

Implementation stage 1 transcript

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This presentation describes what needs to be done during the first, preparatory stage of implementation of the Social Requirements of the High Carbon Stock Approach, or HCSA. This stage involves planning, information-gathering and initial engagement with local communities. It's the first of four stages that are described in the Social Requirements Implementation Guide, and is followed by an assessment stage, a negotiation stage, and finally the operational stage, when land clearance, planting and production get under way. Until the start of the operational stage the company must abide by a moratorium on land clearance.

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The first step in implementation is to appoint or assign a social team within the company, who work with the site manager to ensure that all site operations comply with the Social Requirements. The team also acts as the company's main point of contact with local communities and coordinates the different tasks that are required during each stage of implementation.

Members of the social team must have strong facilitation skills, be sensitive to local social and cultural conditions, and have a thorough understanding of the concept of free, prior and informed consent or FPIC and related issues. Ideally, they should also have social science expertise. Once appointed, they need to familiarise themselves with the HCSA Toolkit, especially module 2 on the Social Requirements, and with the Social Requirements Implementation Guide and related policies and procedures.

3.

The social team should start by putting together a work plan. The main activities during the preparation stage are to conduct or commission a social background study, to engage with local communities, and to coordinate a land tenure and use study. The following slides will describe each of these in turn. The social team should also review existing operational procedures for all aspects of preparation and site surveys and work with the site manager to make sure that the Social Requirements are fully incorporated. Ideally the work plan should also cover the second stage of implementation, on assessment, because some of the activities are closely linked.

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The Social Background Study is a desk-based review, ideally prepared in consultation with local experts. It pulls together enough information on the social context to make sure that the next steps are carried out in line with the company's commitment to respect rights and achieve 'no exploitation'. The study should provide information on the national and regional context and also – in more detail - on the local area, known as the 'Area of Interest' or AOI. Sources of information on how the AOI is defined can be found at the bottom of this slide. The study should include a detailed description of the communities in the AOI, including a draft list and map of all communities who may be affected by the proposed operations. This is used by the social team to plan community visits, and also by the HCV-HCSA Assessment team to plan the assessment.

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The Social Background Study is the first in a series of studies and assessments that together provide a portfolio of social knowledge about the site. These are detailed in Appendix 2 of the Social Requirements Implementation Guide. The social team should review the requirements for all these studies in advance, so that they can coordinate them efficiently. For example, it makes sense for the Terms of Reference for the social background study to include the desk-based requirements of the land tenure and use study. In addition, the Social and Environmental Impact Assessment could be commissioned jointly with the Social Background Study or alternatively, it may be done later, in combination with the HCV-HCSA assessment during stage 2.

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The next step is for the social team to engage with communities. They should put together plans to visit the communities and introduce themselves. The formal aims of community engagement during stage 1 are to inform communities of the company's plans and their potential impacts, to explain the HCV and HCS approaches; to seek their free, prior and informed consent (or FPIC) to go ahead with assessments in the areas where they hold rights, and if they give consent, to agree procedures for engagement, including who will represent the communities in future discussions. The HCSA conforms to international norms for human rights, including the rights of indigenous peoples, and part of the explanation of FPIC involves explaining this commitment to communities.

These first visits to communities require cultural sensitivity and good facilitation skills, and they should be planned carefully because they will set the tone for future relations between the communities and the company.

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An itinerary for the community visits is put together based on the draft list and map of communities in the social background study. All the potentially affected communities that have been identified must be visited. Where possible they should be contacted in advance to coordinate the visits. The itinerary should allow adequate time for unseen circumstances and at each community for discussions. In addition to the formal aims listed above, the social team should also ask each community what other communities are nearby and check the information that they have. If additional communities come to light, these will need to be added to the list and visited as well.

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The precise form of the community meetings will vary according to local norms and practices, but a basic meeting agenda would include introductions and explanations by the social team; questions and comments from community members; discussion, and if the community wishes to pursue the matter further, agreement on the next steps. Written factsheets and spoken presentations should be prepared in advance, together with accurate to-scale maps showing the location of the proposed development and the locations of the communities, and these should be left with each community so that they can come to an informed decision on whether to proceed.

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Free, prior informed consent – FPIC - is the subject of Social Requirement 7. At this stage communities only need to decide whether they wish to engage further with the company, and if so, they must give formal FPIC for the required assessments to proceed on the lands to which they hold rights. The FPIC process needs to be documented and if consent is granted, first-hand evidence is

needed of this, for example in the form of a statement signed by community representatives. Additional guidance on the FPIC process is given in the second half of Module 2 of the HCSA Toolkit.

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If communities decide that they want to go ahead, they must also choose who will represent them in future discussions and agree the procedures for the next steps. This is the subject of Social Requirement 2. For example, the details to be agreed may include what future meetings will take place and how they will be organised, how different subgroups in the community will be enabled to be fully involved, and how the whole process will continue to be documented.

11.

The remaining activity during the preparation stage is the land tenure and use study, which includes desk-based and field components. The purposes are to describe customary tenure systems and to map areas of land under community tenure and use. This information is needed to determine which areas require FPIC, which communities need to be involved, and which community institutions and subgroups need to be taken into account.

The desk component, which requires specialist expertise, should bring together all available secondary information on local customary tenure systems. The field component consists of consultation and basic participatory mapping with communities, for which an accurate to-scale base map is prepared and community members are asked to mark on the areas that they use or to which they have rights. During these mapping sessions community members are also asked to explain which institutions have authority over lands, how lands are acquired, inherited and transferred, and whether any other communities have rights in the area. More detailed mapping will be carried out later as part of the HCV-HCSA Assessment; full details are given in Appendix 3 of the HCSA Implementation Guide.

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So to summarise, the minimum required outputs at the end of stage 1 are these: the company social team must be in place, the social background study and land tenure and use studies must be completed, there must be a list of potentially affected communities and FPIC must be in place for assessments to go ahead, with confirmed community representatives and agreed procedures for engagement. These outputs provide a strong basis for the subsequent assessments to build on.

Formal quality assurance measures at the end of this stage will be developed by the HCSA Quality Assurance Working Group. However, it is already the case that Licensed Assessors cannot begin the HCV-HCSA assessment unless evidence is provided that these outputs have been met. This is in addition to evidence of the company's commitment to social & environmental safeguards and to a moratorium on land clearing/preparation until an Integrated Conservation and Land Use Plan has been completed. There must also be evidence of the company's demonstrated legal right over or permission to explore the Area of Interest.

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Finally, here's a list of key sources of further information. In addition to the HCSA Social Requirements Implementation Guide and module 2 of the toolkit, which contains the text of the Social Requirements themselves, these include the HCV-HCSA Assessment Manual and HCSA Advice Notes 1 and 2, which are available at the weblinks given.