

Action Plan to Mitigate Impacts from Access Restrictions

1. When is an Action Plan to Mitigate Impacts from Access Restrictions needed?

IUCN's Standard on Involuntary Resettlement and Access Restrictions determines that the development of an Action Plan to Mitigate Impacts from Access Restrictions is needed when the conservation objectives of a project

- require or imply:
 - restricting access to and/or use of *natural resources* by communities, groups or individuals living within or outside legally designated parks and protected areas (e.g., fishing, hunting wildlife, harvesting timber or non-timber forest products);
 - restricting physical access to areas of occupation or use;
 - restricting access to social services such as education or health services by prohibiting or limiting physical access to the places where those services occur; or
 - changes in the use and management regimes of natural resources
- and such restrictions will impact negatively on the economic, social, cultural and environmental benefits that people accrue from those resources or areas.

2. What are the purpose and the overarching objective of the action plan?

The purpose of developing the action plan is to engage affected groups who have legal (including customary) rights to the resources in the identification or confirmation of potential impacts from access restrictions, in assessing options for avoiding restrictions and, if avoidance is not possible, in the identification of mitigation

for achieving consent with all communities, groups or individuals that are affected by the restrictions to natural resources, areas and/or social services. This principle requires that:

- consent should not to be imposed, but achieved through free, prior and informed consultation and fair negotiations with legitimate representatives of project-affected people;
- agreement is reached before proceeding to implementation with sufficient time allowed to respect people's availability and ability to understand the facts, issues and process;
- full information is disclosed about project activities and potential impacts on people's rights and livelihood;
- affected groups are asked to consent to a project or a particular activity and have the right to give their consent, withhold it or offer it conditionally.

The legitimacy of representatives should be verified in order to ensure they are indeed true advocates of the views of affected communities or groups. This can be done by talking directly to a sample of project-affected people to ground-truth the views of the designated representatives.

It is highly desirable to involve all affected communities in the consultation process. However, in exceptional circumstances it might be acceptable to consult with a representative sample of communities; this requires giving a sound rationale for the sampling method used, including specifying the criteria for selecting the communities with which to consult.

The consultation strategy should be compatible with the cultural preferences of the affected persons, and prepared in consultation with them. The

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a. Description of the project: describe the overall project and the specific components or activities that may involve access restrictions

b. Describe the nature and scope of access restrictions:

Relevant types of access restrictions (natural resources, physical access or access to social services) and/or required changes in the use and management regimes of natural resources.

To systematise the analysis and to ensure that no significant resources or groups are left out, an inventory should be developed describing (i) the main types of natural resources, their current use and importance for the livelihoods of the people/groups identified above, (ii) their current use rights and (iii) the planned restrictions and changes in use and management regimes. Table A1 in Annex A provides a format for such an inventory.

c. Identify people that would be affected by the restrictions

- Differentiate, where applicable, between women and men, indigenous peoples and vulnerable groups, such as marginalized groups, persons with disabilities, children, ethnic minorities or landless, elderly or displaced persons.
- Specify their locations (preferably on maps)

d. Analysis of social, cultural and economic impacts from access restrictions

- Assess all impacts and losses that may be caused by access restrictions put in place by the project. This assessment should include:
 - material impacts caused by restricting access to and/or use of natural resources, by restricting physical access to areas of occupation or use or by imposed changes in use and management regimes of natural resources;
 - non-material impacts related to social, recreational, spiritual, cultural, knowledge and educational values of the land and resources to be restricted;
 - impacts related to reduced access to social services such as education or health services by prohibiting or limiting physical access to places where those services occur.
- Because impacts often vary among groups and require different mitigation measures, where applicable, differentiate between affected groups including indigenous peoples, vulnerable groups and women or men.
- Base the impact assessment on the inventory of natural resources and access restrictions developed

- Compensation measures need to be based on a valuation of expected losses, be socio-economically and culturally suitable and consider a range of options for in-kind, non-monetary and monetary compensation, as appropriate. For affected households whose livelihoods are land- or subsistence-based, priority should be given to land-based compensation approaches (e.g., offering alternative land or access to resources of at least equal value).
- If appropriate, devise special measures for specific social (sub-) groups, in particular for women or vulnerable groups, or men

g. Participatory planning process

- Describe the participatory process used for engaging groups in the development of the action plan and list all groups and individuals involved in the process; include names of the selected representatives and describe their legitimacy to represent the respective groups.
- Indicate how consultation and participation of women, indigenous peoples and/or vulnerable groups were assured.
- Document the consultation process in reports and photographic or video evidence (as culturally appropriate).
- Provide evidence to confirm that consent of affected groups was obtained with full adherence to the FPIC principles.

The main elements of the action plan (e.g., mitigation measures, schedule) are transferred at a later stage into the project's Environmental and Social Management Plan (ESMP).¹

¹ For more details on the ESMP see ESMS Guidance Note on Developing and Monitoring an ESMP, available at www.iucn.org/esms

Annex A: Inventory of natural resources and access restrictions

Table A1 below provides a template for creating an inventory of natural resources. The inventory is a first step for analysing livelihood impacts when a project's conservation objectives require use restrictions for certain natural resources. The table shows resources for illustrative purposes; some may not be relevant for the project (and should hence be removed), others may be added depending on the livelihood context. In the first row the current use of the resource is described and its importance for the livelihood of local communities/groups. The second row indicates the sites where the resources are currently gathered. The template distinguishes three zones (core, buffer and community use zone), but this can be adjusted as needed. The third row asks for specifying current use rights for the each resource