbox"/> Scientific Articles	
<input type="checkbox"/> Media articles	
<input type="checkbox"/> NGO publications	
<input type="checkbox"/> Other, please specify	

APPENDIX B EXAMPLE GAP ANALYSIS FORMAT

Risk Assessment and Gap Analysis

Task 3 requires to conduct risk assessment and gap analysis that should be summarised in the tabular format. Table 2 provides an example of the favourable format. The consultant is encouraged to critically review this example and provide a suggestions or recommendation to the table format during the task 1 (i.e., Methodology for the assignment).

Table 2 Risk Assessment and Gap Analysis Format

Item #	Identified E&S Risk and Impact	Requirement of the Applicable Standards	Requirements of the relevant National Law	Requirement of the Management Plan	Key Gaps	Significance of Gap ¹³	Compliance Level ¹⁴	Recommended Measures
WB ESS 1: Assessment and Management of Environmental and Social Risks and Impacts								
1.1		<i>(incl. WB, KfW, UNGP etc.)</i>						
1.2								
...								
WB ESS 2: Labour and Working Conditions								
2.1								

In order to evaluate the **significance** of identified environmental and social risks, as required in the matrix below (Table 3), it is necessary to estimate both the potential impact (e.g., consequences if the risk were to occur) and probability (e.g., the likelihood of the risk occurring) for each identified risk. The probability should be assigned considering number of incidents occurred over past 5 years and stakeholder perspective of future incidents. The impact/consequence should be defined based on scale/extent; magnitude/severity; sensitivity for affected people and/or concern of stakeholders; duration and reversibility. The significance of each identified E&S risk and its impact should be illustrated based on a significance colour scale for low, moderate, substantial and high (refer to Table 4).

¹³ As per Table 4

¹⁴ As per Table 5

Table 3 Significance Matrix

<i>Probability</i>	<i>Potential Impact</i>			
	Insignificant	Minor	Moderate	Major
Almost Certain	Moderate	Substantial	Substantial	High
Likely	Moderate	Moderate	Substantial	Substantial
Possible	Low	Moderate	Moderate	Substantial
Unlikely	Low	Low	Moderate	Moderate

Table 4 E&S Impact Significance Scale

Significance	Definition	Description
Low	The impact has low significant risk to the people and the environment either short term or long term	Negligible or very little adverse impacts on communities, individuals, and/or environment.
Moderate	The impact is short term and cause limited risk to the people and the environment	Limited impacts in terms of magnitude (e.g., small affected area, low number of people affected) and duration (short), may be easily avoided, managed, mitigated with best practice techniques.
Substantial	Impacts give rise to substantial concern, may cause long term social and environmental problems	Adverse impacts on people and/or environment of significant magnitude, spatial extent and duration, (but still mostly temporary, reversible).
High	Impact is long term, large scale, irreversible, diverse and unprecedented	Highly significant adverse impacts on human populations and/or environment. Adverse impacts high in magnitude and/or spatial extent (e.g., large geographic area, large number of people, transboundary impacts, cumulative impacts) and duration (e.g. long-term, permanent and/or irreversible); areas impacted include areas of high value and sensitivity (e.g. valuable ecosystems, critical habitats); adverse impacts to rights, lands, resources and territories of indigenous peoples; involve significant displacement (economic and/or physical).

Furthermore, all gaps should be assigned a colour based on their **level of compliance**. The different categories of ranking are described in Table 5 below.

Table 5 Gap´s Compliance Level

Aligned	Aligned: Information available indicates that this requirement is diligently addressed by the Management Plan and SOPs and that resources and capacities are adequate.
Minor Gap	Minor Non-alignment: Information available indicates that this requirement is not diligently addressed by the Management Plan and SOPs and/or resources and capacities are inadequate. Yet, the Gap is considered as of minor significance.
Moderate Gap	Moderate Non-alignment: Information available indicates that this requirement is not diligently addressed by the Management Plan and SOPs and/or resources and capacities are inadequate. The Gap is considered as of moderate significance.
Major Gap	Major Non-alignment: Information available indicates that this requirement is not diligently addressed by the Management Plan and SOPs and/or resources and capacities are inadequate. The Gap is considered as of major significance.

**APPENDIX C ENVIRONMENTAL AND SOCIAL ACTION PLAN (ESAP)
FORMAT**

Environmental and Social Action Plan Format

The consultant is required to develop the ESAP as a part of this assignment (Task 4) using the format provided in Table 6.

Table 6 Environmental and Social Action Plan Format

Item #	Identified E&S Risk and Impact	Relevant Standard	Measure required	Description of Activity	Involvement ¹⁵	Required staff	Required budget	Prioritisation	Required completion date	Indicator of Completion
WB ESS 1: Assessment and Management of Environmental and Social Risks and Impacts										
<i>(as in Gap analysis)</i>	<i>(as in Gap analysis)</i>	<i>(use just a short abbreviations to list all triggered)</i>	<i>(as in Gap analysis)</i>							
WB ESS2: Labour and Working Conditions										

¹⁵ Further guidance on assigning the responsibility as per UNGP will be provided to the assigned consultant shortly after the Assignment kick off.

APPENDIX D CV TEMPLATE

CURRICULUM VITAE (CV)

Position Title and No.	<i>[e.g., K-1, TEAM LEADER]</i>
Name of Expert:	<i>[Insert full name]</i>
Country of Citizenship/Residence	

Education: *[List college/university or other specialized education, giving names of educational institutions, dates attended, degree(s)/diploma(s) obtained]*

Employment record relevant to the assignment: *[Starting with present position, list in reverse order. Please provide dates, name of employing organization, titles of positions held, types of activities performed and location of the assignment, and contact information of previous clients and employing organization(s) who can be contacted for references. Past employment that is not relevant to the assignment does not need to be included.]*

Period	Employing organization and your title/position. Contact info for references	Country	Summary of activities performed relevant to the Assignment
<i>[e.g., May 2022-present]</i>	<i>[e.g., Ministry of, advisor/consultant to... For references: Tel...../ e-mail.....; Mr/Mrs B, deputy minister]</i>		

Membership in Professional Associations and Publications:

Language Skills (indicate only languages in which you can work):

Adequacy for the Assignment:

Detailed Tasks Assigned on Consultant's Team of Experts:	Reference to Prior Work/Assignments that Best Illustrates Capability to Handle the Assigned Tasks (maximum 10 references to be provided per expert)
<i>[List all deliverables/tasks in which the Expert will be involved]</i>	