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India High Range Landscape Project

CLOSURE NOTE

**Closure note for the Advisory Review regarding allegations of non-compliance with
the Social and Environmental Standards and other relevant policies
relating to the India High Range Landscape Project in the
Western Ghats of Kerala, India**

1 February 2018

Case No. SECU0001

Basic Data

Case No.	SECU0001
Category of Non-Compliance:	Primarily Social
Location:	Delhi and Kerala, India
Date Complaint received:	December, 2015
Source of Complaint:	M.P. Mr. Joice George
Eligibility assessment conducted by:	Richard Bissell, Lead Compliance Officer
Compliance Officer assigned:	Anne Perrault, Compliance Officer
Other investigators assigned:	Paul Goodwin, Research Analyst
Related Case(s):	N/A

Signatures:

Prepared by:  Date: 31 January 2018

Richard E. Bissell, Lead Compliance Officer, Social and Environmental Compliance Unit, OAI

Reviewed by: _____ Date: _____

Brett Simpson, Deputy Director, Investigations, OAI

Approved by: _____ Date: _____

Helge Osttveiten, Director, OAI

Background and Overview of Advisory Review Process

1. In November of 2015, Indian Parliamentarian Advocate Mr. Joice George and cardamom planters and spice growers in the Idukki District of Kerala filed a complaint with the UNDP Office of Audit and Investigations, which referred the issue to the Social and Environmental Compliance Unit (SECU) housed within the same office. Additionally, the UNDP India Country Office encouraged the complainant to pursue options with SECU and the dispute resolution arm of the Accountability Mechanism called the Stakeholder Response Mechanism.
2. On 20 January 2016, SECU determined the complaint eligible for an Advisory Review, an investigation contemplated by SECU's Investigation Guidelines that is less formal than a Compliance Review. The case was deemed eligible for an Advisory Review because the issues raised by the complaint related to UNDP's social and environmental safeguard policies, including the newly enacted Social and Environmental Standards and applicable standards in UNDP's Programme and Operations Policies and Procedures (POPP). The case at that time was not eligible for a formal compliance review as the project approval date was prior to the date SECU's mandate began: 1 January 2015.
3. In June 2016, SECU traveled to Delhi, Trivandrum, Munnar, and Kochi, and, based on discussions with UNDP staff, government officials, complainants and other stakeholders, determined that despite successful efforts of project staff to initiate consultations and detail the significant biodiversity in the western Ghats, threats to this biodiversity, and possible measures to respond to these threats, shortcomings related to the process and project document have created and exacerbated concerns of individuals and communities potentially impacted by the project.
4. On 28 November 2016, SECU issued the final draft of its Advisory Review, which included a number of findings and pieces of advice. These were not formal recommendations, and the report was submitted to the UNDP India Country Office. It was not submitted to the UNDP Administrator, as called for in a formal Compliance Review, because it was an informal Advisory Review. Additionally, because of its informal nature, SECU does not have a formal monitoring role.
5. To see all of the case's publicly available documentation, visit the SECU registry case file available [here](#).

Justification for Case Closure

6. Given that no formal monitoring process exists for SECU0001, SECU periodically sought updates regarding the case in order to determine if any additional Advisory Review activity could be useful to the Country Office. In January 2018, SECU received

the following update from the Country Office regarding the project:

“...on 3 November 2017, the State Government of Kerala, has endorsed the modified implementation strategy and framework and issued a notification to resume work on the same. We are awaiting dates from the State Govt to hold the State Steering Committee meeting so that we can engage the Project Management Unit, hold the Inception Workshop and finalise the Annual Work Plan for 2018 and also write to the GEF Sec for extension of the project till 2021.”

7. SECU has not received additional requests for help or review from the original complainant, M.P. Mr. Joice George.
8. Additionally, SECU reviewed the latest revisions and implementation strategy for the IHRML project and noted that some advice in the Advisory Review was incorporated into the new project design. Among these changes, a new consultation process that includes India’s and Kerala’s representation structure (local, mid-level, and high-level panchayat representatives) was incorporated to facilitate consultations with relevant stakeholders.
9. SECU has therefore determined that its role conducting an Advisory Review function is complete with respect to the complaint filed in 2015 from M.P. Mr. Joice George.
10. Note that SECU’s case closure does not constitute a final determination regarding all social and/or environmental impacts related to the UNDP-supported IHRML project in Kerala, India.