

**Final Report**

**Investigating allegations of non-compliance  
with UNDP environmental commitments  
relating to the following UNDP activities:**

**Mainstreaming Biodiversity into the  
Management of Coastal Zone in the Republic  
of Mauritius**

**Case No. SECU0012  
30 October 2020**

**Basic Data**

Case No.	SECU00012
Category of Non-Compliance	Environmental
Location:	Mauritius
Date complaint received:	23 March 2019
Source of complaint:	Aret Kokin Nu Laplaz (AKNL)

**Table of Contents**

- I. EXECUTIVE SUMMARY ..... 5
- II. BACKGROUND, FINDINGS AND RECOMMENDATIONS..... 7
  - BACKGROUND ..... 7
  - FINDINGS AND RECOMMENDATIONS ..... 8
    - Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management..... 11
    - Screening, Assessment and Management of Social and Environmental Risks and Impacts..... 12
    - Stakeholder Participation and Response Mechanisms ..... 13
  
- Map of Mauritius..... 14
  
- Indicative List of Interviewees..... 15

## List of Acronyms

<b>AKNL</b>	Aret Kokin Nu Laplaz
<b>CO</b>	Country Office
<b>CZM</b>	Coastal Zone Management
<b>ESA</b>	Environmental Sensitive Area
<b>GEF</b>	Global Environment Facility
<b>GOM</b>	Government of Mauritius
<b>ICZM</b>	Integrated Coastal Zone Management
<b>MOI</b>	Mauritius Oceanography Institute
<b>MPA</b>	Marine Protected Area
<b>NGO</b>	Non-Government Organization
<b>NIM</b>	National Implementation Modality
<b>OAI</b>	Office of Audit and Investigations
<b>Prodoc</b>	Project Document
<b>PSC</b>	Project Steering Committee
<b>RM</b>	Republic of Mauritius
<b>SDG</b>	Sustainable Development Goal
<b>SECU</b>	Social and Environmental Compliance Unit
<b>SES</b>	Social and Environmental Standards
<b>SESP</b>	Social and Environmental Screening Procedure
<b>UNDP</b>	United Nations Development Programme
<b>UNEP</b>	United Nations Environment Programme

## I. EXECUTIVE SUMMARY

1. On 23 March 2019, the UNDP Social and Environmental Compliance Unit (SECU) within the Office of Audit and Investigations (OAI), received a communication from Aret Kokin Nu Laplaz (AKNL), an NGO network located in Mauritius. The complainant's representatives asserted that the UNDP's project fails to protect Environmental Sensitive Areas and violates several of UNDP's Social and Environmental Standards (SES), in light of the development permits being issued by the government for hotel and residential construction projects along the country's coast.
2. The June 2016 Project Document (Prodoc) for the "Mainstreaming Biodiversity into the Management of Coastal Zone in the Republic of Mauritius" project is the latest phase of UNDP work on biodiversity and environmental conservation in Mauritius, with prior projects going back decades. For this particular project, the focus is to "mainstream the conservation and sustainable use of biodiversity and ecosystem services into coastal zone management (CZM) and into the operations and policies of the tourism and physical development sectors in the Republic of Mauritius through a 'land- and seascape wide' integrated management approach based on the Environmental Sensitive Areas' (ESAs) inventory and assessment." The three key outcomes of the project are identified as: "Outcome 1. *Threats to biodiversity and ecosystem function are addressed by ensuring that 27,000 ha marine and coastal Environmentally Sensitive Areas (ESAs) are an integral part of planning and implementation mechanisms relating to coastal development and the tourism sector.* Outcome 2. *Threats to marine and coastal biodiversity are mitigated and fishery resources protected in at least 20,000 ha of seascapes, through the improved management of MPAs and no-take zones.* Outcome 3. *Erosion control and ecosystem services restoration: erosion and soil loss are reduced in 200ha of erosion-prone water sheds; and ecosystem services are restored in 100 ha of coastal wetlands.*" UNDP has established a central position, among the international development agencies, in the national planning process of Mauritius on these environmental issues.
3. The compliance review by OAI/SECU focuses on gathering and reviewing evidence with regard to compliance of the project with UNDP social and environmental standards relating to (a) Overarching Principle 3 on Environmental Sustainability; (b) Standard 1 on Biodiversity Conservation and Sustainable Natural Resource Management; and the Policy Delivery categories on (c) Screening, Assessment and Management of Social and Environmental Risks and Impacts, and (d) Stakeholder Engagement. The most important evidence is spelled out in Section II below providing background, findings and complete recommendations.
4. With regard to principle 3, the approach in the project is compliant with Principle 3 at this stage of the project. OAI/SECU is therefore not issuing a recommendation in respect of this issue.

### *Finding 1*

5. For standard 1 on biodiversity Conservation and Sustainable Natural Resource Management, the review found partial compliance on the part of the Country Office (CO). It is clear both from standard 1 and from the ProDoc that the greatest challenge for achieving the enumerated outcomes and outputs will be passage of long-needed legislation and administrative reforms. The ProDoc proposed to emphasize "wetlands for which legislation

is notably lacking,” and indeed the government had a draft Wetlands Bill in hand in January 2020, and consultations underway for eventual enactment by the National Assembly. But one major issue for the Complainants has been an ESA Bill, especially in light of the failure in 2009 to enact an ESA Bill. The ProDoc appears to lay some groundwork for an eventual ESA Bill: Stakeholders hold different views regarding whether ESA or the Wetlands Bill should be prioritized for implementation<sup>1</sup>With the advent of the COVID-19 crisis, milestones and timelines for each of the Bills need to be updated, and the impact of any postponements on the ecosystems at stake made explicit.

#### *Recommendation 1*

6. OAI/SECU recommends that the Mauritius Country Office, either through the Mid Term Review, or some other identifiable channel, elevate the ambitions for the project completion. While the CO cannot itself execute policies of the government, this project provides for important building blocks of eventual legislation and regulations. Stakeholders place special emphasis on enactment of an updated Wetlands Bill and an ESA Bill, along with the establishment of unimpeded public access to the improved wetland survey data being generated by this project. The urgency of these steps needs to be emphasized, in case proposals of development projects continue with substantial and permanent impacts on biodiversity and environmental assets. UNDP should work with the Government of Mauritius and stakeholders, in order to contribute to the Government’s finalization of important legislation for the protection of biodiversity in Mauritius.

#### *Finding 2*

7. For the Policy Delivery categories on risk assessment and stakeholder engagement, the review found that the CO understood the requirements in the SES. At the same time, some of the judgments on individual elements of the risk assessment neither reflected past experience in Mauritius with environmental initiatives nor heeded the warnings on risk from the stakeholder consultations.

#### *Recommendation 2*

8. OAI/SECU recommends that Mauritius Country Office, via either the Mid Term Review or a specific screening exercise, reconsider the risk framework, in light of what has occurred so far on the project and mitigation measures that are now needed in light of potential barriers to progress on specific elements of the project, including legislation, coordination across the public and private sectors, and engagement of civil society. Several events and trends of recent years pose particular risks that could be well considered in a SESP review – namely the financial shock from the COVID19 pandemic, the general election held in November 2019, and midterm uncertainty about the future of the tourism economy.
9. Compliance with stakeholder participation in the SES has been strong in some aspects – especially the extended and wide range of consultations during project design. OAI/SECU is

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<sup>1</sup> According to the ProDoc, “The project will provide legal expertise and support that will help to encourage the government to enact and/or revise the necessary laws or regulations to protect and sustainably manage coastal and marine ESAs (with particular emphasis on wetlands for which legislation is notably lacking).”

therefore not issuing a recommendation in respect of this issue. It is important that the widest possible consultations continue to be a matter of priority.

10. As provided in SECU's Standard Operating Procedures, the response from the Administrator will be made publicly available on the SECU Case Registry.

## II. BACKGROUND, FINDINGS AND RECOMMENDATIONS

### BACKGROUND

11. On 23 March 2019, the UNDP Social and Environmental Compliance Unit (SECU) within the Office of Audit and Investigations (OAI), received a communication from Aret Kokin Nu Laplaz (AKNL), an NGO network located in Mauritius.<sup>2</sup> The complainant's representatives asserted that the UNDP's project failed to protect Environmental Sensitive Areas and violated several of UNDP's Social and Environmental Standards, in light of the permits being issued a by the government for construction of additional hotels and resorts as well as residential complexes along the country's coast in environmentally-sensitive areas.
12. The complainant's representatives asserted that UNDP's work in the country to protect Environmental Sensitive Areas (ESA) and wetlands is so inadequate, especially at this moment in time, as to violate commitments in UNDP's Social and Environmental Standards.
13. On 28 March 2019, SECU registered the case on its online case registry. SECU then made documentation and information requests to the UNDP Mauritius Country Office and the Complainant in order to inform SECU's determination of eligibility of the complaint. Both the Country Office and the Complainant were highly responsive, sharing extensive relevant documentation. On the basis of that information, SECU determined that the complaint was eligible for a compliance review on 10 June 2019.
14. According to the June 2016 Project Document (Prodoc) for the "Mainstreaming Biodiversity into the Management of Coastal Zone in the Republic of Mauritius" project, "The objective of the project is to mainstream the conservation and sustainable use of biodiversity and ecosystem services into coastal zone management (CZM) and into the operations and policies of the tourism and physical development sectors in the Republic of Mauritius through a 'land- and seascape wide' integrated management approach based on the Environmental Sensitive Areas' (ESAs) inventory and assessment." More specifically, "the project will achieve this through a three-pronged approach: (1) support the incorporation of ESA recommendations into policies and enforceable regulations pertaining to integrated coastal zone management (ICZM), thereby mitigating threats to biodiversity and ecosystem functions and resilience with a special focus on tourism and physical development in the coastal zone; (2) support the effective management of marine protected areas (MPAs) across the Mauritius, given that they contain an important proportion of critically sensitive ESAs; and (3) demonstrate mechanisms to arrest land degradation in sensitive locations, focusing on reducing coastal erosion and sedimentation and helping to restore ecosystem functions in key wetland areas."

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<sup>2</sup> Full details on processing this complaint are available at the SECU Registry:  
<https://info.undp.org/sites/registry/secu/SECUPages/CaseDetail.aspx?ItemID=30>

15. The “Mainstreaming biodiversity into the management of the coastal zone in the Republic of Mauritius” project (Atlas Award ID: 96201), has a long history of consultations launched in 2010, according to the CO’s chronology. Three different project ideas were combined into one proposal that resulted in this Prodoc. Common to all three was a focus on GOM ministries that would play a role in mainstreaming new approaches to protecting key environmental assets in Mauritius. The project had a signing date for UNDP of June 2016, was actually launched in April 2017, and now has an end date of 2021. The Prodoc identifies the management mode of the project as National Implementation Modality (NIM), with the Mauritius Oceanography Institute (MOI) as the Implementing Partner (later amended). UNDP is identified as the Implementing Agency for the Global Environment Facility (GEF). The budget administered by UNDP includes \$4,684,600 of GEF funding, supplemented by \$50,000 of UNDP co-financing. The project design included approximately \$17,000,000 of parallel financing, of which 69% consisted of in-kind allocations of time by government units, an indication of government’s commitment to cross-agency outcomes.
16. After the project document was signed by all parties in June 2016, the project was delayed by a number of organizational issues: (a) transfer of the role of Implementing Partner from the MOI to the then-Ministry of Ocean Economy, Marine Resources, Fisheries and Shipping<sup>3</sup>; (b) delay until April 2017 with the recruitment of the Project Management Unit; (c) multiple changes in the person holding the key position of Chairperson of the Project Steering Committee. This last issue was critical, given the role of the Project Steering Committee (PSC) in overseeing all major decisions and workplans. The PSC was also essential in maximizing coordination of the various sub-projects, all with separately contracted outputs. Progress is inevitably somewhat inconsistent across the various sub-activities. But the attention given by the Government to the PSC, the five Technical Committees, and the PMU, if sustained through the full implementation of the project is a positive sign.
17. SECU undertook an extensive document review and, on 22-30 July 2019, carried out a field mission to Mauritius to interview complainants, UNDP staff, relevant government officials, civil society organizations, technical experts and others. SECU wishes to express its appreciation for all the assistance provided by the Country Office (CO) and the Mauritian stakeholders, all of whom provided invaluable local knowledge about the project and Mauritian environmental challenges.<sup>4</sup>
18. The investigation, including fieldwork, focused on gathering and reviewing evidence with regard to compliance of the project with UNDP social and environmental standards relating to (a) Overarching Principle 3 on Environmental Sustainability; (b) Standard 1 on Biodiversity Conservation and Sustainable Natural Resource Management; and the Policy Delivery categories on (c) Screening, Assessment and Management of Social and Environmental Risks and Impacts, and (d) Stakeholder Engagement. The discussion below is organized along the lines of the SES issues raised by the complaint.

## **FINDINGS AND RECOMMENDATIONS**

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<sup>3</sup> This ministry is now the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping. The MOI is a subsidiary unit of the Ministry, and elevating the Implementing Partnership to the Ministry was described as improving the odds of implementation of policy recommendations that emerge from the project.

<sup>4</sup> See a partial list of interviewees at the end of this report.



### *Overarching Principle 3 on Environmental Sustainability*

19. This Principle embodied in the SES is relevant to the complaint, as a result of the broad and strategic nature of the complaint, as well as the multi-sectoral nature of the outcomes described in the Prodoc. Thus, the SES states the following: “UNDP uses and promotes a precautionary approach to natural resource conservation and reviews its development cooperation activities to ensure they do not cause negative environmental effects. UNDP requires the application of relevant social and environmental standards to avoid adverse environmental impacts, or where avoidance is not possible, to minimize, mitigate, and as a last resort, offset and compensate for potential residual adverse impacts.”<sup>5</sup> The rationale for the Principle is that any new proposed activity needs to look beyond the narrow boundaries of the project to anticipate possible negative impacts, and to take immediate steps that may be required to avoid irreversible environmental damage.
20. In the case of this project, UNDP was particularly well poised to engage in such precautionary analysis, having led important environmental activities with the Government for decades. Thus, UNDP staff were well aware of and engaged in dialogue with many stakeholders across the country.
21. That historical and social context is relevant to understand the sources of the complaint to SECU/OAI, and the importance of a comprehensive response as prescribed in Principle 3 of the SES.
22. The historical reality is that environmental issues in Mauritius rapidly evolve into land use controversies, owing to the population density on this relatively small island. It has long been identified as among the countries experiencing the most population pressure – currently 623 people per square kilometer (1,636/sq. mi)<sup>6</sup>. For many years, the cause of that density was considered to be the extensive areas set aside for sugar cane plantations, leaving little land for the vast majority of the population.<sup>7</sup> Even though the sugar industry makes few profits today, the release of that land to meet the pent-up demand for land among those with lower incomes has been slow. Some of those plantation lands, in addition, have areas identifiable as wetlands, whose formal designation as such by a proposed Wetlands Act would limit their development potential.
23. The decline of the sugar and textile industries also shifted basic assumptions about land in recent decades. A key turning point was the Tourism Development Plan (TDP) in 2002, which aimed at providing the country a coherent and sustainable overarching long term framework for tourism, but was never approved by the Cabinet. This theme of sustainability was further developed in the National Development Strategy of 2005 that was approved by the Cabinet. But in parallel, in 2001-2003, various coastal zones (such as Bel Ombre, and St Felix) identified as among the most impoverished areas in Mauritius, became the object of an “Integrated Plan for Tourism and Leisure development” with a focus on initiatives to develop

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<sup>5</sup> SES, page 11, para 23. <https://www.undp.org/content/undp/en/home/librarypage/operations1/undp-social-and-environmental-standards/>

<sup>6</sup> Macrotrends, Mauritius Population Density 1950 – 2019, <https://www.macrotrends.net/countries/MUS/mauritius/population-density>

<sup>7</sup> See Overview of Ministry of Agro-Industry and Food Security, <http://agriculture.govmu.org/English/AboutUs/Pages/An-overview.aspx>. In 2002, sugar accounted for 90%, tea 1%, other crops 9% of the use of agricultural land.

luxury tourism centers along the coast. Until recently, projections by the Ministry of Tourism were for 21,000 beds and 2 million annual visitors by the year 2030.<sup>8</sup> The effects of the first phase of this intensive development can be seen on the northern coast. With the effective closure of many beaches in that area to anyone not a hotel guest, tensions have risen with the local populations accustomed to having access to the shoreline. The Ministry of Tourism stated in its Strategic Plan 2018-2021, “The tourism sector has for years been controlled by a handful of big operators and has not been democratized. This is now giving rise to conflicts between the local community and hotel development promoters. The active participation of the local community should be enlisted right from the planning stage to obtain their support all throughout the project implementation. Hoteliers should come up with benefit sharing schemes whereby the tourism benefits trickle down to the employees, local residents, SMEs, local artisans and youth community.”<sup>9</sup>

24. With that history, environmental protection plays a dual role. On the one hand, proposals to adopt more stringent and sustainable standards in legislation and regulation are seen by some project developers as a threat to their plans. On the other hand, the advertised attraction of Mauritius as a resort and second home destination is its natural environment: blue water, coral reefs, beaches, dolphin watching, and the green mountains in the background. If the upscale tourism industry concluded that Mauritius were not dedicated to sustaining five-star natural beauty, the tourists would go elsewhere. In effect, this project will impact development outcomes well beyond the state of biodiversity.
25. Despite the recognition of these realities by stakeholders interviewed by the investigators, and also reflected in summaries of the workshop discussions organized by the project designers, the OAI/SECU investigators concluded that the project chose to restrict the number of broader environmental challenges laid out in Principle 3 of the SES. While the Prodoc’s broader vision of environmental challenges in Mauritius is accurate and useful, the judgment of the project designers was that this project could not be a vehicle for addressing all of the misaligned incentives in environmental and development policies in one sweep. The project deliberately sets a limited set of targeted outputs, and if they prove to be impactful and sustainable, the approaches should spread to other parts of the island and other sectors with long-term impact. By leaving open the sustainable impact of the project, this approach is compliant with Principle 3 only at this stage of the project. The CO has exercised its judgment as to applying Principle 3 in Mauritius. With at least another year of implementation, The project implementing team and the Implementing partners are urged to work in the direction of ensuring compliance with Principle 3 and completion of the project’s approach to ESAs, ICZMs, and wetlands regulation.

The issue of ESAs and related protective legislation has already been extended to a future project. The Government has already reached agreement with the GEF for a follow-on project titled “Mainstreaming Sustainable Land Management (SLM) and Biodiversity Conservation in the Republic of Mauritius.”<sup>10</sup>

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<sup>8</sup> See Ministry of Tourism, Strategic Plan 2018-2021, [https://ta.govmu.org/sites/default/files/strategic\\_plan\\_2018-20217777.pdf](https://ta.govmu.org/sites/default/files/strategic_plan_2018-20217777.pdf), p. 27. The current baseline numbers are 1.3 million visitors and 14,000 beds.

<sup>9</sup> Ministry of Tourism, Strategic Plan 2018-2021, page 14.

<sup>10</sup> See Government statement in the Comments Matrix, where it states that “the ESA Bill will be given due consideration through an in-depth review and reformulation exercise.” It goes on to say, “Taking into

### *Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management*

26. UNDP has established a state-of-the-art Standard that applies in particular to this project: “UNDP promotes an ecosystem approach to biodiversity conservation and sustainable management of natural resources.”<sup>11</sup> In other words, biodiversity is not approached in isolation from the health and sustainability of broader environmental policies and strategies, and especially for a project that is based on the development concept of mainstreaming. And it is equally important that Standard 1 is much more than a “safeguard policy,” designed to minimize damage to biodiversity and the environment from development projects. The objectives of the Standard make clear its potential positive contribution to the Sustainable Development Goals (SDGs): “(1) to conserve biodiversity; (2) to maintain and enhance the benefits of ecosystem services; and (3) to promote sustainable management of living natural resources.”
27. The design of the project in question is based on Standard 1. It is clear that there are data gaps and institutional weaknesses associated with the current mapping of wetlands and Environmental Sensitive Areas; thus one emphasis in the current project is on updating old surveys with better technologies and then “mainstreaming” the data into decision-making, legislation, and across all the relevant stakeholders (GOM ministries, the private sector, non-governmental organizations). The record of inception workshops demonstrates the widespread concerns about comprehensive implementation; the minutes of the workshops were articulate about these concerns and they were repeated to OAI/SECU investigators, albeit tempered by expressions of optimism from the working level that the project could reverse past problems if (a) the ultimate data were made publicly available on government websites to inform future decision-making and the public, and the data were kept up to date going forward as realities on the ground change;<sup>12</sup> (b) that the institutional findings of the project would be addressed in possible amendments of the Environment Protection Act<sup>13</sup>; (c) the hotel industry, through the Ministry of Tourism, were mobilized across the board to be an active advocate for the environmental assets in Mauritius; and (d) that, in contrast to some prior experience, the GOM saw a path to enacting a Wetlands Act and an ESA Act which would

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consideration the timing of project outputs from the MB projects as well as the tasks required to regulate ESAs comprehensively (given that the project is limited in its scope to coastal and marine ESAs and not to all categories of ESAs), government has opted to pursue its efforts and decided to undertake the review and formulation of an updated comprehensive ESA Bill within a recently-approved GEF grant to the tune of USD 1.69 Million for the project on “Mainstreaming Sustainable Land Management (SLM) and Biodiversity Conservation in the Republic of Mauritius”. This new project will complement the MB project and address further gaps with a view to coming up with recommendations pertaining to the most appropriate legislative and regulatory framework for ESAs.”

<sup>11</sup> SES, page 13, para 3.

<sup>12</sup> “It is an existing commitment that maps that will be generated will be made publicly available. At present, the technical assessment is on-going and these maps (PDF version) will be hosted on a server at the Department of Continental Shelf and Maritime Zone Administration and Exploration.” Government statement in the Comments Matrix for this report.

<sup>13</sup> The Government states, “With the formulation of a master plan for the environment sector in Mauritius 2020-2030 (which is currently being finalized), UNDP Country Office has recently agreed to provide technical assistance to undertake an in-depth review of the Environment Protection Act, taking into consideration recommendations formulated. This exercise will be carried out in 2020 and will take into account a number of proposed amendments related to, amongst others, ESAs.” See Comments Matrix for this report.

then be promulgated by the Cabinet for all the relevant ministries to mainstream. In terms of the technical design and its intentions, the project complies with Standard 1.

That said, the project could fall out of compliance with Standard 1, an outcome to be avoided if the impacts of the various components of the project are completed and appropriate leadership implements the project results. For instance, stakeholders in the project raised the need for substantial time, resources, and leadership to be invested in a communications strategy of proactive engagement with the necessary stakeholders. The hiring and recent deployment of the communications consultant is a positive sign. A proactive stakeholder engagement would be beneficial to the achievement of the project outcomes and facilitate compliance with Standard 1 by project end.

28. Likewise, greater attention should be given to the incentives for the tourism and housing industries to become enthusiastic leaders of recognizing the long-term value of Mauritius' natural resources and especially its biodiversity. Bringing the private sector developers on board with the project's purpose will be essential to rapid implementation, especially in the marine environment. The private sector has an opportunity to showcase its contribution to SDG 15 and ensure the sustainable management of irreplaceable biodiversity resources. Mauritius has been recognized globally as a "biodiversity hotspot," which is positive recognition of the role the country can fulfill on the international stage.<sup>14</sup> The project has adopted the UNDP's comprehensive ecosystem approach to conserve biodiversity.

#### *Screening, Assessment and Management of Social and Environmental Risks and Impacts*

29. The SES includes the requirement for all projects to apply UNDP's Social and Environmental Screening Procedure (SESP) to identify social and environment-related risks and pursue additional assessments and measures as necessary to respond to these risks.<sup>15</sup> The importance of this step in a project is not merely procedural; it helps to identify preemptive mitigative measures to reduce the likelihood of project failure and damage to achievement of related SDGs. As is stated in the SES: "UNDP will carry out Project screening and categorization at the earliest stage of Project preparation when sufficient information is available for this purpose. Screening is undertaken (i) to identify and reflect the significance of potential impacts or risks that Project activities might present, and (ii) to identify opportunities to enhance benefits and to support stakeholders."<sup>16</sup> For this project, the developers did carry out the steps of an SESP, but without the depth of analysis to fully capture the potential risks of various factors. Some of those risk factors raised by interviewees in the course of the investigation included the need for a high level of private sector cooperation and support, collaboration among government departments, passage of legislation, the filling of wetlands to avoid environmental protection, and enlisting the participation of community-based groups.
30. As noted in the review of Standard 1 above, this project structure was fragile, challenged by specific contextual realities in Mauritius as well as the history of incomplete prior attempts to address environmental management comprehensively. The wording of the SES

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<sup>14</sup> See the report from the Critical Ecosystem Partnership Fund, *Ecosystem Profile: Madagascar and Indian Ocean Islands*, December 2014. There are 15 different sites on Mauritius identified as having global value for biodiversity; see page 282.

<sup>15</sup> SES, pages 46-50.

<sup>16</sup> SES, page 47, para 4.

requirements are valuable in projects such as this one: “All proposed Projects will be screened to identify potential application of requirements of the SES Overarching Policy and Principles (i.e. human rights, gender equality, environmental sustainability) and relevant Project-level Standards.”<sup>17</sup>

31. These risks were raised by participants in the consultations held from 2010 to the present; the record of discussions documents the important risks raised that could undermine the effectiveness of the project – generally factors outside the project but essential to identify and attempt to mitigate. In this case, the discussions usefully identified the importance of communications strategies and stakeholder engagement from the early part of the project. The participants urged categorizing risks in a variety of areas as medium/high risk. The project was rated as “medium risk” at the country level.

#### *Stakeholder Participation and Response Mechanisms*

32. The SES includes language that “Meaningful, effective and informed stakeholder engagement and participation will be undertaken that will seek to build and maintain over time a constructive relationship with stakeholders, with the purpose of avoiding or mitigating any potential risks in a timely manner. The scale and frequency of the engagement will reflect the nature of the activity, the magnitude of potential risks and adverse impacts, and concerns raised by affected communities.”<sup>18</sup>
33. The SES also notes that the CO should assume that proactive approaches to building relationships with the range of stakeholders will be necessary: “Stakeholder engagement plans will be developed for all Programmes and Projects, scaled to reflect the nature of the activity and its potential impacts (e.g. from relatively simple measures for Programmes/or Projects with few if any social and environmental risks to comprehensive plans for High Risk activities with potentially significant adverse risks and impacts).”<sup>19</sup>
34. Projects that include mainstreaming needs to set a priority, from beginning to end, of an inclusive approach to stakeholders. In this case, outreach to stakeholders is not a precautionary issue of avoiding damage; a wide range of leading players from multiple sectors will be essential to success of the project. Outreach is not solely the responsibility of the CO, especially in a NIM project, but the CO can play a useful role in working with implementation partners to keep attention focused on this need – not just because of UNDP Standards, but also because a positive outcome will necessarily be a team effort among government, the private sector and the communities across the island.

#### *Recommendations*

##### *Recommendation 1*

35. OAI/SECU recommends that the Mauritius Country Office, either through the Mid Term Review, or some other identifiable channel, elevate the ambitions for the project completion. While the CO cannot itself execute policies of the government, this project provides for important building blocks of eventual legislation and regulations. Stakeholders place special

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<sup>17</sup> SES, page 47, para 4.

<sup>18</sup> SES, page 51, para 13.

<sup>19</sup> SES, para 52, para 15.

emphasis on enactment of an updated Wetlands Bill and an ESA Bill, along with the establishment of unimpeded public access to the improved wetland survey data being generated by this project. The urgency of these steps needs to be emphasized, in case proposals of development projects continue with substantial and permanent impacts on biodiversity and environmental assets. UNDP should work with the Government of Mauritius and stakeholders, in order to contribute to the Government's finalization of important legislation for the protection of biodiversity in Mauritius.

### *Recommendation 2*

36. OAI/SECU recommends that Mauritius Country Office, via either the Mid Term Review or a specific screening exercise, reconsider the risk framework, in light of what has occurred so far on the project and mitigation measures that are now needed in light of potential barriers to progress on specific elements of the project, including legislation, coordination across governmental units, coordination across the public and private sectors, and engagement of civil society. Several events and trends of recent years pose particular risks that could be well considered in a SESP review – namely the financial shock from the COVID19 pandemic, the general election held in November 2019, and midterm uncertainty about the future of the tourism economy.
37. Compliance with stakeholder participation in the SES has been strong in some aspects – especially the extended and wide range of consultations during project design. OAI/SECU is therefore not issuing a recommendation in respect of this issue. It is important that the widest possible consultations continue to be a matter of priority.

# Map of Mauritius



## **Indicative List of Interviewees**

### **Complainants**

- Members of Aret Kokin Nu Laplaz (AKNL)

### **UNDP Staff**

- UNDP Resident Representative
- UNDP Head of Environment Unit
- UNDP Operations Manager
- Other project team members

### **National Government**

- Representative - Ministry of Finance and Economic Development
- Deputy Permanent Representative - Ocean Economy, Marine Resources, Fisheries and Shipping
- Representatives - Ocean Economy, Marine Resources, Fisheries and Shipping
- Director - National Parks at the Ministry of Agro-Industry and Food Security
- Representatives - Social Security, Solidarity, and Environment and Sustainable Development

### **Independent Experts**

- Independent Private Consultant
- Gender Finance and Development Advisor
- ESA Consultant

### **Other Organizations**

- Representative - Plateforme Maurice Environnement
- Representative - Reef Conservation