

Row	Paragraph #/Section/General of Report	Comment	Submitted by	SECU Response
1	General	<p>As this is a compliance review, we suggest to include detailed information on the policies SECU has determined are applicable to this case and why. The timeline is as follows:</p> <p>(i) The India High Range Landscape Project was approved in the GEF pipeline on 11 January 2012.</p> <p>(ii) The environmental and social commitments entered into UNDP POPP in March 2013. By that time, the Project was already 13 months into project design and development.</p> <p>(iii) The policy was approved in June 2014 and came into effect on 1 January 2015.</p> <p>Please explain the rationale and analysis that led SECU to translate two commitments into two broad policy requirements. How were the two commitments - (i) 'ensure effective and informed participation of stakeholders in the formulation and implementation of programmes and projects'; (ii), 'respect and promote the human rights principles</p>	UNDP-GEF, BPPS, UNDP	<p>The project document publicly available on open.undp.org reflects a document approval date of 15 May 2014, a project start date of March 2014, and a project end date of September 2018. SECU is using the project document approval date (not the date the project was approved in the GEF pipeline) as the date of project approval.</p> <p>As noted in UNDP-GEF comments, the POPP incorporated the environmental and social commitments in March 2013 – prior to the noted project document approval date. The Environmental and Social Screening Procedure has been in place since 2012, and was a requirement for projects 'submitted to a Project Appraisal Committee with a budget of US\$500,000 or more' beginning in 2014. This project was submitted to a PAC in 2014 with a budget of US\$6,275,000.</p> <p>Although the ESSP and social commitments would, ideally, have been applied at the earliest design stage, UNDP's apparently inability to apply them when the project entered the GEF pipeline did not preclude their application prior to PAC approval of the project document. Indeed, screening was not only possible, but performed, and screening results noted the importance of community participation in decision-making processes.</p> <p>Issues related to applicable standards, therefore, appear to relate less to whether 'adequate information and assessment of</p>

of transparency, accountability, inclusion, participation, non-discrimination, equality and the rule of law, and standards derived from international human rights law’ – translated into policies of 1) Adequate Information and Assessment of Impacts and 2) Consultation and Effective Participation of Stakeholders in Decision-Making?

impacts’ and ‘consultation and effective participation of stakeholders in decision-making’ were required, than how these should have been implemented.

SECU’s finding that the prodoc and processes could be modified to ensure consistency with UNDP standards is not intended to discredit efforts made, which clearly were significant.

As noted in the Eligibility Determination for this review (https://info.undp.org/sites/registry/secu/SECU_Documents/Eligibility%20Determination%20SECU0001_signed9153649b66fb408581212da10e95e112.pdf) because the project document approval date was prior to 1 January 2015, SECU is pursuing an Advisory Review, and not a full Compliance Review. SECU believes a review is in the interest of a fair process for complainants, consistent with SECU guidelines. Efforts by UNDP CO staff to inform complainants that SECU was available to respond to concerns appears to corroborate that the process is important for complainants in the context of this project.

In this context, SECU is considering commitments applicable to UNDP at the time of project document approval. These include commitments reflected in the POPP and the ESSP.

Recognizing that the commitments cited from the POPP - including, particularly, ‘respect and promote human rights principles’ – are broad and could implicate a long list of requirements, SECU chose to focus on the most fundamental requirements for its review.

The need to assess project impacts, provide this information to local communities, consult with communities and ensure their effective participation in decision-making processes that may impact them, is fundamental and incontrovertible, according

				<p>not only to the UN Statement of Common Understanding on Human Rights-Based Approaches to Development Cooperation and Programming (the Common Understanding) adopted by the United Nations Development Group in 2003, http://hrbaportal.org/the-human-rights-based-approach-to-development-cooperation-towards-a-common-understanding-among-un-agencies, and https://undg.org/home/undg-mechanisms/undg-hrm/knowledge-management/about-the-un-practitioners-portal-on-hrba-programming-hrba-portal/english-learning-package/, but also according to the UN Special Procedures, including, for example, Professor John Ruggie, UN Special Representative on Business and Human Rights, https://business-humanrights.org/en/un-guiding-principles, i.e., noting the importance of human rights impact assessments. Even development institutions with social safeguard standards that do not explicitly incorporate ‘respect for human rights’ recognize these activities as fundamental to sustainable, just development.</p> <p>We will include citations to these information sources in the final document.</p> <p>All this said, SECU agrees that the POPP could more clearly define the projects to which the SES apply, i.e., those for which the PAC has provided approval after 31 December 2014? Those for which the prodoc was signed after 31 December 2014? Those entering the GEF pipeline in 2015?, etc.</p>
2	<p>General, Paras 14-41</p>	<p>Paragraphs 14 – 41 imply that it is a mandatory requirement that the areas to be protected through a project are already defined in the project document. This is incorrect. This point was discussed extensively during the Social and Environmental</p>	<p>UNDP-GEF, BPPS, UNDP</p>	<p>Paragraphs 14 through 20 simply reiterate the concerns of complainants. In reiterating these concerns, SECU is not agreeing with them, but rather providing the context for understanding SECU’s research and findings. These paragraphs should not be understood as implying a SECU point of view. Paragraphs 22 through 41 describe SECU’s findings related to what needs clarification and why.</p>

		<p>Safeguard Procedure (SESP) development process. The areas to be protected were not defined in the Project Document on purpose, by design, as they were to be defined and agreed through the HRSDS process to be undertaken during project implementation, after the project document was approved. This is always necessary in multiple use landscape management projects in which new conservation areas are to be created. Stakeholders – including land owners/managers of individual land units in a large landscape – are brought together during project implementation to conduct various in-depth assessments and to take collective decisions to increase the sustainability of their production landscapes by maintaining essential ecosystem services and protecting globally and nationally</p>		<p>SECU is not intending to imply that UNDP has a ‘mandatory requirement that the areas to be protected through a project are already defined in the project document.’ SECU is indicating a need for greater clarity – regarding both project activities and decision-making processes related to such activities. SECU revised the report to indicate this more clearly.</p>
3	General	<p>The complete context of the case is not provided and is missing in the report. We suggest including a section describing the context, process and timelines clearly to provide a more relevant report and a more complete picture. This can include the project development process, project objectives and partners, when the complaint came in, what were the</p>	UNDP India Country Office	<p>SECU agrees that more context is useful, and revised the report to include more information relating to project background, process, and timeline.</p>

		<p>actions taken and connecting it with GEF procedures and priorities.</p>		
4	General	<p>The broad timeline following the complaint could also be included (an indication is provided in Annex 1), specifying that UNDP CO took a proactive and constructive stance right from the start and, through the Country Director's mail dated 16 October 2015, had suggested the option of using UNDP's complaint review mechanism to the complainant.</p> <p>Annex 1 Chronology of events related to the complaint</p> <p>7 August 2015 Hon'ble Member of Parliament (MP) Advocate Joice George writes to UNDP India Country Office raising concerns regarding the potential impacts of the project.</p> <p>17 August 2015: Head, Energy and Environment Programme responds to the MP acknowledging receipt of his letter.</p> <p>Sept 2015: UNDP India CO consults UNDP HQ and takes detailed guidance from the office of the Stakeholder Response Mechanism and SECU for next steps</p>	UNDP India Country Office	SECU revised the report to include a timeline.

		<p>16 October 2015: Country Director writes to the MP and introduces him to the Stakeholder Response Mechanism and SECU, UNDP, offering support to MP to help in doing the needful (attached)</p> <p>15 December 2015: Incharge of Stakeholder Response Mechanism and Social and Environmental Compliance Unit, UNDP HQ, wrote to the Hon'ble MP seeking additional information from him to register his complaint in the two mechanism.</p> <p>29 January 2016: SECU Lodges the complaint</p> <p>June 2016: Advisory Review Mission in India</p>		
5	General	<p>The report does not adequately cover the perspectives of all the stakeholders. It is unbalanced and largely based on the perspective of the complainants. To remain unbiased, it will be very important to provide the perspectives of the other stakeholders involved including the central and state governments, UNDP staff and scientists/ and experts who were interviewed especially pertaining to the concerns raised by the complainants.</p>	UNDP India Country Office	<p>SECU's mandate is to consider concerns raised by complainants to determine if UNDP is meeting its standards in the context of these concerns. Paragraphs 14 through 20 simply reflect complainant's concerns – this information is necessary to provide context for SECU's findings. SECU is not mandated to assess support for the project or issues tangential to UNDP's compliance with its standards.</p> <p>In considering complainants' concerns, and assessing whether UNDP policies were met in this context, SECU relied on and analyzed documents provided by UNDP and others and information gleaned from interviews. SECU agrees that more of</p>

This is also important since the TOR specifies that the team will

- Use the analysis, identified initial questions for which answers need to be secured in country and otherwise (this would necessarily have been an iterative process as more information was secured)

- Given the initial list of questions, identify individuals and groups to be interviewed, including those in India which include UNDP staff members involved in the design and implementation of the project, based in Delhi; implementing partners in the national and state governments; complainants and their representatives, located in the project area (Kerala state); other groups and individuals in New Delhi and in the project area, who can provide evidence regarding the existing and potential impact of the project.

- Establish contact with those identified above to set up interviews

- Travel to India to obtain evidence about the project from the Country office, implementing partners, affected communities and relevant individuals

A total of 40 out of the 79 paras give reference to the perspective of the

this information should be included in the report, and revised the report accordingly.

		<p>complainant and 1 from panchayat. There is no specific reference to the Government's – central or state, UNDP CO management or any other stakeholder perspective. Some examples (based on recollections from some of the discussions where CO was involved) are provided in Annex 2.</p> <p>There is also no validation from official records/scientific data or cross-validation from different stakeholders. The findings are based on interviews and not always evidence based. Inclusion of documented records and interviews with other stakeholders can help triangulate and verify findings from the interviews with the complainants better.</p>		
6	General	<p>The report does not consider or relate to the overall objective of the project but focuses mainly on the point "increase in protected area" which is referred to several times in the report. However to look at this indicator in isolation is misrepresentative since the formulation and intent of the indicator has to be considered against the context of the overall programme, linking it to GEF's thematic areas.</p>	UNDP India Country Office	<p>SECU's mandate is to consider concerns raised by complainants to determine if UNDP is meeting its standards in the context of these concerns. Given the complainant's primary focus on compliance issues related to the project's proposed establishment of protected areas and HVBAs, and possible restrictions on access to and use of resources within these areas, SECU's primary focus is on these issues. SECU is not mandated to assess support for the project or issues tangential to UNDP's compliance with its standards.</p> <p>SECU revised the report, however, to include more context.</p>

7	General	<p>The assessment of social and environmental impacts is cognizant of the adaptive management principles encouraged for GEF projects wherein with new information and changes in the context, project interventions and strategies can be modified. This provides several opportunities for assessment of risks at different stages. This has not been considered in the SECU report.</p>	UNDP India Country Office	SECU has modified the report to note that an adaptive approach is being pursued.
8	General	<p>Annex 2</p> <p>Examples of perspectives and voices of some of the key stakeholders that we recollect from the meetings relevant to the complaints and concerns of the complainant:</p> <ul style="list-style-type: none"> • Para 3 of the draft report: In Nov 2015, Indian Parliamentarian and cardamom planters and spice growers in the Idukki district of Kerala filed a complaint with SECU, UNDP conveying concerns about the project as currently designed..... Would significantly adversely impact them and other local communities by restricting their access to land and natural resources upon which they depend”. A copy of the letter from the Cabinet Minister of Environment, Forest and Climate change to the Hon’ble Parliamentarian was shared 	UNDP India Country Office	Relevant perspectives are now reflected in the report.

with the Advisory Review team confirming that “the proposed project is an attempt to create a workable strategy for integrating biodiversity conservation in the natural resource use like agriculture, tourism, industry, etc. and that the project does not envisage expansion of National Parks and Sanctuaries in non-forest areas.

- Para 10 of the draft report states the perception of the complainant – “They indicated a perception that the project will advance such restrictions primarily by supporting a shift in the legal status of lands they occupy and use from one in which most of the lands are government owned revenue lands leased to farmers ... to one in which most of the lands are Forest Reserve....”. On a query from the Advisory Reviewers related to the tenural rights of people in Cardamom Hill Reserve, the Additional Chief Secretary (Forests), Govt of Kerala, informed the reviewers that this matter will be dealt as per the existing laws of the country and the state. He mentioned that the matter is sub judice and thus the project is in no position to take any action on these matters. He also reiterated that the objections of the MP are not

substantive and that his fears are unreasonable.

- Para 11:”SECU was able to determine that the complainants believe potential harms” and para 13 – “given concerns raised by complainants and UNDP’s Social and Environmental commitments”.

The Chief Secretary, the highest level bureaucrat in the state, was very positive and forward looking in his discussions with the Reviewers. He felt that the complaint was filed by the MP without having proper understanding of the objectives and the components of the project. He was of the view that the matter can easily be sorted out through more stakeholder consultations outlining the benefits from the project and with assurances that the project does not entail any evictions.

- Meeting with the Senior management in UNDP India office clearly brought out that the Management is looking at this first ever review being undertaken by SECU as a constructive measure to help the Country office and Govt of India move forward from the impasse. The RC also explained the finer nuances of the land tenural

		<p>system in India to the Reviewers and the political undercurrents in the state.</p> <ul style="list-style-type: none"> • The former UNDP Staff and also a Kerala Forest department employee clarified the point related to the expansion of protected areas in the project location. He took the Reviewers through the Project document and explained Annexure 17 of the prodoc which enlists the High value biodiversity areas which have the potential to be added to PA system. A review of this annexure shows that the area of Cardamom Hill Reserve has been kept out of the list of potential PA in the state. • In paragraph 18 (on inadequate description of threats), Report states that the complainants do not agree to the use of chemical fertilizers and pesticides in tea and cardamom, but there is no validation from reactions from other stakeholders on this point such as experts 		
9	General	I have attended the meeting of cardamom growers held at NSS Hall, Vandenmedu on 14-2-2013. I was invited on the basis of my experience in raising and managing cardamom plantations spanning over to more than three decades in a public sector	C.A. Abdul Basheer, Divisional Manager (Retired), KFDC	SECU has included relevant information from this comment in SECU's report.

		<p>undertaking viz. Kerala Forest Development Corporation (KFDC). I was the Divisional Manager of the Gavi Division of KFDC which is a Cardamom Project of extent almost 900 ha and providing livelihood support to more than 600 workers mostly Srilankan repatriates and their relatives who were rehabilitated in the project right from late 1970s. I am well versed with the problems of running a cardamom project with the various limitations of financial instability caused by falling prices of cardamom, escalating expenditure on wages and other components working within the managerial restrictions of a public sector undertaking. I am personally known to many cardamom farmers in the private sector in and around the cardamom belt, especially the office bearers of Cardamom Growers Association. I had actively participated in a movement initiated by the Kerala Forest Department and Cardamom Growers a few years back viz Cardamom for Rainforest Conservation (CRC) and in various interaction sessions.</p>	<p>Cardamom Project, Gavi</p>	
<p>10</p>	<p>General</p>	<p>The meeting held on 14-2-2013 was attended by a group of about 20-25 people including key members of cardamom organizations, small and</p>	<p>C.A. Abdul Basheer, Divisional Manager</p>	<p>SECU has included relevant information from this comment in SECU's report.</p>

large farmers, organic as well as heavy input farmers, foresters etc. The PPG team had made a detailed powerpoint presentation about the Project. The presentation and the ensuing discussions were in vernacular Malayalam. Farmers expressed their apprehension whether this Project had anything to do with Gadgil report which was facing much opposition from various groups in Idukki. It was categorically stated by the PPG team that this was a sustainable development Project which had nothing to do with Gadgil Report. Project was also looking forward for making enabling interventions in the field of energy efficiency, marketing and innovations in sustainable farming so that cardamom continues to be the ideal land use for the area. Most of the lively discussions were centered around energy requirements in cardamom curing, price fluctuations in market prices, over use of pesticides and fertilizers, changes in climate patterns, Payment of Ecosystem services in cardamom sector, shortage of labour, use of new technology and possible strategies for sustainable as well as profitable cultivation of cardamom. The necessity of revitalizing an earlier

(Retired),
KFDC
Cardamom
Project, Gavi

		cardamom farmers' initiative known as CRC (Cardamom for Rainforest Conservation) under this Landscape Project was also discussed. CRC took shape in the same place a decade ago and I had attended the meetings at that time. There was overall consensus about the possible interventions in the cardamom sector under the Project.		
11	¶1	The project has a total GEF resource allocation US\$ 6.275 million available for directly supporting the project activities. In addition, the project can strive to realign a large portion of the co-finance made up of Government schemes and partner agencies' to contribute to the achievement of the project activities.	UNDP India Country Office	
12	¶2	1) This is factually not correct. While areas to be protected are not necessarily required to be defined in the project document, column 5 of Annexure 17 to the prodoc gives an indication of the potential area for addition to PA. Names of the PAs to which addition is to be made have also been indicated. Mostly the High value biodiversity areas happen to fall under the reserve forests land use and are already under the management of the State Forest Department.	UNDP India Country Office	SECU revised the SECU report to more clearly describe and detail SECU's perceptions of prodoc shortcomings with respect to descriptions of protected areas, HVBA's, and the High Range Sustainable Development Society.

		[paras 2, 35] During the design phase, the High Range Sustainable Development Society – has been envisioned as a multi-stakeholder platform to help convergence at the landscape level to promote sustainable development. The nature, composition and functioning of this society was to be decided after commissioning a study that examine various institutional models; recommendations were to be implemented once endorsed by the Steering Committee which comprises of all representatives of all stakeholders and final decision would lie with the State Government. The same process has been followed in other GEF-UNDP – Government of India projects being implemented in India that relate to landscape approaches in conservation.		
13	¶13	[paras 3, 9] This is merely a perception. The Minister of Environment, Forest and Climate Change had written to the Member of Parliament (Complainant) that this project is about sustainable development and there will be no extension of Protected Areas.	UNDP India Country Office	Agreed, these paragraphs reflect perceptions of Complainants. As the Advisory Review report reflects, SECU believes these perceptions are facilitated by the prodoc’s unclear description of possible activities and impacts. The assertion, for example, that ‘there will be no extension of Protected Areas’ is belied by language in the prodoc indicating an intent to increase protected areas by approximately 11,400 hectares.
14	¶14			
15	¶15			

16	¶6	The project was approved by GEF in January 2012 and the new social and environmental screening process was adopted in January 2015.	UNDP India Country Office	See SECU response in Row 1.
17	¶7			
18	¶8			
19	¶9			
20	¶10	No evidence to substantiate this perception has been provided by the complainant or the SECU team.	UNDP India Country Office	This Paragraph simply reiterates the perception of Complainants referenced in their complaint. SECU did not attempt to substantiate or refute this perception. SECU did determine, however, that inadequate information in the prodoc and inadequate consultation process fuelled such perceptions.
21	¶11			
22	¶12			
23	¶13			
24	¶14	Information about the project is lacking and inaccurate: This statement from the SECU report does not provide indication of adequate evidence gathered to validate/corroborate the concerns raised by the complainant.	UNDP India Country Office	SECU's report describes SECU's findings relative to complainants' concern that information was lacking and inaccurate.
25	¶15	[paras 15,16] Annexure 17 of Project Document clearly provides the name of the area and its specific location w.r.t. the Protected Area (PA) to which the area is to be added. Except	James Zacharias, Project Consultant	SECU's report has been revised to reflect and respond to information from this comment.

for a very small area of 200 ha, rest of the areas (11450 ha) proposed for creation of PAs fall under Reserved Forest category administered by the Forest Department. These are, of course, approximate numbers and the actual process of demarcation and boundary description would necessitate months of field survey. The addition of these areas to existing PA system has been prescribed in the Management plans/Working Plans of the Forest Divisions also.

High Value Biodiversity Area (see para 48 of Project Document) is not a legal entity but just an attribute to highlight a particular value, in this case biodiversity, as the Project itself is centred on the concept of mainstreaming and sustainable management of biodiversity. The relevance of HVBA is that in the forests lying outside PAs, biodiversity conservation has a very low priority and hence, such areas need to be highlighted.

Again, in the case of Protected Areas, there seems to be a preconceived notion that PAs are restrictive. But in India as per Wildlife Protection Act 1972, apart from National Parks, Sanctuaries and Tiger Reserves, there are 2 more categories

		<p>of PAs namely Conservation Reserves and Community Reserves where the local Panchayaths and NGOs constitute the management committees.</p> <p>In the case of tribal communities, as per the Forest Rights Act 2006, they have a defined set of rights (land, developmental and community rights) in all forest areas irrespective of the status. Even if an area is a declared PA, tribes are entitled to all the above rights and it is the Tribal Department and Panchayath who are in charge of issuing rights. It should also be noted that many of the PAs in the landscape have significant tribal populations living inside them.</p>		
26		<p>Declaring new PAs has to undergo a process as per Indian Wildlife legislation including settling of rights of communities (if any). Identification of exact boundaries of additional PA system, if required, has to be worked out during the project implementation phase in consultation with all stakeholders including communities. Moreover, it is clearly stated that most of these new PAs has to be located within the existing government owned forests.</p>	<p>Pramod Krishnan, Project Consultant</p>	
27	¶16	<p>[paras 16, 49, 50, 54] There is repeated concern on the creation of</p>	<p>UNDP India Country Office</p>	<p>SECU revised SECU’s report to reflect and respond to this information.</p>

		<p>new protected areas in the report. [paras 16, 49, 50, 54] It should be noted that in India, different kinds of PAs can be created with different degrees of protection and management arrangements – some are participatory, others are exclusionary in nature. This was explained to the SECU team. These PAs are established and declared following a due legal process and after detailed surveys. The need for a PA and the kind of PA were to be ascertained during the project period. The statement on downplaying impacts by underestimating population size per hectare particularly in the Cardamom Hill Reserve is not substantiated with facts and figures.</p>		
28		<p>Declaring new PAs has to undergo a detailed process as per Indian Wildlife legislation including settling of rights of communities (if any). Identification of exact boundaries of additional PA system, if required, has to be worked out during the project implementation phase in consultation with all stakeholders including communities. Moreover, it is clearly stated that most of these new PAs has to be located within the existing government owned forests.</p>	<p>Pramod Krishnan, Project Consultant</p>	

		Moreover, High Value Biodiversity Area is only a technical term used to describe areas with high ecological importance outside the PA system. It has no legal context or connotation. Otherwise, there is no confusion of over the description of legal status of land with the proposed project area. It is well laid out as per Indian legal framework that does not require explicit mentioning in the prodoc.		
29	¶17	Has the SECU team been able to corroborate or validate this information looking at legal/ official documents?	UNDP India Country Office	This paragraph simply describes complainants' belief that the prodoc provides an inaccurate description of the legal status of lands within the proposed project area. It is not within SECU's mandate to make findings related to the legal status of lands within the project area. The report describes why SECU believes the prodoc lacks clarity in relation to land tenure issues. The comments appear to reflect inconsistent understandings of the project's approach to land tenure, i.e., this comment indicates that the project would have opened up a channel for resolving this complex issue, while comments from government officials indicate that issues related to land tenure in CHR cannot be resolved in the context of this project since these are before the Indian Supreme Court. The prodoc reflects a similar lack of clarity. SECU revised SECU's report to reflect and respond to relevant information in this comment.
30		[paras 17, 18] The term CHR is used just to denote a particular segment of the landscape buffering the biodiversity rich areas of the landscape from the devastating hot winds from Tamil Nadu plains to the east. A cursory glance at para 32, Table 3 and Annexure 4 of the Project Document will show that only 11 of the 34 Panchayaths belong to biodiversity rich Priority Category out of which only one Panchayath, namely Santhanpara falls inside the area designated as CHR (This is because the Mathikettan NP falls in this Panchayath.). The Project does not consider all the other 22 Panchayaths in CHR as important from the biodiversity point of view.	James Zacharias, Project Consultant	

		<p>The Project in no way considers CHR as a forest area but only as an integral part of the landscape whose “high rising hills exert considerable effect on rainfall through orographic effect” (para 91 of Project Document) and its further loss of canopy cover will have serious negative impacts on the landscape and adjoining areas in the context of climate change. Project only strives to promote cardamom as a profitable crop, thus helping to maintain the canopy cover for off-setting expected climate change related negative impacts on the other biodiversity rich areas. This enabling aspect is amply made clear in the ‘Indicative Interventions (Cardamom Farms)’ in Annexure 16 of Project Document. The nature of agricultural practices in cardamom farms described in the Project Document is fully validated by scientific studies, reports, field visits and interaction with stakeholders.</p>		
31		<p>The project document identifies the complex nature of land tenure issues in the cardamom growing areas. It in fact seeks to address this during the implementation through extensive stakeholder consultations and upstream policy engagement. That is precisely a project activity. The project would have opened up a</p>	<p>Pramod Krishnan, Project Consultant</p>	

		channel for resolving this complex issue.		
32	¶18	Information provided here is based on consultations with experts and technical/ research institutions.	UNDP India Country Office	SECU revised SECU's report to reflect and respond to relevant information in this comment.
33		These facts are incorporated in the project document from published literature. All such statements are given references too. More over these facts are given in the Baseline section to build the context.	Pramod Krishnan, Project Consultant	
34	¶19	However, a simpler document with indicative activities was also prepared and circulated among different stakeholders from time to time.	UNDP India Country Office	Agreed – a translated prodoc is essential, as are materials that are easier to understand.
35		One solution could be come out with a translation of the Project Document for circulation among stakeholders.	Pramod Krishnan, Project Consultant	
36	¶20	Biodiversity Conservation is one of the five thematic areas under which GEF supports projects. These projects are not necessarily looking at livelihoods promotion. However, sustainable livelihoods and development is inherent aspect in most conservation projects.	UNDP India Country Office	This paragraph simply describes Complainants' perceptions.
37		Strongly refuted. The project design is based on three pillars – conservation, livelihoods and sustainable development.	Pramod Krishnan, Project Consultant	
38	¶21			

39	¶22			
40	¶23	[para 23-28] The project document is a framework outlining the key components/ outcomes, outputs and indicative activities. The project implementation is largely based on Annual Work Plans prepared by the Project Implementation unit in consultation with all key stakeholders and approved by the Steering Committee.	UNDP India Country Office	Noted.
41		Please see response to para 16	Pramod Krishnan, Project Consultant	
42	¶24	It is only a perception and strongly refuted. The project proposes a landscape approach for conserving the ecological integrity of the High Ranges as against the earlier sectoral approaches. The basic tenet of landscape management is bringing multiple stakeholders together for a common action. Details of the individuals and communities in identifying and agreeing to measures to protect biodiversity etc. has to happen during the course of the project. In other, that is exactly what the project is all about. Within the PPG phase this could not have been done.	Pramod Krishnan, Project Consultant	SECU's finding was based on an analysis of project-related documents and interviews.

43	¶25	Please see para 16	Pramod Krishnan, Project Consultant	
44	¶26			
45	¶27	The SECU team is convoluting the project approach here. These are figments of imagination taken out by reading between lines. Strongly refute this argument and request for removal of this.	Pramod Krishnan, Project Consultant	SECU revised the prodoc to better explain SECU's finding, which was derived from documents and interviews - including UNDP's screening document noting restrictions.
46	¶28			
47	¶29	[Para 29, 32 – 37, 39, 41] All GEF – UNDP projects have a pro-active engagement approach with its stakeholders which is adopted in the implementation phase through a consultative process.	UNDP India Country Office	
48	¶30	Again SECU is using imagination to read between lines. There is a deliberate attempt to portray that there is tension between conservation actions and conservation. More specifically, even terms like Protected Areas, improving the conservation status of areas etc are viewed with suspicion by SECU team as if these are inherently against people's aspiration. Response to Para 16 may also be seen.	Pramod Krishnan, Project Consultant	SECU describes its finding that the prodoc is not clear on the points raised and discussed. SECU is not advocating for or against the project.
49	¶31	Again, the SECU is plucking out words and sentences out of contexts and	Pramod Krishnan,	The SECU report highlight language that leaves the prodoc unclear on important points. The screening document indicates

		<p>trying to paint a picture that the project is restrictive in nature; whereas it is other way around. The design principle of the project – proactive engagement agenda–demonstrates this. The project aims at building consensus among communities through consultations on land used decisions that favours conservation and livelihoods as against the present sectoral planning. HRSDS is only an agency to facilitate this process. Moreover, HRSDS is visualized as a public body with wider participation from all stakeholders. Please note that currently, there are no institutional mechanism for public consultations on most of the land use decisions in the landscape.</p>	Project Consultant	<p>the possibility of restrictions. The report describes shortcomings related to the HRSDS and views expressed by interviewees that working through a high-level, not-yet-established mechanism would be much less effective than consultations through existing local representative bodies, such as the Panchayats and Kudumbasarees.</p>
50	¶132	<p>The project neither envisions nor support any actions that would adversely affect the rights and lives of local stakeholders. Moreover, the project recognized the rights of the people explicitly and recommend the expeditious implementation of Forest Right Act which itself is testimony to the project’s commitment for recognizing the rights and privileges of stakeholders.</p>	Pramod Krishnan, Project Consultant	<p>SECU describes its finding that the prodoc is not clear on the points raised, including whether and how the Forest Rights Act would address the rights of all stakeholders.</p>
51	¶133	<p>Please see the response above.</p>	Pramod Krishnan, Project Consultant	

52	¶34	It is only a perception by SECU	Pramod Krishnan, Project Consultant	SECU's finding that the means of avoiding impacts to rights is unclear is based on a review of relevant documents and interviews.
53	¶35	True. Exact composition of HRSDS has to be decided during project implementation after wider consultation. It is in fact an activity identified in the project. It was too premature to prescribe that at project preparation stage.	Pramod Krishnan, Project Consultant	It is not clear why it was premature to describe the process/mechanism through which potentially-impacted individuals and stakeholders would participate in an already-approved project with a budget exceeding \$6 million dollars.
54	¶36	This para only describes what is given in project document.	Pramod Krishnan, Project Consultant	
55	¶37	This para only describes what is given in project document.	Pramod Krishnan, Project Consultant	
56	¶38	Wouldn't this approach be better than the current sectoral approach where every single Department or sectoral group take independent decisions often at cross purposes?	Pramod Krishnan, Project Consultant	The SECU report describes shortcomings of the HRSDS and interviewee suggestions that local decision-making bodies are key.
57	¶39	In fact, this para taken from the project document amply describes the intention and role of HRSDS. However SECU is viewing this negatively. Instead this para should be read in a positive manner.	Pramod Krishnan, Project Consultant	This paragraphs simply quotes from the prodoc description of the HRSDS.
58	¶40	This para only describes what is given in project document.	Pramod Krishnan, Project Consultant	

59	¶41	Going by the fundamental premise of participatory decentralized planning, the project document adequately substantiates the need for consultations with all stakeholders before arriving at any decisions relating to land use. Why is it that SECU is failing to understand this and undermining this stated position?	Pramod Krishnan, Project Consultant	Agreed that the need for consultation is clear. The process is not.
60	¶42	Based on the advice of the SECU, UNDP is resuming consultations at the field level and this will be done.	UNDP India Country Office	Noted.
61		Its again only a perception by SECU	Pramod Krishnan, Project Consultant	
62	¶43	[paras 43, 44] The ESSP was only applied once. As the project preparation team was applying this for the first time, a draft was produced by the Regional Technical Advisor (RTA), which was then used, expanded and revised by the team. That's why the response to the screening questions are the same.	UNDP India Country Office	SECU revised SECU's report to reflect and respond to relevant information in this comment.
63		Paragraph 43 states "As required, UNDP applied the Environmental and Social Screening Procedure to project activities. Indeed, it applied the ESSP twice – once for the Project Information Form (PIF), and the second (also quoted and cited above) during the Project Preparation Grant phase of the project". This is factually	UNDP-GEF, BPPS, UNDP	

		incorrect. The PIF for this project was submitted to the GEF in early 2012 before the requirement to screen PIFs came into effect. The requirement to screen PIFs came into effect in January 2013.		
64	¶44	Its again only a perception by SECU	Pramod Krishnan, Project Consultant	SECU’s finding was based on an analysis of project-related documents and interviews.
65	¶45	[paras 45, 47 53, 54] Project developers have identified certain risks and have suggested mitigation strategies against these risks in Section C of the project document. However, not all the risks related to the project can be determined at the design stage. In a GEF supported project, there are opportunities at different stages in the project implementation to assess and mitigate risks. These stages are at the time of inception, at the time of preparation of AWP’s at the start of each year and at the time of the mid-term evaluation, etc. All GEF supported projects are based on the principle of “adaptive management” which is specifically mentioned in the India High Range Mountain Landscape Project document. Hence, as and when a risk appears or is identified, with the consent of the Steering	UNDP India Country Office	Agreed that it is difficult to identify all risks with certainty at this stage. And the report was revised to note the adaptive approach being pursued here. However, as indicated in the report, SECU finds that some likely risks were missed and some identified risks were not adequately examined and characterized.

		committee, mitigation actions can be included in the AWP.		
66		It is only a biased interpretation by SECU	Pramod Krishnan, Project Consultant	The SECU finding was based on an analysis of project-related documents and interviews.
67	¶146	It is only a biased interpretation by SECU	Pramod Krishnan, Project Consultant	The SECU finding was based on an analysis of project-related documents and interviews.
68	¶147	Could be used for future reference.	Pramod Krishnan, Project Consultant	Noted.
69	¶148			
70	¶149	This is already explained in response to para 16 and other paras. These are simple misdirected observations of SECU without understanding the adaptive management principles adopted for designing the project. The project neither envisions any displacement to local communities and on the contrary it strives to reinforce the rights of communities through FRA and other means.	Pramod Krishnan, Project Consultant	As the report describes, the screening document and prodoc reflect possible 'prescriptions' and 'restrictions.' It is not clear how the rights of all individuals and communities will be respected.
71	¶150	This again is a negative interpretation of a potential positive action aimed in the project that to bring in sustainable land management practices through a process of consultation, knowledge	Pramod Krishnan, Project Consultant	The SECU finding is based on an analysis of project-related documents and interviews.

		backstopping and upstream policy engagement.		
72	¶151	Again a perception by SECU team.	Pramod Krishnan, Project Consultant	The SECU finding is based on an analysis of project-related documents and interviews.
73	¶152			
74	¶153	As already explained in the responses above, this has to come during the course of project implementation.	Pramod Krishnan, Project Consultant	The prodoc does not clearly indicate when or how risks will be further reviewed and assessed.
75	¶154	SECU is biased in looking and interpreting.	Pramod Krishnan, Project Consultant	The SECU finding is based on an analysis of project-related documents and interviews.
76	¶155	While a rapid gender assessment was done during the preparatory phase, component – wise gender assessment was deferred to the implementation phase.	UNDP India Country Office	Noted.
77		SECU is biased in looking and interpreting.	Pramod Krishnan, Project Consultant	The SECU finding is based on an analysis of project-related documents and interviews.
78	¶156	The activities at the design phase are only indicative, more specific activities are considered at the time of preparation of the Annual Work Plan. It is clearly mentioned in the document that the multi-sectoral collaborative coordination mechanism will ensure land use planning and permitting decisions are	UNDP India Country Office	The SECU report describes how the mechanism for land use decisions is unclear.

		acceptable to all and importantly preserve the security of access/ use rights of local communities.		
79		SECU is biased in looking and interpreting.	Pramod Krishnan, Project Consultant	
80		[paras 57, 61] Based on the review carried out and the available information then, the project was categorized as 3a.	UNDP India Country Office	The SECU report describes that information available at the time suggested possible 3b categorization, and, even under category 3a, a need for additional review.
81	¶157	It is one perception by SECU	Pramod Krishnan, Project Consultant	
82	¶158	It is one perception by SECU	Pramod Krishnan, Project Consultant	This paragraph describes UNDP Guidance and SECU's finding, based on documentation, that not all of UNDP's screening and assessment steps appear to have been taken.
83	¶159	It is one perception by SECU	Pramod Krishnan, Project Consultant	This paragraph simply describes UNDP Guidance.
84	¶160	The project document never prescribes denying or restricting access to communities. Why it is that SECU is imagining that the project is restricting access to people?	Pramod Krishnan, Project Consultant	The SECU report notes language from both the screening document and prodoc that reflects the potential for reduced access (prior to mitigation measures).
85	¶161	It is one perception by SECU	Pramod Krishnan, Project Consultant	The SECU finding is based on an analysis of UNDP Guidelines, project-related documents and interviews.
86	¶162	It is one perception by SECU	Pramod Krishnan,	The SECU finding is based on an analysis of UNDP Guidelines, project-related documents and interviews.

			Project Consultant	
87	¶163	It is one perception by SECU	Pramod Krishnan, Project Consultant	This paragraph simply quotes UNDP Guidance.
88	¶164	It is one perception by SECU	Pramod Krishnan, Project Consultant	The SECU finding is based on an analysis of UNDP Guidelines, project-related documents and interviews.
89	¶165	It is one perception by SECU	Pramod Krishnan, Project Consultant	The SECU finding is based on an analysis of UNDP Guidelines, project-related documents and interviews.
90	¶166	It is one perception by SECU	Pramod Krishnan, Project Consultant	The SECU finding is based on an analysis of project-related documents and interviews.
91	¶167	[paras 67, 68] The political implications of the Gadgil Committee Report were too well known while preparing the Project. It has to be understood that Gadgil Report was still in the Report stage and NOT accepted by the Government. Again, Annexure 16- 'Indicative Interventions- (Cardamom Farms)' of Project Document lists only enabling and participatory activities for CHR. (Also, see comments on para 17, 18 above.) The first item on the list of indicative interventions is, "Revival of Cardamom for Rainforest Conservation (CRC) initiative". CRC is	James Zacharias, Project Consultant	SECU's finding on this point is that implications of the Gadgil Committee Report for the project - including that the project was <i>not</i> intended to advance recommendations of the report - were not clearly indicated in the prodoc. This void created challenges for project success. As noted in one response to SECU's draft report, individuals raised significant concerns during the cardamom farmer consultation about the relationship of the Gadgil Committee report to the project – making this an obvious issue of concern for UNDP. Individuals not attending the meeting may not have been informed that the project would not advance Gadgil report recommendations.

		a participatory institution of cardamom farmers formed earlier as per a Government Order.		
92		It has no relation to the project.	Pramod Krishnan, Project Consultant	
93	¶168	It is one perception by SECU	Pramod Krishnan, Project Consultant	The SECU finding is based on an analysis of project-related documents and interviews.
94	¶169	A detailed record of consultations with different stakeholder groups was provided to the SECU team. This is a perception that number of meetings is not adequate.	UNDP India Country Office	This paragraph describes Complainants' perceptions of the consultation process.
95		The list of consultations convened and the processes followed was already handed over to SECU during personal interaction.	Pramod Krishnan, Project Consultant	
96	¶170	The Stakeholder meeting held on 12 March 2013 was the final meeting held towards the end of the design phase to share the components of the project document. These components were developed based on consultations related to GEF's thematic areas. The meeting was also held to discuss the indicative activities under different components in consultation with the range of stakeholders gathered at the event. Stakeholders were invited through invitation letters and phone calls.	UNDP India Country Office	As described in SECU's report, key stakeholders and potentially-impacted individuals/communities must be engaged in project-related processes. If key stakeholders do not respond to invitations, other efforts must be made to engage them, particularly if not all key project-related materials are understandable.

97		[paras 70-73] The stakeholder workshop at Munnar on 12 March 2013 was the final multi-sectoral workshop, after a series of consultations with different sectors, groups and individuals. Grama Panchayath and block Panchayath presidents of the landscape, MLAs, MP and important sectoral representatives and NGOs were invited. (The list of invitees along with other email correspondence was handed over to the SECU team at Trivandrum and is attached below as Attachment I.) The Workshop was well attended by representatives of all the sectors in the landscape- reeds, tea, fisheries, agriculture, tribal, rubber, cardamom, tourism, forestry and conservation. Cardamom is only one of the sectors and was well represented (see sign-in-sheet).	James Zacharias, Project Consultant	This paragraph describes Complainants' perceptions of the consultation process.
98		The list of consultations convened and the processes followed was already handed over to SECU during personal interaction.	Pramod Krishnan, Project Consultant	
99		View of the complainant. Was the SECU team able to validate this statement?	UNDP India Country Office	
100	¶71	The list of consultations convened and the processes followed was already handed over to SECU during personal interaction.	Pramod Krishnan, Project Consultant	

101	¶72			
102	¶73	Kindly indicate which stakeholder group was not invited to the meeting(s)	UNDP India Country Office	As the SECU report notes, it is not clear from the prodoc or interviews that robust efforts were made to engage key stakeholders in the project-related processes. It also describes how efforts seemed inadequate. It's not clear if individuals received invitations, understood the implications of the invitations, and decided not to engage. Or if individuals received invitations, didn't understand the implications of not participating, and didn't engage. Or if individuals simply never received the invitations. The SECU report has been revised to reflect relevant information.
103		The list of consultations convened and the processes followed was already handed over to SECU during personal interaction	Pramod Krishnan, Project Consultant	
104	¶74	All meetings held in connection with the project design were held in the local language.	UNDP India Country Office	
105		All the Panchayath presidents who turned up at Munnar before the SECU team, became presidents after the elections in October 2015. The Munnar Workshop took place two and a half years prior to that. It is true that only two Presidents namely, Munnar and Edamalakkudy responded to the letter, but others just did not turn up.	James Zacharias, Project Consultant	
		The invitation to the 2013 Munnar workshop was in vernacular Malayalam and it clearly states that the workshop was intended for discussions regarding the Project (copy given to SECU and attached below as Attachment II). Invitations were sent to some prominent cardamom associations (See last part		

		<p>of list of addressees in Attachment I) and 12 farmers had taken part in the Workshop (as per sign-in sheet). Though the powerpoint presentation was made in English (provided to SECU), its presentation and all discussions that ensued were in vernacular Malayalam. Participants of the workshop then split up into sectorwise groups and made their presentations for approval of the whole group.</p> <p>Again, on the sign-in sheet of Munnar Workshop, at No.54 is R.Suresh Kumar, Asst. Director, Spices Board. The email details of invitation to Chairman Spices Board was handed over to SECU at Trivandrum (see Attachment I). Mr.Suresh Kumar attended as per directions of the Chairman. Also, on the sign-in sheet, find at No.9 Dr.Muthusamy Murugan, Asst.Professor of Agricultural University stationed at Cardamom Research Station in the heart of CHR, a prominent cardamom scientist who has published a number of important scientific papers on cardamom farming in CHR.</p>		
106		<p>The list of consultations convened and the processes followed was already handed over to SECU during personal interaction.</p>	<p>Pramod Krishnan, Project Consultant</p>	

107		<p>Invites to Panchayat Presidents do not require any postal address. Panchayat elections took place in the state less than a year ago and as a result, the Panchayat presidents the SECU team met were new in office and not in charge at the time of Project preparation.</p>	<p>UNDP India Country Office</p>	<p>The SECU report has been revised to reflect relevant information.</p>
108	<p>¶175</p>	<p>It is to be noted that a letter to a Panchayath President in a district requires only the designation and name of Panchayath. The habit of email correspondence was not prevalent then (nor is it now). Invitation was also sent to Dr.P.P.Balan, Director, KILA (Kerala Institute of Local Administration) a centre of excellence engaged in capacity building activities for Panchayaths.(see Attachment I)</p> <p>The list of addresses provided to SECU was meant for sending of invitation and most of the sectoral government departments (agriculture, fisheries, tribal, revenue, tourism etc.), organizations (Rubber Board, Tea Board, UPASI, Agriculture University, KFRI, KFDC, Hindustan Newsprint Ltd, Bamboo Corporation, KDHP etc.) , NGOs, NGIs and local stakeholders (tribes, EDC members, trade unionists, media, political parties, etc.) mentioned in the address list</p>	<p>James Zacharias, Project Consultant</p>	

		<p>actually participated (see sign in sheet) only based on the invitations sent. In fact, all the invitations were sent (by mail or hand delivered locally) by the Forest Department. That such an array of sectoral representatives and stakeholders came together on one day to Munnar itself shows the quantum of effort put in for organizing the workshop.</p> <p>Those who are classified in the Draft Advisory as ‘forest watchers and drivers’ are members of ecodevelopment committees of local communities, either tribals or dalits, the most important stakeholders of this Project. Their presence in such large numbers needs to be viewed positively.</p> <p>Again, on the sign-in sheet of a Stakeholder Workshop, observance of protocol is not practised anywhere. Protocol may be relevant for formal meetings, but not for workshop sign-in-sheets. In a workshop, whoever comes first, signs?</p>		
109		<p>The list of consultations convened and the processes followed was already handed over to SECU during personal interaction.</p> <p>The so called attendees in the meeting were all stakeholders in the</p>	<p>Pramod Krishnan, Project Consultant</p>	

		<p>landscape including from tribal communities.</p> <p>Rest of the allegations are strongly refuted.</p>		
110	¶76	The project was discussed with the then MP from Idukki, Shri P.T.Thomas also.	James Zacharias, Project Consultant	Noted.
111		[paras 76, 78] The list of consultations convened and the processes followed was already handed over to SECU during personal interaction.	Pramod Krishnan, Project Consultant	
	¶77	<p>We would like to state that UNDP conducted 8 stakeholder workshops prior to the March 2013 stakeholder meeting during the project design and development phase, as acknowledged in paragraph 77 of the Advisory Review. In addition, consultations with several stakeholders – for instance central and state government representing different agencies including the Chief Secretary – were carried out but not mentioned in the report.</p> <p>Please explain if SECU triangulated the views of the complainants with other stakeholders present at the same meetings and provide a transparent explanation of how the conclusions were reached.</p>	UNDP-GEF, BPPS, UNDP	SECU’s findings are focused not on substantive issues that are undercurrents of the complaint, e.g., land tenure, but rather on the adequacy of screening and assessment, the prodoc, consultation processes, and opportunities for future participation of individuals in project-related processes. These findings are based on documents provided by UNDP, e.g., documents describing meetings, number and representation of attendees, information provided to key stakeholders, opportunities for participation in decision-making processes, etc., and interviews.

112		There were many other meetings also, focussing on Panchayaths and self help groups.	James Zacharias, Project Consultant	
113	178	<p>The two day meeting with cardamom sector in Munnar on 21st and 22nd July was just at the very beginning of the PPG phase and its objective, of course, was to analyse and understand the issues of the cardamom sector threadbare.</p> <p>The meeting was well attended with about 40 farmers and other stakeholders. The note labelled 'Cardamom forests for Farmers' Security' was made for administrative purposes by the Forest Department who organised the meeting at the request of PPG team.(This fact was made known to the SECU team.) A detailed discussion about the Project at that juncture was just not possible. But in the meeting at Vandanmedu on 14-2-2013, the Project was presented in power point and discussions were held on various aspects of the Project. There were questions about the Project's attitude towards the Gadgil report which was being opposed all across Idukki District. PPG team took great efforts to convince the group that the Project was aiming for a multi sectoral effort at sustainable</p>	James Zacharias, Project Consultant	The SECU report has been revised to reflect additional relevant information.

		development. The discussions then focussed on issues like effects of climate change, pesticide use, price fluctuation, labour shortage, energy efficiency, innovative technologies and marketing. The meeting was attended by about 20 stakeholders including farmers, workers and foresters.		
114		It is only a perception by SECU.	Pramod Krishnan, Project Consultant	
115	¶79	This is a perception. Nothing in the project implementation would have been done outside the boundaries of legal procedures of the country/ state.	UNDP India Country Office	SECU findings are based on an analysis of project-related documents and interviews. The SECU report describes how mechanisms to avoid impacts to rights are not clear.
116		It is only a perception by SECU.	Pramod Krishnan, Project Consultant	
117	General, Conclusions	The above paras clearly show that the contention in the DAR that the consultations were inadequate, is not sustainable. Consultations were made across a wide stakeholder spectrum at various levels -individuals, groups and sectors- for an insightful understanding of aspirations and apprehensions of people. This fact becomes evident since the complainants have not raised any objections to the 'Indicative	James Zacharias, Project Consultant	The SECU report has been revised to more clearly describe why SECU finds that consultations were inadequate.

		Interventions in various Sectors’ – Annexure 16 of Project Document and ultimately, a Project gets manifested on the ground through its interventions and activities only. Finally, Project is a totally new concept cutting across sectoral and administrative boundaries and it is clearly stated under Design Principles in para 166 that an Adaptive Management Approach of ‘building the ship while sailing’ has to be taken.		
118	Advice 1	Noted / noted for future reference.	Pramod Krishnan, Project Consultant	
119	Advice 2			
120	Advice 3	State Biodiversity Board is already an important partner in the project.	Pramod Krishnan, Project Consultant	Noted.
121	Advice 4			