Annex 3: Social and Environmental Screening Template

Project Information

Project Information	
1. Project Title	Strengthening Accountability and Rule of Law (SARL)
2. Project Number	TBC
3. Location (Global/Region/Country)	Myanmar

Part A. Integrating Overarching Principles to Strengthen Social and Environmental Sustainability

QUESTION 1: How Does the Project Integrate the Overarching Principles in order to Strengthen Social and Environmental Sustainability?
Briefly describe in the space below how the Project mainstreams the human-rights based approach
The SARL project adopts a human rights-based approach firstly through a focus on strengthening the capacity of **duty-bearers** across a number of institutions – anti-corruption bodies, civil service, parliaments, justice sector actor – to be more accountable in their functions and better uphold principled rule of law. This is accompanied by a parallel focus on **rights-holders**, supporting targeted groups to increase their awareness of rights and rule of law, and understanding of frameworks for ethics and integrity. The project integrates an 'upstream' focus on policy and institutional capacity development, working with duty-bearers, with a 'downstream' focus on increasing opportunities and facilitating mechanisms for civic-engagement, so that rights-holders can demand more accountability. In particular, the RoLC network has a demonstrated capacity for tackling issues relevant to vulnerable groups, such as IDPs, or broader issues of women's access to justice (see RoLC evaluation).   The project will undertake political economy and conflict sensitive analyses at the Union and Region/State level, which will identify salient issues related to accountability and rule of law, nationally and on a Region/State basis, including how different individuals and groups are affected by corruption and weaknesses in Rule of Law.   The project will also directly engage with the Myanmar National Human Rights Commission, in recognition of the institutional capacity gaps that have limited the Commissions ability to fulfil its mandate, and the key role an NHRI can play in assuring accountability and protecting human rights. A capacity assessment and the development of an institutional strategic plan will identify specific areas of support, with a priority placed on increasing its capacity to raise awareness on rights through increased engagement with the public. Support to the development of a National Human Rights Action Plan will also be explored.

Briefly describe in the space below how the Project is likely to improve gender equality and women's empowerment
Gender inequality and low representation of women in some sectors and institutions (e.g. parliament and the MNHRC) is identified as one of the underlying causes of lack of accountability and weak Rule of Law in Myanmar (see Section 1). Women and men experience corruption differently. For example, women perceive corruption to be at higher rates than men globally. It is thus essential that women and men are equally represented in accountability and oversight mechanism, and that gender-sensitive approaches are adopted. When working with duty-bearers, SARL will promote the use of gender-sensitivity methodologies – for example supporting parliamentary committees to apply gender-sensitive analysis in their oversight functions. The project will build upon a well-established programme of work in Rule of Law where gender issues have been prioritised in knowledge products, research and in training materials, ensuring that increasing women's rights-awareness allows them to better claim their rights and have access to justice if they are victims of rights violations. Currently data in the justice system is dependent on manual recording, with limited if any disaggregation by gender. The project will support the UAGO in establishing a case information system that collects basic case data, including recording type of case, and the gender of victim and defendant. This will allow consolidation, reporting and analysis at the Region/State and Union level. Priority will be placed on capturing data on SGBV and other issues that disproportionately affect women, data which is currently not available.
Briefly describe in the space below how the Project mainstreams environmental sustainability
The SARL project targets strengthening accountability and rule of law, working with a set of primary institutional stakeholders at the national level (ACC, UCSB, Parliaments, UAGO, OSCU, MNHRC). The project will also select key sectors for engagement on anti-corruption and rule of law. These specific themes will be selected based on political economy and conflict sensitivity analyses at the Union and Region/State, and are expected to include issues of environmental management and the legal and fair exploitation of national resources. The strengthened systems of ethics and accountability, combined with civic-engagement on these thematic issues can be expected to have a positive impact on environmental sustainability by strengthening the capacity of rights-holders and communities to hold duty-bearers, and by extension, private sector actors, accountable for the use of national resources. For example, media and awareness raising campaigns, combined with innovations in technology tools, will be used to increase people awareness of illicit practices in targeted sectors, and provide means to report them (e.g. reporting illegal logging in the case of forestry). SARL will also work closely with the Promoting Inclusive, Resilient and Sustainable Environmental Management Project (PIRSEMP) of UNDP, linking where possible environmental justice interventions to the broader justice sector coordination mechanisms and the research and capacity building work of the Rule of Law Centres.

Part B. Identifying and Managing Social and Environmental Risks

QUESTION 2: What are the Potential Social and Environmental Risks?	QUESTION 3: What is the level of significance of the potential social and environmental risks?			QUESTION 6: What social and environmental assessment and management measures have been conducted and/or are required to address potential risks (for Risks with Moderate and High Significance)?
Risk Description	*Impact and*	*Significance*	*Comments*	*Description of assessment and management measures as reflected in the Project design. If*

	Probability (1-5)	(Low, Moderate, High)		ESIA or SESA is required note that the assessment should consider all potential impacts and risks.
Risk 1: Conflict issues limit the ability of the project to work in certain programme areas.	I = 4 P = 2	**Moderate**	The project builds on work and presence of UNDP across Myanmar, including States / Regions with conflict dynamics (e.g. Shan, Rakhine). In some cases, there is limited access to affected populations.	Conflict sensitivity analysis will be undertaken, including drawing on UNDP's Myanmar-specific tools, "Conflict Sensitivity: Experiences from Local and Community Development Practice in Myanmar" and "Conflict Sensitivity: Indicators for local and community development programming in Myanmar".
Risk 2: Geographic access issues and discriminatory practices limit the ability of all population groups within programme areas to engage with the project activities.	I = 3 P = 2	**Moderate**		The project will undertake conflict sensitivity and political economy analysis, particularly at the S / R level, including identification of groups that are vulnerable to exclusion and rights-violations. This will particularly build on UNDP's past work of research in the area of Rule of Law and limited access to justice for groups such as IDPs, and women's access to justice.
Risk 3: Limited women's presence in the political leadership and patriarchal culture limit the reach of gender equality approach and results for women.	I = 3 P = 2	**Moderate**	The risk should be monitored as women play a crucial role in assuring accountability, with women and men experiencing corruption and rights violations differently. The project should not result in mechanisms seeking to assure accountability that are gender-blind.	The project will adopt the following measures to assure gender results: • Empower / champion women at all levels to participate in decision-making around project activities. • Specific training support for women MPs, women officials, female judges. • Establish clarity / negotiate gender equality goals with project partners in Project Board and for all activities. • Collaborate with gender equality advocates in and out of government and GE campaigns.
Risk 4: Efforts deployed to engage on accountability for environmental	I = 4 P = 3	**Moderate**	Engagement on specific thematic issues is essential	Conflict sensitivity and political economy analysis will be undertaken to identify thematic areas where

			to generate buy-in and interest from affected groups, rather than seek to engage them only in national anti-corruption policy debates. Ensuring that at the S/R level, vested interests do not limit the scope, is important to assure strong civic engagement in these thematic areas.	results are achievable (i.e., the issues are salient, but political will is present and vested interests can be expected to be managed).
	QUESTION 4: What is the overall Project risk categorization?			
	Select one (see SESP for guidance)			**Comments**
	Low Risk	☐		
	Moderate Risk	X		Project includes limited social risks mainly related inclusion of vulnerable/minority groups, capacity of stakeholders to uphold human rights. These risks may be mitigated by planning and targeting capacity building measures on inclusion and facilitation, designing a comprehensive communication strategy and applying standard best practices.
	High Risk	☐		
	QUESTION 5: Based on the identified risks and risk categorization, what requirements of the SES are relevant?			
	Check all that apply			**Comments**
	Principle 1: Human Rights	X		
	Principle 2: Gender Equality and Women's Empowerment	X		

	1. **Biodiversity Conservation and Natural Resource Management**	☐	
	2. **Climate Change Mitigation and Adaptation**	☐	
	3. **Community Health, Safety and Working Conditions**	☐	
	4. **Cultural Heritage**	☐	
	5. **Displacement and Resettlement**	☐	
	6. **Indigenous Peoples**	☐	
	7. **Pollution Prevention and Resource Efficiency**	☐	

Final Sign Off

Signature	*Date*	*Description*
QA Assessor		UNDP staff member responsible for the Project, typically a UNDP Programme Officer. Final signature confirms they have "checked" to ensure that the SESP is adequately conducted.
QA Approver		UNDP senior manager, typically the UNDP Deputy Country Director (DCD), Country Director (CD), Deputy Resident Representative (DRR), or Resident Representative (RR). The QA Approver cannot also be the QA Assessor. Final signature confirms they have "cleared" the SESP prior to submittal to the PAC.
PAC Chair		UNDP chair of the PAC. In some cases PAC Chair may also be the QA Approver. Final signature confirms that the SESP was considered as part of the project appraisal and considered in recommendations of the PAC.

SESP Attachment 1. Social and Environmental Risk Screening Checklist

Checklist Potential Social and Environmental <u>Risks</u>	
Principles 1: Human Rights	**Answer (Yes/No)**
1.1 Could the Project lead to adverse impacts on enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population and particularly of marginalized groups?	No
1.2 Is there a likelihood that the Project would have inequitable or discriminatory adverse impacts on affected populations, particularly people living in poverty or marginalized or excluded individuals or groups?	No
1.3 Could the Project potentially restrict availability, quality of and access to resources or basic services, in particular to marginalized individuals or groups?	No
1.4 Is there a likelihood that the Project would exclude any potentially affected stakeholders, in particular marginalized groups, from fully participating in decisions that may affect them?	No
1.5 Is there a risk that duty-bearers do not have the capacity to meet their obligations in the Project?	Yes
1.6 Is there a risk that rights-holders do not have the capacity to claim their rights?	No
1.7 Have local communities or individuals, given the opportunity, raised human rights concerns regarding the Project during the stakeholder engagement process?	No
1.8 Is there a risk that the Project would exacerbate conflicts among and/or the risk of violence to project-affected communities and individuals?	No
Principle 2: Gender Equality and Women's Empowerment	
2.1 Is there a likelihood that the proposed Project would have adverse impacts on gender equality and/or the situation of women and girls?	No
2.2 Would the Project potentially reproduce discriminations against women based on gender, especially regarding participation in design and implementation or access to opportunities and benefits?	No
2.3 Have women's groups/leaders raised gender equality concerns regarding the Project during the stakeholder engagement process and has this been included in the overall Project proposal and in the risk assessment?	No
2.4 Would the Project potentially limit women's ability to use, develop and protect natural resources, taking into account different roles and positions of women and men in accessing environmental goods and services?	No
Principle 3: Environmental Sustainability: Screening questions regarding environmental risks are encompassed by the specific Standard-related questions below	
Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management	
1.1 Would the Project potentially cause adverse impacts to habitats (e.g. modified, natural, and critical habitats) and/or ecosystems and ecosystem services?	No
1.2 Are any Project activities proposed within or adjacent to critical habitats and/or environmentally sensitive areas, including legally protected areas (e.g. nature reserve, national park), areas proposed for protection, or recognized as such by authoritative sources and/or indigenous peoples or local communities?	Yes
1.3 Does the Project involve changes to the use of lands and resources that may have adverse impacts on habitats, ecosystems, and/or livelihoods?	No
1.4 Would Project activities pose risks to endangered species?	No
1.5 Would the Project pose a risk of introducing invasive alien species?	No

1.6 Does the Project involve harvesting of natural forests, plantation development, or reforestation?	No
1.7 Does the Project involve the production and/or harvesting of fish populations or other aquatic species?	No
1.8 Does the Project involve significant extraction, diversion or containment of surface or ground water?	No
1.9 Does the Project involve utilization of genetic resources? (e.g. collection and/or harvesting, commercial development)	No
1.10 Would the Project generate potential adverse transboundary or global environmental concerns?	No
1.11 Would the Project result in secondary or consequential development activities which could lead to adverse social and environmental effects, or would it generate cumulative impacts with other known existing or planned activities in the area?	No
Standard 2: Climate Change Mitigation and Adaptation	
2.1 Will the proposed Project result in significant greenhouse gas emissions or may exacerbate climate change?	No
2.2 Would the potential outcomes of the Project be sensitive or vulnerable to potential impacts of climate change?	No
2.3 Is the proposed Project likely to directly or indirectly increase social and environmental vulnerability to climate change now or in the future (also known as maladaptive practices)?	No
Standard 3: Community Health, Safety and Working Conditions	
3.1 Would elements of Project construction, operation, or decommissioning pose potential safety risks to local communities?	No
3.2 Would the Project pose potential risks to community health and safety due to the transport, storage, and use and/or disposal of hazardous or dangerous materials (e.g. explosives, fuel and other chemicals during construction and operation)?	No
3.3 Does the Project involve large-scale infrastructure development (e.g. dams, roads, buildings)?	No
3.4 Would failure of structural elements of the Project pose risks to communities? (e.g. collapse of buildings or infrastructure)	No
3.5 Would the proposed Project be susceptible to or lead to increased vulnerability to earthquakes, subsidence, landslides, erosion, flooding or extreme climatic conditions?	No
3.6 Would the Project result in potential increased health risks (e.g. from water-borne or other vector-borne diseases or communicable infections such as HIV/AIDS)?	No
3.7 Does the Project pose potential risks and vulnerabilities related to occupational health and safety due to physical, chemical, biological, and radiological hazards during Project construction, operation, or decommissioning?	No
3.8 Does the Project involve support for employment or livelihoods that may fail to comply with national and international labor standards (i.e. principles and standards of ILO fundamental conventions)?	No
3.9 Does the Project engage security personnel that may pose a potential risk to health and safety of communities and/or individuals (e.g. due to a lack of adequate training or accountability)?	No
Standard 4: Cultural Heritage	
4.1 Will the proposed Project result in interventions that would potentially adversely impact sites, structures, or objects with historical, cultural, artistic, traditional or religious values or intangible forms of culture (e.g. knowledge, innovations, practices)?	No
4.2 Does the Project propose utilizing tangible and/or intangible forms of cultural heritage for commercial or other purposes?	No

Standard 5: Displacement and Resettlement	
5.1 Would the Project potentially involve temporary or permanent and full or partial physical displacement?	No
5.2 Would the Project possibly result in economic displacement (e.g. loss of assets or access to resources due to land acquisition or access restrictions – even in the absence of physical relocation)?	No
5.3 Is there a risk that the Project would lead to forced evictions?	No
5.4 Would the proposed Project possibly affect land tenure arrangements and/or community based property rights/customary rights to land, territories and/or resources?	No
Standard 6: Indigenous Peoples	
6.1 Are indigenous peoples present in the Project area (including Project area of influence)?	Yes
6.2 Is it likely that the Project or portions of the Project will be located on lands and territories claimed by indigenous peoples?	No
6.3 Would the proposed Project potentially affect the human rights, lands, natural resources, territories, and traditional livelihoods of indigenous peoples (regardless of whether indigenous peoples possess the legal titles to such areas, whether the Project is located within or outside of the lands and territories inhabited by the affected peoples, or whether the indigenous peoples are recognized as indigenous peoples by the country in question)?	No
6.4 Has there been an absence of culturally appropriate consultations carried out with the objective of achieving FPIC on matters that may affect the rights and interests, lands, resources, territories and traditional livelihoods of the indigenous peoples concerned?	N/A
6.5 Does the proposed Project involve the utilization and/or commercial development of natural resources on lands and territories claimed by indigenous peoples?	No
6.6 Is there a potential for forced eviction or the whole or partial physical or economic displacement of indigenous peoples, including through access restrictions to lands, territories, and resources?	No
6.7 Would the Project adversely affect the development priorities of indigenous peoples as defined by them?	No
6.8 Would the Project potentially affect the physical and cultural survival of indigenous peoples?	No
6.9 Would the Project potentially affect the Cultural Heritage of indigenous peoples, including through the commercialization or use of their traditional knowledge and practices?	No
Standard 7: Pollution Prevention and Resource Efficiency	
7.1 Would the Project potentially result in the release of pollutants to the environment due to routine or non-routine circumstances with the potential for adverse local, regional, and/or transboundary impacts?	No
7.2 Would the proposed Project potentially result in the generation of waste (both hazardous and non-hazardous)?	No
7.3 Will the proposed Project potentially involve the manufacture, trade, release, and/or use of hazardous chemicals and/or materials? Does the Project propose use of chemicals or materials subject to international bans or phase-outs?	No
7.4 Will the proposed Project involve the application of pesticides that may have a negative effect on the environment or human health?	No
7.5 Does the Project include activities that require significant consumption of raw materials, energy, and/or water?	No