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Blueing the Caspian Sea
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Process Framework

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Acronyms and Abbreviations

AUMCO	Austria Multi-Country Office
AGSC	Azerbaijan Gas Supply Company
CSO	Civil Society Organization

E&S	Environmental & Social
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
ESS	Environmental and Social Standard
GEF	Global Environment Facility
GRC	Grievance Redress Council
GRM	Grievance Redress Mechanism
KMG	KazMunayGas
MENR	Ministry of Ecology and Natural Resources
M&E	Monitoring & Evaluation
MEP	Ministry of Environment Protection
MFA	Ministry of Foreign Affairs
MPA	Maritime Protected Area
MSE	Medium and Small Enterprises
NGO	Non-Governmental Organization
PAD	Project Appraisal Document
PDO	Project Development Objective
PIU	Project Implementation Unit
POM	Project Operations Manual
RPF	Resettlement Policy Framework
RSC	Regional Steering Committee
SEP	Stakeholder Engagement Plan
SOCAR	State Oil Company of Azerbaijan Republic
TCIS	Tehran Convention Interim Secretariat
UNOPS	United Nations Office for Project Services
WB	World Bank

1. Introduction

1.1 Background

The Blueing the Caspian Sea' Project is financed by the Global Environment Facility (GEF), managed by the World Bank and implemented by the United Nations Office for Project Services (UNOPS). The Project will support Azerbaijan, Kazakhstan, and Turkmenistan to manage pollution and improve biodiversity conservation in the Caspian Sea by enhancing their capacity to monitor pollution and manage biodiversity, which will be complementing ongoing national efforts to meet the Tehran Convention obligations.

The project impact is expected to be overwhelmingly positive. However, in order to ensure that adverse environmental or social (E&S) impacts emerging from the complexities of this Project in Azerbaijan, Kazakhstan and Turkmenistan are addressed, the project has prepared Environmental and Social

instruments, including an Environmental and Social Management Framework (ESMF), a Stakeholders Engagement Plan (SEP) and a Resettlement Policy Framework (RPF).

Project activities include the increase of the size of existing MPA in Azerbaijan and Turkmenistan and the establishment of a new MPA in Kazakhstan. These activities may likely trigger restrictions in access to natural resources in the additional MPA territory. They include restrictions to marine areas that may lead to economic displacement through the loss of access to assets, leading to loss of income sources or other means of livelihoods.¹

1.2 Purpose of Process Framework

Under Bank funded projects, a Process Framework (PF) is prepared when the project may cause restrictions in access to natural resources in legally designated protected areas. The purpose of the PF is to establish a process by which members of the affected communities participate in the design of project components, the determination of measures necessary to achieve the objectives of this ESS, and the implementation and monitoring of relevant project activities.

This PF has been prepared as the Project may cause restrictions in access to natural resources in legally designated Marine Protection Areas (MPAs).

The purpose of the process framework is to establish a process by which members of potentially affected communities participate in design of project components, determination of measures necessary to achieve the objectives of ESS5, and implementation and monitoring of relevant project activities.²

The Blueing the Caspian Sea Project involves expansion of existing MPAs in Azerbaijan and Turkmenistan and the establishment of a new MPA in Kazakhstan. The Project-related restrictions of access to natural resources in legally designated MPAs may cause economic losses through loss of access to resources; and they may lead to prevention of industrial development, banning of aquatic products like sturgeon caviar.

This PF serves as a practical tool to provide guidance for the project in handling any anticipated issues related to restriction of access and use of resources in legally designated MPAs. Therefore, this PF is to be used during the identification, planning, designing and implementation of the mitigation measures and their monitoring.

1.3 Objectives of the Process Framework

This PF has been prepared as the Project may cause restrictions in access to natural resources in legally designated Marine Protection Areas (MPAs). The objectives of the PF are to:

- a) identify restrictions of access to MPAs due to project activities;
- b) determine what activities are likely to lead to access to resources issues;

¹ Livelihoods refers to the full range of means that individuals, families and communities utilize to make a living, such as wage-based income, fishing, and other natural-resource based living.

² See WB, Environmental and Social Framework (ESF), p.64.

- c) identify policies and laws applicable and actors involved in the identification, planning, designing and implementation;
- d) identifies a mechanism for implementation of mitigation measures;
- e) establish a process by which members of the affected communities participate in the design of project components;
- f) describes the mechanisms for addressing grievances arising from implementation of this process framework;
- g) establish a process by which the project will monitor and evaluate the implementation of mitigation measures.

2. Project Description

2.1 Project Development Objective and Project Components

The Project Development Objective (PDO) is to strengthen pollution monitoring and biodiversity and planning in targeted sites within the Caspian Sea in Azerbaijan, Kazakhstan, and Turkmenistan.

Component 1: Strengthening Pollution Monitoring

Comparability. Given the multiple sources, kinds, and varying impacts of pollutants affecting the Caspian Sea, the project will focus on developing systematic approaches and comparable monitoring, assessment, and action across the three countries in several dimensions of critical impact of pollution on biodiversity, ecosystem health, and water quality. The generation of comparable parameters and formats for pollution monitoring will enable countries to establish the state of pollution at regional level.

Caspian Sea focus. Each country has documented and addressed pollution challenges in different ways over time, with discontinuous investment in capacity and data collection and sharing of information and analysis on the common resources. Activities will focus on common areas at the national level with maximum impact on the Caspian Sea ecosystem and waters including (a) monitoring pollution from freshwater inputs (watersheds and runoffs), (b) enhancing coastal and marine pollution monitoring within the MPAs and nature reserves, and (c) addressing pollution originating from oil and gas exploration and production.

Scale-Up. The project will provide technical assistance to establish national-level consultative and collaborative mechanisms for private and public sectors in the oil and gas industry with other sectors—notably regarding environment and marine resources—active in the Caspian Sea. The intent is to engage on the application of best practices to monitor and improve control of pollution and explore leveraging of companies’ compliance monitoring of oil and gas industry operations. During project implementation, each country will convene at one national roundtable, followed by participation in one regional roundtable.

Subcomponent 1.1: Multi-country technical assistance to strengthen pollution monitoring.

Multi-country activities. A set of activities benefiting the three countries simultaneously will develop national programs of action consistent with the impact accelerator approach. The assistance aims to

improve policy harmonization, share knowledge, and make comparable data available. Finance will be provided for a balance of technical assistance for policy, training, knowledge exchange, methods, and equipment. Multi-country activities also offer economies of scale such as for provision of guidebooks/approaches and training.

Marine pollution roundtables. The roundtables will be the main multi-country activity as it will allow economies of scale in the technical assistance and provide an opportunity for cross-learning among the three countries (Azerbaijan, Kazakhstan, and Turkmenistan). Three linked activities will be undertaken: (a) assist the three countries with organizing national pollution roundtable discussions to engage stakeholders (government, private sector, academia, civil society, and international experts) on opportunities for better pollution monitoring and identify needs for scale-up; (b) convene a multi-country (Azerbaijan, Kazakhstan, and Turkmenistan) roundtable to present findings of instruments and policy/regulations needed to capitalize on opportunities for pollution monitoring; and (c) develop with each country one or more concrete prefeasibility studies of finance and policy instruments for pollution monitoring and reporting.

Subcomponent 1.2: Pollution monitoring in Azerbaijan.

The Environment Policy Department of the MENR will be the recipient of technical support in the following areas:

- a) **Development of a marine pollution monitoring scheme.**
 - A gap review of pollution monitoring with recommendations for a proposed MENR coordinated scheme for Azerbaijan.
 - National validation workshop with government approving institutional arrangements and adopting scheme.
 - Technical assistance, per the scheme, to the Environment Policy Department to adopt the scheme (e.g., support to drafting policies/laws, institutional arrangements, coordination, execution, and reporting & monitoring).
- b) **Capacity building in the pollution monitoring scheme**
 - Development of a MENR capacity building plan for marine pollution with emphasis on pollutants affecting MPA areas and river estuaries.
 - Implementation of the institutional arrangements and capacity building plan (incl. MENR arrangements decreed, training manuals developed, training conducted, including training on pollution monitoring system and equipment procured, its operations and maintenance).
- c) **Equipment for implementing the pollution monitoring scheme**
 - Selected equipment procured based on the key pollutants to collect and analyze as identified in the scheme affecting MPAs and river estuaries (with focus on seal rookeries and fish spawning areas).
 - Equipment operationalized.
- d) **Awareness raising, education and outreach, incl. monitoring report**
 - Develop awareness raising and outreach campaigns on marine pollution highlighting valuation of Absheron National Park MPA area in Baku metropolitan area and sturgeon regeneration in river estuaries.

- Implement awareness raising and outreach campaign for affected stakeholders with focus on urban audiences and ecotourism.
- Support MENR in developing an annual pollution monitoring report in collaboration with its partners including SOCAR and AGSC.

Subcomponent 1.3: Pollution monitoring in Kazakhstan.

The Kazakh Scientific and Research Institute of the Caspian Sea (KSRICS) of the MENR located in Aktau on the Caspian coast will be the recipient of support on pollution monitoring. A Presidential Decree created the institute on January 25, 2024, with a mission to coordinate national actions and regional engagement to address the multiple, diverse challenges to the Caspian Sea and its resources.

Specific pollution activities to be supported by the project include the following:

a) Marine pollution monitoring scheme.

- Kazakhstan gap review with recommendations for a proposed scheme including inception KSRICS (MENR) staffing, capacity building and equipping needs.
- National validation workshop with government adopting final scheme for institutional arrangements, staffing and operations.
- Technical assistance KSRICS and its partners to adopt the scheme (draft policies/laws and take administrative measures for systemic monitoring and reporting).

b) Capacity building in pollution monitoring scheme incl. key pollutants

- Development of a KSRICS staffing and capacity building plan for marine pollution with emphasis on pollutants affecting MPA areas.
- Implementation of the institutional establishment and capacity building plan (incl. KSRICS statutes and governing arrangements established, training manuals developed, trainings conducted, including training on mandate, operations and logistics, and equipment procured, its operations and maintenance).

c) Equipment for pollution monitoring scheme

- Specific equipment procured based on the key pollutants to collect and analyze as identified in the scheme affecting MPAs (with focus on seal birthing areas).
- Equipment operationalized.

d) Awareness raising, education and outreach, including monitoring reporting

- Develop awareness raising and outreach campaigns on marine pollution and biodiversity impacts.
- Implement awareness raising and outreach campaign for affected stakeholders: coastal communities and actors, polluting sources, decision makers.
- Develop KSRICS annual monitoring report on pollution in collaboration with KazHydroMet (MENR) and KazMunyGaz.

Subcomponent 1.4: Pollution monitoring in Turkmenistan.

The CaspEcoControl of the MEP located in Turkmenbashi on the Caspian coast will be the recipient of support on pollution monitoring. The project will reinforce monitoring through targeted purchase of

equipment vital to monitoring key pollutant inputs from rivers and runoff areas, with particular focus on biodiversity impacts and protected areas.

Specific pollution activities to be supported by the project include the following:

a) Marine pollution monitoring scheme.

- Turkmenistan gap review with recommendations for a proposed scheme.
- National validation workshop with government adopting final scheme.
- Technical assistance to CaspEcoControl (MEP) and its partners to adopt the scheme (draft policies/laws including monitoring and reporting plan).

b) Capacity building in pollution monitoring scheme incl. key pollutants (i.e. hydrocarbon sources)

- Development of a CaspEcoControl capacity building plan for key sedimentary, seawater and atmospheric pollutants focusing on MPA areas including river estuaries.
- Implementation of the capacity building plan (incl. training manuals developed, training conducted incl. training on equipment procured, its operations and maintenance).

c) Equipment for pollution monitoring scheme

- Target equipment for key pollutant sources to collect and analyze, procured based on identified gaps in availability or operational ability.
- Equipment operationalized.

d) Awareness raising, education and outreach, including monitoring reporting

- Develop awareness raising and outreach campaigns for identified pollution sources (i.e., oil and gas sectors), decision makers and the public nationally and specifically Turkmenbashi and the Caspian coast.
- Implement awareness raising and outreach campaigns.
- Develop annual CaspEcoControl monitoring report in association with oil and gas industry and other partners.

Component 2: Strengthening Biodiversity Planning

A keystone species approach. The project will focus on visible and well-known keystone species, Caspian seal and sturgeons, as beacons for advocacy and rationale for protected areas management with the aim of bringing demonstrated successes to scale post-project. Each country has documented and addressed biodiversity challenges in different ways over time, with discontinuous investment and coordination in data collection and sharing of information and analysis on the common resources. For example, the population of Caspian seal today is a rough estimate, and without a functioning protocol for monitoring seals and keystone species, the population cannot be effectively managed at the national or regional level. The project will go beyond recommendation for monitoring to actual reporting on the status of seal populations in the three countries.

Biodiversity finance for scale-up. To raise the ambition and scale of results beyond project life, the project will engage the government and partners on innovative financing instruments. Specifically, the project will explore the opportunity to leverage the World Bank's bond issuance platform and seek

non-government contributions. Innovative finance has been demonstrated successfully, for example with the Bank's "Rhino Bond."³

Subcomponent 2.1: Multi-country technical assistance to strengthen biodiversity planning.

Multi-country activities. The focus will be on addressing biodiversity planning through three key areas: (a) studies to understand the ecosystem in specific areas; (b) analyses of institutions and regulatory frameworks; (c) technical assistance to prepare protected areas management plans; (d) supporting evaluation of and conservation measures for flagship species indicative of Caspian Sea viability: the Caspian seal and sturgeon populations.

Economies of scale. The project will include activities that guide national implementation for biodiversity planning. This includes (a) technical studies and how-to guidebook on biodiversity conservation; (b) learning and exchanges among regional experts and with international scientists; (c) regional workshop on innovative finance instruments to be followed by national level pre-feasibility.

Subcomponent 2.2: Biodiversity planning in Azerbaijan.

The project will contribute to biodiversity planning through an increase in and improvements to its MPAs system and evaluation of the status of flagship species. Through the Biological Diversity Protection Service in the MENR, the project will add a marine protected area to the existing Absheron National Park, which located in central Azerbaijan adjacent to the Baku metropolitan area.

Specific biodiversity activities to be supported by the project include the following:

a) Priority setting

- Stocktaking of lead species, with particular attention to status Caspian seals, fish and waterfowl in Absheron MPA.
- Technical study and recommendations for the overall protected areas system enhancement, including application of the GEF Management Effectiveness Tracking Tool (METT) approach.
- Preparation of site-specific environmental and social instruments.

b) Validation of recommendations for MPAs and for Absheron NP as pilot MPA

- Support to the consultation process for the proposed expansion of the Absheron NP with participation of government, research, tourism, oil companies, fish companies, and civil society on MPAs and use of GEF promoted METT approach for Absheron MPA

c) Technical assistance to develop the protected areas management system

- Drafting of the MPA management plan, specifically for Absheron National Park.

d) Technical assistance to adopt policies/laws required to expand Absheron as MPA

- Technical assistance MENR to draft policies, charter, and laws to update legal status and management Absheron MPA.

e) Capacity building in managing the Absheron MPA

- Capacity building of government, academia, NGOs and private sectors (including tourism) on MPA management with the Absheron NP pilot (incl. training plans, training/workshop and training on public communications, stakeholder consultations, and equipment)
- f) Equipment for PA management in Absheron National Park**
- Selected equipment as per identified needs for METT approach including support to specifying the type of equipment.
- g) Awareness raising/outreach for protected areas management**
- Develop overall awareness/outreach strategy on MPAs and biodiversity conservation highlighting Caspian seals and sturgeon regeneration.
 - Awareness/outreach strategy implementation for private sector (including tourism) for awareness on conservation, on Baku metropolitan area MPA expansion of Absheron NP, on importance islands for seals and river estuaries for fish, at both local and national level.
- h) Innovative finance**
- Pre-feasibility study on one selected instrument.

Subcomponent 2.3: Biodiversity planning in Kazakhstan.

The project will contribute to Kazakhstan biodiversity planning through support to a recently created Caspian Itbalygy State Nature Reserve in the Mangistau Region that serves as an important habitat for the migratory Caspian seal.

Specific biodiversity activities to be supported by the project include the following:

- a) Priority Setting**
- Stocktaking of lead species with particular attention to status Caspian seal birthing areas in Mangistau marine area.
 - Technical study on management on MPAs incl. recommendations for overall protected areas system, including application of the GEF METT approach for improved conservation.
 - Preparation of site-specific environmental and social instruments.
- b) Validation of recommendations for MPAs and for Mangistau region as pilot MPA**
- Validation workshop led by KSRICS and Forestry and Wildlife Committee with other government, research, ecotourism actors and civil society on MPAs and use of GEF METT approach for the Caspian Itbalygy State Nature Reserve in the Mangistau Region
- c) Technical assistance to develop KZ PA management system**
- Technical assistance KSRICS and its partners to draft the MPA management system/plan, specifically for the recently created Caspian Itbalygy State Nature Reserve in the Mangistau Region.
- d) Technical assistance to implementing policies/laws of the Caspian Itbalygy State Nature Reserve**
- Support to KSRICS and Forestry and Wildlife Committee to draft policies and laws to update legal status and management Mangistau Region MPA pilot.

e) Capacity building in managing the Caspian Itbalygy MPA

- Capacity building to the government, academia, NGOs and ecotourism actors on the management of the Mangistau Region Caspian Itbalygy MPA pilot (incl. trainings plans, trainings/workshop and training on public communications, stakeholder consultations, and equipment)

f) Equipment for PA management in "State Nature Reserve Caspian Itbalygy"

- Selected equipment as per identified needs for METT approach including support to specifying the type of equipment.

g) Innovative finance

- Pre-feasibility study on one selected instrument

Subcomponent 2.4: Biodiversity planning in Turkmenistan.

The project will contribute to biodiversity planning through an increase in marine protected areas with the proposed Garabogaz Wildlife Sanctuary to be part of the overall Hazar State Nature Reserve (HSNR), and improvements to MPAs system and evaluation of the status of flagship species.

a) Priority Setting

- Stocktaking on lead species with particular attention to status Caspian seal, sturgeon and other faunal areas in Hazar State Nature Reserve (HSNR).
- Technical study on MPAs including recommendations for overall protected areas system (incl. application of METT approach for improved conservation).
- Preparation of site-specific environmental and social instruments.

b) Validation of recommendations for MPAs and for the creation of Garabogaz Wildlife Sanctuary.

Validation workshop led by MEP HSNR office in Turkmenbashi with other government office, research, ecotourism sector and civil society on MPAs to agree and confirm on selected PA and use of GEF promoted METT approach for the Garabogaz Wildlife Sanctuary.

c) Technical assistance to develop TK PA management system

- Technical assistance to MEP (responsible MPA department) to draft the MPA management system/plan, specifically for HSNR MPA expansion.

d) Technical assistance to adopt policies/laws required to expand HSNR area as MPA

- Technical assistance to MEP to draft policies and laws to update legal status and management HSNR to include the proposed Garabogaz Wildlife Sanctuary.

e) Capacity building in managing the expanded KSNR MPA

- f) Capacity building for government, academia, NGOs and ecotourism sector on the management of the pilot expanded HSNR MPA area with Garabogaz Wildlife Sanctuary (incl. trainings plans, trainings/workshop and training on public communications, stakeholder consultations, and equipment).

g) Equipment for PA management of HSNR MPA extension

- Selected equipment as per identified needs for METT approach including support to specifying the type of equipment.

h) Awareness raising/outreach for protected areas management

- Awareness/outreach strategy on MPAs and biodiversity conservation (highlighting Caspian seals and other flagship fauna).
- Awareness/outreach strategy implementation incl. ecotourism (awareness on conservation, on expansion of the HSNR MPA incl. Garabogaz Wildlife Sanctuary, on the importance of the islands and marine area for Caspian seals and other fauna, at both local and national level).

Component 3: Project Coordination, Monitoring and Evaluation

This component will coordinate the technical implementation of the project activities. Coordination functions include project activity planning, procurement of technical assistance, M&E of project results, production of progress reports, management of ESF compliance including the establishment of the GRM. The PIU will be housed at UNOPS offices in Vienna, Austria, and will comprise professional, administrative, and support staff, and in each of the three countries a Focal Point will be on retainer contract to facilitate and support the acts required by the government. The PIU will be responsible for the overall coordination of the project and will, among others, (a) oversee the preparation of annual implementation/operating plans, (b) support the organization of the biannual project steering committee meetings, and (c) prepare progress and other reports, as required by the GEF and the World Bank.



Figure 1 Map of the Caspian Sea with Kazakhstan, Azerbaijan and Turkmenistan

3. Institutional Arrangements

Regional Steering Committee (RSC). The project is proposed to have an RSC that would approve the annual work program and budget, identify links to relevant sectoral policies and programs in the region, and assist in resolution of any implementation issues. The RSC will be co-chaired on a rotating basis by one senior representative of the three countries designated by their respective focal point ministry and one representative of UNOPS. Members will include representatives of national institutions related to the themes of the project (biodiversity and pollution) and a civil society representative from each country. The World Bank and UNEP will be invited as observers. The RSC will be set up during the first six months of implementation of the project and will meet at least once a year. A detailed terms of reference for the RSC will be developed ahead of the first RSC meeting as part of the Project Operations Manual (POM).

An Ad hoc Technical Advisory Committee (TAC) will be established to advise on specific technical issues and guidance on coordinating technical matters with other ongoing activities. Members of the TAC would include representatives of academia, technical agencies, private sector, civil society organizations, and fisheries committee(s), including existing committees that are part of the Tehran Convention. It is envisioned that the TAC will convene at least once a year or at the frequency needed for technical questions that may arise.

The project will have a PIU housed at UNOPS in Austria. In each of the three countries, a national BCSP Focal Point will be designated by the government to ensure engagement of relevant national institutions and a designated national BCSP Liaison Person for communications and monitoring the project calendar. The UNOPS BCSP PIU will be responsible for the overall coordination of the project and will, among others, (a) oversee the preparation of annual work plans and (b) prepare progress and other reports, as required by the GEF through the World Bank, M&E, as well as E&S risk mitigation. The UNEP Project Implementation Unit is housed at the Tehran Convention Interim Secretariat (TCIS). The UNOPS BCSP PIU will coordinate with the UNEP PIU on a regular basis to provide updates and ensure cohesiveness of the two projects.

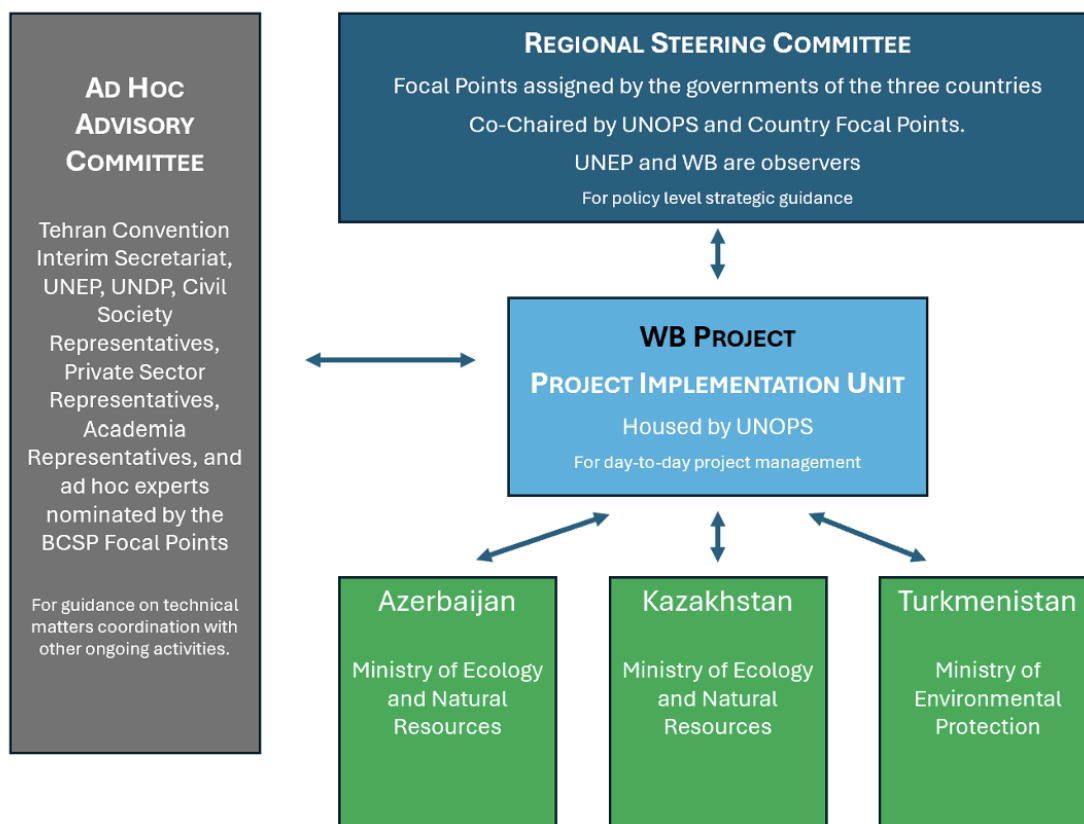


Figure 6 Organizational Chart

The UNOPS BCSP PIU office will be established in the UNOPS Austria Multi-Country Office (AUMCO) and will be composed of professional, administrative, and support staff: BCSP Technical Lead, Project Support Officer, and support staff. The project will further engage personnel to manage the requirements of the relevant Environmental and Social Standards (ESS) as well as consultants and, or contractors to support the implementation of the project in each country as required in the agreed implementation plan. The UNOPS BCSP PIU will be responsible for coordination, implementation, and monitoring and evaluation (M&E) of the project, as well as procurement, FM, and E&S compliance, including approving and tracking the distribution of funds and environmental and social management and monitoring.

The UNOPS BCSP PIU will be responsible for coordinating with each national BCSP Focal Point assigned by the respective Government for the execution of national-level activities in Azerbaijan, Kazakhstan and Turkmenistan. The national agencies include the Ministry of Ecology and Natural Resources of the Republic of Azerbaijan, Ministry of Ecology and Natural Resources of the Republic of Kazakhstan and the Ministry of Environment Protection of Turkmenistan. The UNOPS BCSP PIU will mobilize/contract national expertise as needed to implement the E&S instruments including regular reporting. The national agencies will provide technical guidance for the overall implementation of the project in consideration of the RSC observation and in support of the PIU.

The PIU will include an Environmental and Social Specialist that will mainly be responsible for the compliance with this RPF. The Specialist will be embedded in the E&S team of the PIU and report

directly to the Project Manager. The Specialist will oversee the compliance with the Environmental and Social instruments, which include ESMF, PF, RPF, SEP and RAPs if any. The PIU's Risk Management Team will further be responsible for the regular monitoring and supervision of the implementation of all risk mitigation measures. These Specialists will also assume basic monitoring and training activities for implementing partners.

The PIU E&S team will receive all screening assessments of site-specific activities and RAPs and review them for compliance against this PF and RPF prior to the commencement of all activities. It will then monitor the implementation of the PF and RAPs by governmental partners. It will also liaise with the World Bank to obtain the necessary approvals of the E&S instruments.

The PIU will further ensure that sufficient training is provided to all implementers on resettlement related issues and the project E&S instruments.

4. Policy, Legal and Institutional Framework

This PF complies with the laws and regulations of the countries of Kazakhstan, Azerbaijan and Turkmenistan as well as with the World Bank's ESS5, laid out in the World Bank's Environmental and Social Framework (ESF). Relevant policies, laws and international treaties for each participation country in this project are summarized in tables below.

Table 1: Relevant Legal framework Azerbaijan

Topics	Law	Description and Relevance to Project Activities
Land Acquisition and Resettlement	The Civil code (2000)	The Code requires the Decree on acquisition of lands for state needs should be registered in state real estate registration. It also states that Executive Agency should; a) send official notifications to all affected persons about land acquisition; b) pay full compensation to the affected persons within 90 days after the agreement made with the right holder; c) assist relocated people; and d) pay compensation for affected assets on the market rates (in case it is not possible to identify market rates, replacement prices is used). It states that an affected person can select one or more compensation such as land by land, cash compensation and provision of dwelling. It is relevant as it entitles persons who have no legal rights on the land to resettlement assistance and compensation
	Law of Azerbaijan Republic on Acquisition of Lands for States Needs (LAL, 2010):	Specifically address matters related to involuntary resettlement (IR), including the process and institutional arrangement for land acquisition, compensation and valuation, consultation requirements, entitlements of various categories of displaced persons and grievance redress mechanism. The law is relevant as it considers various categories of

		displaced persons, including those without state registration, renters, non-formal long-term users of land, and persons who have no legal rights on the land that they live in.
	Law on valuation (2023)	The law states that valuation of real estate is mandatory in cases of land acquisition for state needs and the results of the valuation are to be reflected in a valuation report. This is relevant to access the value of the property in order to get the replacement cost during compensation
Protection of national parks village lands and fisheries	Law on Specially Protected Natural Territories and Objects (2000)	The law establishes the legal basis for the organization and protection of PAs, protection of specially protected natural sites on the territory of the Republic of Azerbaijan. Its relevance is that it outlines the categories of PAs and specifies the regulations for their use and conservation. The law ensures the protection of ecological systems while regulating land use and acquisition processes.
	Law on Environmental Protection (1999)	This law establishes the legal, economic, and social foundations for environmental protection in Azerbaijan. Its relevance is that it aims to ensure ecological safety, maintain environmental balance, and prevent harmful impacts from economic and other activities on natural ecosystems. The law also emphasizes the preservation of biological diversity and the effective use of natural resources. The law ensures the protection of ecological systems while regulating land use and acquisition processes.
	Land Code of the Republic of Azerbaijan (1999) Amended (2023)	The Land Code regulates land relations, including ownership, use, and protection of land resources. It provides the legal basis for land acquisition processes, ensuring that land use aligns with environmental protection requirements. The relevance is that the code specifies that land designated for environmental protection, such as national parks and reserves, is subject to special regulations to preserve their ecological value. The law ensures the protection of ecological systems while regulating land use and acquisition processes.
	Fisheries Law (1998)	Outlines legal foundations for organizing and managing fisheries, focusing on conservation, reproduction and sustainable use of fish stocks.

	Ministerial Decree No 202 on Fisheries Registration	Mandates the registration of individuals and entities engages in fishing activities.
Public Participation and community engagement	Law on Public Participation (2014)	The law outlines the mechanisms for involving citizens and civil society in decision-making processes. The relevance of the law is that it mandates public hearing and discussions on significant issues ensuring transparency and inclusivity as it also emphasizes the importance of conducting surveys and other activities to understand public sentiment on various issues.

Table 2: Relevant legal framework Kazakhstan

Topics	Law	Description and Relevance to Project Activities
Land acquisition and resettlement	The Constitution	The law states that land (surface and underground) is owned by the state but can also be privately owned (Article 6.3). Article 6.3 also states that No one may be deprived of property unless stipulated by a court decision. Forcible alienation of property for public use may be exercised upon the condition of relevant equivalent compensation provision in exceptional cases stipulated by the law. The relevance of the law is that it establishes foundational principles regarding property rights and the conditions under which property, including land, may be expropriated, Article 26 specifically addresses these aspects. All the land related disputes are heard and determined in the court systems.
	Land Code of the Republic of Kazakhstan (Code No. 442 dated June 20, 2003)	Defines compulsory Acquisition 'expropriation' as actions by state bodies aiming to terminate a private owner's or land user's rights to a land plot in the manner and under conditions provided by the Code and other laws. The Land code governs how the land will be expropriated and under which circumstances. Forced alienation of land or other immovable property in connection with the land acquisition for public use is allowed only in the volume which is necessary to meet the public needs.
	The Civil code (2000)	This law stipulates the amount of compensation is determined in accordance with paragraphs 4 and 5 of Article 9 of the Civil Code of the Republic of Kazakhstan on the basis of the value of property and losses to its full extent that have affected the owner or non-state land user as a result of expropriation of land for public use and (or) caused by the termination of the owner's or non-state land user's obligations fulfillment to third parties.
Protection of national parks	Law on Specially Protected Natural Areas (2006)	This law provides a legal framework for establishment, protection and management of national parks, national reserves and other protected areas.

village lands and fisheries		<p>The law allows for reclassification of the land for purposes not related to conservation with reservations of:</p> <ul style="list-style-type: none"> • Conducting an environmental impact assessment. • Obtaining a positive conclusion from the state ecological expertise. • Holding public hearings in the relevant administrative-territorial units and settlements, with coverage in the mass media. • The land must not be transferred to third parties or used as collateral. <p>The relevance of this law is that it ensures that any land acquisition or project implementation within national parks adheres to strict environmental assessments and public involvement, maintaining the integrity of Kazakhstan's protected natural areas.</p>
	Law on Protection, Reproduction, and Use of the Animal World (2004)	Mandates wildlife management, including fishery. Defines fishing zones and fishery resources and outlines rights and responsibilities of individuals and entities engages in fishing activities. Guides conservation and sustainable use of aquatic animals.
	Restrictions and Prohibitions on Wildlife Use (2015)	Establishes specific restrictions and prohibitions on the use of wildlife object including fishery resources. Designates PA and specifies prohibited fishing gear, and techniques to prevent overexploitation and ensure the regeneration of fish populations.
Public Participation and community engagement	Access to information law (2015)	The law promotes public engagement and participation of the citizens. The relevance of this law is that it ensures citizens' right to access government-held information, promoting transparency and enabling informed public participation.

Table 3: Turkmenistan legal framework on land acquisition

	Law	Description and Relevance to Project Activities
Land acquisition and resettlement	The Constitution	The Constitution of Turkmenistan emphasizes state ownership of land and the equitable treatment of citizens in matters related to land acquisition and resettlement. Land is primarily owned by the state, and individuals or entities can acquire usage rights under specific conditions. The relevance is that the Constitution supports sustainable development and the protection of natural resources, which indirectly impacts land acquisition and resettlement practices.

	Land code 1992	This law establishes the principles of land use and ownership. All lands of Turkmenistan, except for lands granted to citizens of Turkmenistan in private ownership, are owned by the state. While there are no specific laws on resettlement, any displacement caused by land acquisition must comply with general legal frameworks, ensuring fair compensation and minimal disruption to affected communities.
	Law on Environmental Protection (2017)	This law indirectly impacts land acquisition by emphasizing sustainable land use and the protection of natural resources.
Protection of national parks, village lands and fisheries	The Law of Turkmenistan "On Specially Protected Natural Territories" (2012)	This law regulates the organization, management, protection, and use of areas with special nature conservation, scientific, cultural, aesthetic, recreational, and health-improving value, aiming to protect and restore ecological balance. For the first time, the law formalizes elements of the ecological network, including: <ul style="list-style-type: none"> • land plots for health and recreational purposes; • buffer zones of protected areas; • ecological corridors; • forest fund lands and hunting grounds. These areas are granted an environmental-legal status, which promotes the resilience of natural and cultural landscapes and enables comprehensive environmental monitoring.
	Law on fishing and conservation of Aquatic Biological Resources	The law regulates fishing activities and ensures the sustainable use of aquatic ecosystems.
Public Participation and community engagement	<u>Law on public Associations (2003)</u>	Turkmenistan, public engagement and participation are governed by laws that emphasize the role of public associations and the rights of citizens to participate in decision-making processes. The relevance of this law is that it allows citizens to form public associations to protect common interests and achieve shared goals. It ensures the state's support for such associations and prohibits discrimination against them.

4.1 International Conventions

The "Blueing the Caspian Sea" project operates within the framework of several international environmental and social conventions ratified by Azerbaijan, Kazakhstan, and Turkmenistan, critical for the project's implementation as pertains to setting guidelines for pollution management, biodiversity conservation, marine protection, and sustainable development. Below is a comprehensive list of relevant conventions, categorized per country.

Table 5: International Environmental and Social Conventions Ratified by Azerbaijan, Kazakhstan and Turkmenistan

Convention	Azerbaijan	Kazakhstan	Turkmenistan	Description and Relevance
Tehran Convention on the Caspian Sea (2003)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	The primary regional legal framework for environmental protection of the Caspian Sea, governing pollution control and biodiversity conservation.
Convention on Biological Diversity (CBD) (1992)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Global treaty for biodiversity conservation, supporting the development of biodiversity management plans and protected areas.
Ramsar Convention on Wetlands (1971)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Promotes conservation and sustainable use of wetlands, crucial for Caspian biodiversity and habitat protection.
United Nations Framework Convention on Climate Change (UNFCCC) (1992)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Framework for global climate change mitigation efforts, relevant for managing sea-level changes in the Caspian Sea.
Kyoto Protocol (1997)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	International agreement linked to the UNFCCC, focused on greenhouse gas emission reduction.
Paris Agreement (2015)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Strengthens global efforts to combat climate change and adapt to its effects, critical for managing climate-related marine issues.
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (1973)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Protects endangered species by regulating trade, relevant for Caspian sturgeon and seal species conservation.

Convention	Azerbaijan	Kazakhstan	Turkmenistan	Description and Relevance
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention, 1972)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Prevents marine pollution from dumping activities, critical for Caspian Sea pollution control.
United Nations Convention on the Law of the Sea (UNCLOS, 1982)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Defines the rights and responsibilities of nations in marine environments, including pollution control and marine biodiversity.
Aarhus Convention (1998)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Ensures public access to environmental information, public participation in decision-making, and access to justice.
Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (1989)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Regulates transboundary movement of hazardous waste, relevant for pollution management activities in the project.
Stockholm Convention on Persistent Organic Pollutants (2001)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Addresses elimination and reduction of persistent organic pollutants, critical for Caspian Sea pollution management.
Convention on Migratory Species (CMS) (1979)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Protects migratory species like Caspian seals and sturgeon, essential for biodiversity conservation.
Espoo Convention (1991)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Requires EIAs for transboundary projects, promoting cooperation on shared environmental issues.
ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organise (1948)	<i>Ratified</i>	<i>Ratified</i>	<i>Not Ratified</i>	Ensures workers' rights to form and join trade unions.

Convention	Azerbaijan	Kazakhstan	Turkmenistan	Description and Relevance
ILO Convention No. 98 on the Right to Organise and Collective Bargaining (1949)	<i>Ratified</i>	<i>Ratified</i>	<i>Not Ratified</i>	Protects workers from anti-union discrimination and ensures collective bargaining rights.
ILO Convention No. 100 on Equal Remuneration (1951)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Ensures equal pay for work of equal value between men and women.
ILO Convention No. 111 on Discrimination (Employment and Occupation) (1958)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Prohibits discrimination in employment based on race, gender, religion, and political beliefs.
ILO Convention No. 138 on Minimum Age (1973)	<i>Ratified</i>	<i>Ratified</i>	<i>Not Ratified</i>	Establishes the minimum age for employment to prevent child labor.
ILO Convention No. 182 on Worst Forms of Child Labour (1999)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Requires elimination of slavery, trafficking, and child labor exploitation.
United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Comprehensive treaty for gender equality, ensuring women's rights in all sectors.
Beijing Declaration and Platform for Action (1995)	<i>Adopted</i>	<i>Adopted</i>	<i>Adopted</i>	Global framework for gender equality and women's empowerment.
United Nations Convention on the Rights of the Child (CRC, 1989)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Ensures children's rights to health, education, and protection.
United Nations Convention on the Rights of Persons with Disabilities (CRPD, 2006)	<i>Ratified</i>	<i>Ratified</i>	<i>Ratified</i>	Protects rights and dignity of persons with disabilities.

5. Potential Restrictions on Access and Livelihoods

The major impacts under the project are expected under Component 2 on Biodiversity Management of the Project, where the project proposes to create new MPA and expand existing MPAs. All creations or

expansion of MPAs concern maritime areas and no land is expected to be impacted due to these interventions.

5.1 Potential Impacts

The key impacts relate to the creation or expansion of MPA boundaries or rules, and may restrict local communities' ownership or use of resources by the communities. This may include restricted access to water and fishing rights. These rights may differ depending on the ownership, management arrangements, and usage rights based on the type of MPA.

The anticipated permanent impacts may affect the following assets/land use:

- right to use of maritime resources;
- right to access maritime areas for fishing activities.

The permanent effects can result in the permanent loss of access to resources and economic income.

6. Stakeholder's Consultation

5.1 Consultations with Communities in the Project Area

The identification of adverse impacts and the assessment of the significance of impacts will be undertaken jointly with the local communities that are likely impacted by the establishment or expansion of the MPA. Communities may have different access or other issues in relation to the Project activities, and the Project will engage with them to understand potential issues and concerns. Local communities, and in particular members of vulnerable groups, will be treated as key stakeholders in the Project. Since the local communities will be mostly affected by access restrictions to new or existing MPAs, or by more rigorously enforced monitoring mechanisms for existing MPAs, they should be participating in the definition of mitigation measures, planning process, the design of interventions, as well as the implementation of activities. Local participation in the initial planning of activities, for example, will help to solicit support for the implementation of the MPAs.

To solicit the input of local stakeholders, the Project will inform them through advertisements, local and national radio channels, in person and virtual consultation meetings, email, website and social media channels.

Some community groups will be specifically targeted, such as women's groups, members of fishery committees, local CSOs or NGOs, households whose livelihoods mainly depend on sea-related activities such as fishing, households that are affected in the access to resources through the expansion or creation of MPAs, women-headed households, persons with disabilities, elderly people, youth, children etc. The PIU will ensure that local business associations and local NGOs are included in country-specific activities, and additional engagement tools such as focus group meetings, face-to-face interviews are described for the individuals who are not represented via these organizations.

The messages will be provided in the relevant local languages, and they will be formulated in a simple a clear way for everyone to understand. The local consultation meetings will be implemented in coordination between UNOPS and the Ministerial Focal Points and respective local authorities. After the identification of the affected communities through particular Project activities, the following areas of concern will be covered during consultations with affected communities:

- Potential Project activities and their impacts on the local communities;
- Effects on access to resources and livelihoods, identify adverse impacts and establish mitigation measure;
- Potential alternative means of livelihoods and how to obtain or enhance access to alternative resources and livelihoods (e.g. potential for eco-tourism);
- Assess current access to services and alternatives livelihoods;
- Establish procedures for specific activities and their phasing for particular protected areas.

The discussions on livelihood impacts and possible mitigation activities should include the following aspects:

- Identification and ranking of site-specific impacts;
- Criteria and eligibility for livelihood assistance;
- The rights of persons who have been legally using maritime resources to be affected;
- Brief description and identification of available mitigation measures and alternatives, taking into account the provisions of applicable local legislation, and the available measures for mitigation actively promoted via project activities;
- Considering any additional alternatives, if proposed by the affected communities or persons.

The engagement with the local communities, specifically the aspect of consultations, will be maintained throughout the Project lifespan. Affected persons Stakeholders will be kept engaged and supported where required, their grievances and conflicts solved, timelines established, and the process has to be kept efficient. The key principles of stakeholder engagement are laid out in the Project Stakeholder Engagement Plan (SEP).

7. Description of Eligibility and Measures for Mitigation for Affected Communities

6.1 Establishment of Criteria for Eligibility

The project will assist affected persons in their efforts to improve their livelihoods, or at least restore to pre-project levels, where there will have restrictions on access to resources. A participatory process will involve consultation with community representatives in areas where people are negatively affected by project activities. A participatory assessment will identify the numbers of affected persons or household, the type of impact and their eligibility to participate in alternative livelihoods activities or be compensated. Resettlement Action Plans (RAPs) will be prepared as per the Resettlement Policy Framework (RPF), which will be discussed at public meetings, so that informed decisions can be made about the options available affected persons. The RAPs will include or will focus on a Livelihood

Restoration Plan (LRP), laying out the mitigating strategies, based on the promotion of alternative livelihood initiatives, capacity building of self-help organizations and community-based defined productive activities.

The Project will establish criteria for eligibility for any mitigation or compensation measure, jointly in consultation with the local affected communities. The process for determining eligibility must be participatory and transparent. Each specific area may have unique characteristics. The Project in consultation with local affected communities will define the restrictions in a particular area. Such assessments will identify the number of people that will likely be affected by the planned activities and the significance of impacts on livelihoods. Persons entering the area after the assessment and claiming loss of access to resources cannot be considered.

Eligibility criteria for persons and households has been refined based on the site-specific assessments, and their entitlements in the different anticipated scenarios has been included in RPF. Eligibility classification as per ESS5 includes persons a) who have formal legal right to land or assets; b) who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; c) who have no recognizable legal right or claim to the land or assets they occupy or use. The project RPF includes entitlements as per the eligibility and any compensation and assistance will be made as per the provisions laid down in RPF.

6.2 Proposed Measures to Assist Affected Persons and Communities

The Project will identify measures to assist affected persons or households in their efforts to improve their livelihoods or restore them, in real terms, to pre-displacement levels. At the same time, the sustainability of the MPAs will be maintained. Consultation meetings as laid out in the SEP will thereby allow for the identified affected communities to decide on measures that will assist them.

The affected communities will be involved in the identification of mitigating or compensating measures to those that are adversely affected. They will further identify and decide procedures by which adversely affected community members can decide among the options available to them.

These measures can include the provision of compensation for lost access to resources and livelihood; provision of capacity building in eco-tourism as alternative livelihoods to affected persons and households; support to community-based eco-tourism initiatives; engagement of affected communities in monitoring or other actions required for maintaining of MPAs; provision of TA to targeted community group in alternative livelihoods; accommodation of controlled fishing in defined areas; ensuring that unskilled labor required for the Project or the MPA is recruited from among the local communities.

The procedures by which affected persons or households can decide on options available shall be easy to understand and shall be developed and communicated in a way that all individuals and groups can understand and apply them.

The Project will thereby ensure that local decision-making mechanisms pay attention to women and other vulnerable groups and their needs. Potential compensation payments have to be made to women directly in the case of women-headed households; and livelihood training to women groups and other

vulnerable groups should be organized in Micro and Small Enterprises (MSEs) with special attention to female-headed households. Income restoration measures must target the vulnerable persons or groups to ensure that they are reasonably assisted to overcome potential economic shocks and maintain the quality of life not less than prior to the activity. When entitlements are established, particular attention should be paid to gender aspects and the needs of vulnerable groups. The Project will pay special attention to the impact of economic displacement on women and other vulnerable groups during monitoring and evaluation of the RAP.

Since vulnerable individuals or groups often do not participate in decision-making meetings, it is crucial to identify them prior to any consultations. The Governmental Focal Points or Implementing Partners will assess vulnerabilities and their cause and impacts, based on identification mechanism proposed by the respective communities, as well as those developed during the implementation of the SEP.

Below table summarizes the potential impacts and mitigation measures suggested under the project:

Table 6: Summary of relevant activities and displacements implications

Project Component 2	Activity under	Potential Impacts	Potential Mitigation Measures
Increasing the size of existing marine protected areas		<ul style="list-style-type: none"> • Limitations to or permanent loss of access to resources, such as fish or other resources related to the sea through expansion / demarcation of expanded boundaries of MPA; 	<ul style="list-style-type: none"> • Provision of compensation for lost access to resources and livelihoods;
Capacity building in eco-tourism		<ul style="list-style-type: none"> • Eco-tourism may have positive impacts on employment; 	<ul style="list-style-type: none"> • Provide capacity building in eco-tourism as alternative livelihoods to affected persons and households;
<u>Azerbaijan:</u> Absheron National Park with inclusion of the State Game Reserve of Glinani (Clay) Island		<ul style="list-style-type: none"> • Limitations to or permanent loss of access to resources, such as fish or other resources related to the sea through increased enforcement of MPA and increased monitoring activities ; 	<ul style="list-style-type: none"> • Support community-based eco-tourism initiatives;
<u>Kazakhstan:</u> New marine sanctuary Caspian Itbalygy State Nature Reserve		<ul style="list-style-type: none"> • Increased monitoring of existing MPAs leads to lack of access to resources; 	<ul style="list-style-type: none"> • Inclusion of affected communities in decision-making processes around expansion or establishment of MPAs;
<u>Turkmenistan:</u> new marine sanctuary in South Cheleken and Turkmen		<ul style="list-style-type: none"> • Permanent loss of sources of income or means of livelihoods through limitations to tourism; 	<ul style="list-style-type: none"> • Engagement of affected communities in monitoring or other

Bays and expand the existing sanctuary on Ogurjali Island	<ul style="list-style-type: none"> • Loss of access to resources may affect vulnerable groups in particular. 	<p>actions required for maintaining of MPAs;</p> <ul style="list-style-type: none"> • Provision of TA to targeted community group in alternative livelihoods; • Sensitization of communities on MPAs; • Accommodation of controlled fishing in defined areas; • Ensure that unskilled labor required for the Project or the MPA is recruited from among the local communities; • Livelihood training to women groups and other vulnerable groups should be organized in Micro and Small Enterprises (MSEs) with special attention to female-headed households.
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8. Grievance Redress Mechanism (GRM)

This section guides the management of complaints and grievances under the Project. The purpose is to provide a suitable, centralized GRM where stakeholders of the Project can lodge their feedback, complaints, and grievances and have these resolved. World Bank-supported projects are required to facilitate mechanisms that address concerns and grievances arising from a Project. One of the key objectives of ESS10 (Stakeholder Engagement and Information Disclosure) is ‘to provide project-affected parties with accessible and inclusive means to raise issues and grievances and allow borrowers to respond and manage such grievances’.⁴ In view of lack of access to resources, ESS5 stipulates that potential conflicts or grievances within or between affected communities shall be resolved. The GRM needs to provide a process for resolving disputes related to resources use restrictions that may arise between or among affected communities, and grievances that may arise from members of communities who are dissatisfied with the eligibility criteria, community planning measures or actual implementation.

⁴ World Bank, Environmental and Social Framework, 2018, p. 131.

This section outlines such clear processes and procedures (including resolution processes and timelines), defines the grievance uptake, sorting and processing, acknowledgment and follow-up, categorization, verification, and investigation, monitoring & evaluation, and feedback.

4.1 Core Principles

The GRM is based on six core principles:

Fairness: Grievances are treated confidentially, assessed impartially, and handled transparently.

Objectiveness and independence: The GRM operates independently of all interested parties to guarantee fair, objective, and impartial treatment in each case. GRM officials have adequate means and powers to investigate grievances (e.g., interview witnesses, and access records).

Simplicity and accessibility: The GRM does not use complex processes that create confusion or anxiety.

Responsiveness and efficiency: The GRM is designed to respond to all complainants' needs. Accordingly, staff handling grievances are trained to take effective action and respond quickly to grievances and suggestions.

Speed and proportionality: All grievances, simple or complex, are addressed and resolved quickly. The action taken is swift, decisive, and constructive.

Participation and social inclusion: A wide range of stakeholders is encouraged to bring grievances and comments to the attention of the Project staff. Special attention is given to ensuring that marginalized groups are able to access the GRM.

4.2 Grievance Process

The PIU will ensure the information about the GRM is disseminated among all project stakeholders, including government entities, academia, CSOs/NGOs, private sector entities, etc. Means of communication are defined in the information dissemination strategy in the SEP. In addition, the PA-level GRM will be disseminated based on the needs of the specific stakeholders around each PA, as further defined in the Process Framework.

Step 1: Grievance Uptake

a) Project GRM

The Project GRM provides the following means for people to file a grievance:

Online mechanism: An online mechanism will allow people to leave a message and request a call back from the Project. The mechanism will be clearly visible on the website. The PIU E&S Specialist will

respond to the request for the call back via the online form. The Specialist will also register the grievance in a grievance log. After providing appropriate responses to the complainant and registering the grievance, the Specialist will transfer the grievance to the relevant entity responsible for the grievance-related activity.

Email address - an email address will be set up by the PIU and posted on the Project website, and/or the website must provide a way to file a grievance. The online mechanism will be administered by the PIU E&S Specialist. Grievances can be filed in writing through this method. The Specialist will register grievances in the grievance log.

b) PA GRM

On site suggestion box – There will be suggestion boxes installed at relevant locations, such as community centers or government offices. This will allow the direct local submission of grievances or feedback for community members, especially members of vulnerable groups that may not have other means to communicate.

Local phone number – The authority responsible for the PA will be encouraged to set up a local phone number in order to receive grievances through phone calls in relation to the PA.

c) General

Details of Grievance logged: While grievances can be submitted anonymously, the more information is made available, the better the Project or the PA administrative authority can respond to the grievances, investigate the matter where necessary, or provide feedback to the aggrieved party. The minimum information that should be made available is the following (except for SEA/SH cases, which follow a different process as described below):

Table 4 Details of Grievance log

1) Name of complainant	
2) Decision and consent of complainant on whether the identity of the complainant should remain confidential or can be made available where necessary	
3) Contact details: physical address, telephone number, email address	
4) Details of the grievance: <ul style="list-style-type: none"> - What happened - Where did it happen - Parties involved - Time when it happened - Description of the case - Supporting documents if available. 	

Submission of incomplete information for a grievance may not allow a case to be investigated or may delay investigations.

GBV/SEA/SH-related Grievance: Given the sensitive nature of GBV-related complaints, the GRM provides different ways to submit grievances and applies the survivor-centered approach. All grievance uptake channels can be used to report on SEA/SH-related grievances. The PIU or PA Officer receiving grievances will be trained in the handling and processing of SEA/SH-related grievances. Information on relevant legislation will be delivered to survivors before disclosing case details.

Confidentiality: The grievance recipients and anyone handling the SEA/SH-related grievances must maintain absolute confidentiality in regard to the case. Maintaining confidentiality means not disclosing any information at any time to any party without the informed consent of the person concerned. There are exceptions under distinct circumstances, for example, a) if the survivor is an adult who threatens his or her own life or who is directly threatening the safety of others.

Informed Consent: The survivor can only approve a case's processing when he or she has been fully informed about all relevant facts. The survivor must fully understand the consequences of actions when providing informed consent for a case to be taken up. Asking for consent means requesting the permission of the survivor to share information about him/her with others (for instance, with referral services), and/or to undertake any action (for instance, investigation of the case). Under no circumstances should the survivor be pressured to consent to any conversation, assessment, investigation, or other intervention with which she/he feels comfortable. A survivor can also at any time decide to stop consent. Where possible, the consent form can be used (in cases of direct person-to-person reporting). By signing this form, the survivor can formally agree (or disagree) with further processing the case. The form will clearly state how the information will be used, stored and disseminated. If a survivor does not consent to share information, then only non-identifying information can be released or reported on.

Step 2: Sort and Process

a) Project GRM

The grievances registered online and through the email mechanism will be sorted and processed by the E&S Specialist at the PIU. After the E&S Specialist has received and registered the complaint, he/she will categorize the complaint.

For grievances handled under the general Project GRM, the project will establish a Project Grievance Redress Committee (GRC) at the PIU level, consisting of the E&S Specialist, the Project Manager and one other selected Officer or any other relevant unit or officer or a national Focal Point where applicable. The E&S Specialist will share all necessary information with the Project GRC. Grievances handled elsewhere (e.g., at the court) will be excluded, records for the same will be maintained by PIU.

The E&S Specialist will transfer the grievance information into a more comprehensive grievance register. It will maintain a central grievance register for logging, managing, monitoring, and reporting grievances. All cases will be treated confidentially.

b) PA-level GRM

For grievances registered at the PA level in the respective countries, through suggestion boxes or other appropriate means, a GRM Focal Point will be appointed in the local authority that is responsible for the PA management. The GRM Focal Point will register the grievances and will assist in the formation of a PA Grievance Redress Committee (local GRC). The PA GRC should consist of relevant staff or government counterparts responsible for PA management, as well as representatives of the local communities and civil society organizations. The constitution of the PA GRC will be decided at the PA level prior to the commencement of project activities. The GRM Focal Point will share the registered grievances with the PA GRC during the sorting and processing step.

c) General

SEA/SH Cases: Under both GRM, all reporting will limit information in accordance with the survivor's wishes regarding confidentiality and in case the survivor agrees on further reporting, information will be shared only on a need-to-know-base, avoiding all information that may lead to the identification of the survivor and any potential risk of retribution.

Referrals are a process through which the survivor gets in touch with professionals and institutions regarding her or his case. Services can include health, psycho-social, security and protection, legal/justice, and economic reintegration support. The E&S Specialist will provide the survivor with contacts of the available referral services in the respective area. If the survivor wishes for any assistance with transport or payment for services, the grievance recipient will provide allowances. Referral services are provided even in cases where the survivor opts to not pursue the case through the GRM or through legal channels.

Step 3: Acknowledgement and Follow-Up

a) Project GRM

The E&S Specialist will carry out an initial screening review and confirm that the grievance is (i) a matter related to the Project; and (ii) a substantive issue that can be investigated. Any grievances that do not relate to the Project will be passed to the relevant institution. The E&S Specialist will prepare a response (i) acknowledging that the grievance has been received; (ii) notifying the complainant of what action will be taken; and (iii) stating the rights of the complainant.

At all times, the E&S Specialist will provide a response/acknowledgement of reception of the grievance promptly to the aggrieved party (unless the case was filed anonymously), within a maximum of five working days after the grievance is filed. A response can be provided over the phone, in writing or through the community facilitators. A response / acknowledgement can also be communicated through stakeholder meetings and beneficiary meetings during Project activities. For sensitive issues, feedback is given

to the concerned persons bilaterally.

All responses are documented and categorized for reporting and follow-up if necessary.

b) PA GRM

At the PA level, the GRM Focal Point will carry out an initial screening review and confirm that the grievance is (i) a matter related to the Project or to the PA or both; and (ii) a substantive issue that can be investigated. Any grievances that do not relate to the Project will be handled at the PA level. Grievances related to activities funded by the Project will also be handled at this level, but they will be recorded and shared with the PIU. The GRM Focal Point will prepare a response acknowledging that the grievance has been received, notifying the complainant of what action will be taken and stating the rights of the complainant.

At all times, the GRM Focal Point will provide a response/acknowledgement of reception of the grievance promptly to the aggrieved party (unless the case was filed anonymously), within a maximum of five working days after the grievance is filed. A response can be provided over the phone, in writing or through the community facilitators. A response can also be communicated through stakeholder meetings and beneficiary meetings during Project activities. For sensitive issues, feedback is given to the concerned persons bilaterally .

Step 4: Verify, Investigate and Act

a) Project GRM

The E&S Specialist will verify the case, as appropriate. Verification includes:

- Check for the complaint's eligibility (objectively based on set standards and criteria) regarding its relevance to the project. Refer to the PAD, POM, ESMF, sub-project agreements, or other documentation to determine the validity of the grievance.
- Escalate outright grievances that require specific interventions, such as SEA/SH cases.
- Refer grievances outside of the Project's jurisdiction (e.g., refer to relevant external institution), for example where a grievance relates to a different project.

The PIU GRC, where applicable, will investigate the grievance. The investigation may include interviewing the complainant(s), project staff, and other stakeholders; and inspecting physical evidence and documents. All project staff must cooperate with the investigation, including sharing documents where necessary. If the complainant has requested to remain anonymous, the investigator(s) must not do anything that results in the disclosure of the complainant's name. Independent investigator(s) make no recommendation other than reporting the facts.

b) PA GRM

The PA GRC will investigate the grievance where necessary. The investigation may include interviewing the complainant(s), project staff, and other stakeholders; and inspecting physical evidence and documents. All project and PA staff must cooperate with the investigation, including sharing documents where necessary. If the complainant has requested to remain anonymous, the GRC must not do anything

that results in the disclosure of the complainant's name. The PA GRC review the results and make final decisions for a resolution of the case, which is then communicated to the aggrieved party.

c) General

d)

The investigation includes the following steps:

- Collect basic information (reports, interviews with other stakeholders while ensuring triangulation of information, photos, and videos).
- Collect and preserve evidence.
- Analyze to establish facts and compile a report.

The responses will include the following elements and will be based on the following timelines

Table 5 Typed of GRM actions and timelines as per type of case

Type of Case	Actions Required	Response Required
Straight-forward cases with little anticipated complications	Minimal checks and consultations by GRM Focal Point or E&S Specialist	<ul style="list-style-type: none"> - GRM Focal Point or PIU E&S Specialist to acknowledge reception of the grievance, detail follow-up steps and set timelines (number of days) for follow-up activities: verify, and communicate outcomes and next steps based on outcomes - 1-3 days
Cases that require some minimal processes of verification and clarification	Analyze existing information and request clarification if necessary - GRM Focal Point or PIU E&S Specialist	<ul style="list-style-type: none"> - GRM Focal Point or PIU E&S Specialist to acknowledge reception of the grievance, detail the steps to follow, communicate outcomes - 7 -14 days
Cases that require investigation	Access and review of relevant documentation (reports, policy documentation), field-based fact findings missions (visits and interviews), analysis and preparation of reports, consultative sessions to rectify or adjust the implementation approaches – by PA GRC or PIU GRC.	<ul style="list-style-type: none"> - GRM Focal Point or PIU E&S Specialist to acknowledge reception of the grievance, provide follow-up steps and set timelines for a comprehensive response, initiate investigations, communicate response - 14 to 21 days
Cases that require escalation	GRM Focal Point to transfer case to the PA management; E&S Specialist to transfer case to Project Manager.	<ul style="list-style-type: none"> - GRM Focal Point or E&S Specialist to acknowledge reception of the grievance, provide the need for

		escalation of the grievance to the next level, and set timelines for a comprehensive response - 7-14 days
Cases that require referral to other institutions	PIU or PA authority to transfer case to relevant institution (National Police Service, Judiciary)	- GRM Focal Point or E&S Specialist to acknowledge reception of the grievance, provide the need for referral of the grievance to an appropriate institution, and set timelines for a comprehensive response on referral progress - 7 – 21 days

SEA/SH Cases: If a project worker allegedly committed the SEA/SH grievance, the grievance will be reported to the UNOPS Internal Investigation and Audit Group (IAIG) for further processing.

Where the survivor has opted to take a formal legal route with the case, the PIU will ensure that the survivor has all the support required to file a lawsuit in court. The GRM process will still proceed with the survivors' consent. Ensuring due process is a matter of the formal justice system and not the grievance handlers. Unlike other types of issues, it is not part of the GRM's remit to conduct investigations, make any announcements, or judge the veracity of an allegation. The GRM should refer the case to the domestic regulatory framework to process the claim if the consent of the survivor is received.

Case closure requires a) the case has been referred to GBV service providers (if the survivor consented) for support and appropriate actions, and appropriate actions have been taken against the perpetrator according to SEA mechanisms; b) the service provider has initiated accountability proceedings with the survivor's consent.

Step 5: 2nd Tier / Appeals Mechanism

a) Project GRM

If a complainant is dissatisfied with the response and solution provided by the Project GRC, he or she has the right to appeal. The appeal must be made in writing within 20 days of receipt of the decision. The purpose of the request is to provide an independent view of the complaint and to review the decision through an appeals body. the complainant can appeal to the UNOPS Multi Country Director, who will be engaged at critical points and will identify a representative who will be involved and follow the process. In both cases, appeals processes should be completed withing 21 days.

b) PA GRM

If a complainant is dissatisfied with the response and solution provided by the PA GRC, he or she has the right to appeal to the Project GRC. The appeal must be made in writing within 20 days of receipt of the decision. The purpose of the request is to provide an independent view of the complaint and to review

the decision through the Project GRC. The PIU E&S Specialist shall receive the written appeal to decide on the request, and advise the complainant in writing on the outcome of the appeal.

If a complainant is dissatisfied with the response and solution provided by the Project GRC, the complainant can appeal to the UNOPS Multi Country Director, who will be engaged at critical points and will identify a representative who will be involved and follow the process. In both cases, appeals processes should be completed within 21 days.

Step 6: Monitor, Evaluate and Provide Feedback

a) Project GRM

The PA GRM will report all Project-related cases to the Project GRM. The Project GRM will include those cases in its Project monitoring and reporting mechanisms.

Recording: The PIU will record all complaints and ensure their status is updated in internal recordings. Public records will be provided on the status, timeframe, feedback, resolution of complaints, and summary reports. The information on complaints will be used for the project to improve its effectiveness.

Monitoring: The PIU has developed indicators and a methodology for monitoring the steps of the GRM value chain, tracking grievances, and assessing the extent to which progress is made to resolve them. The PIU may amend indicators as necessary. The following indicators will be applied:

Table 6 Indicators and targets

Indicator
IR3.1 Number of GRM awareness campaigns conducted (Number)
IR3.2 Percentage of grievances responded to within the stipulated timeline (Percentage)
IR3.3 Percentage of grievances resolved within the stipulated timeline (Percentage)
IR3.4 Percentage of grievances referred/ escalated timely (Percentage)

Reporting: The PIU will report on the status of all GRM cases and on the above indicators, as well as provide a trend analysis to the Bank every quarter – as part of the regular Project Progress report.

9. Roles and Responsibilities

9.1 Implementation of PF

The screening will be undertaken by the national Focal Points together with the relevant local agencies. The PIU E&S Specialists will review screening results of each activity and provide the PIU's no-objection to the screening results and proposed mitigation measures for the activity or the preparation of additional instruments. At this stage, potential impacts on access to resources through the expansion or establishment of MPAs will become clear, and community consultation processes laid out above will be triggered.

The community consultation processes will be the responsibility of the respective national and local implementing agencies. The agencies will involve local NGOs and CSOs working on related topics in conducting stakeholder consultations. The implementation of this PF should take place prior to any project activities. The implementation will be the responsibility of the respective governmental entity as the main implementing partner. In Azerbaijan this will be the Ministry of Ecology and Natural Resources; in Kazakhstan the Ministry to Ecology and Natural Resources; and in Turkmenistan the Ministry of Environmental Protection. The Ministries will be cooperating with the respective local government entities and other responsible entities in the MPA areas, including potential enforcement agencies.

Any compensation payable and expenses on livelihood restoration will be made from national or local budgets. However, community benefits integral to the Project can be specifically provided to affected persons and individuals, such as capacity building around eco-tourism, for example. Compensation payments and livelihoods restoration programs will otherwise need to be administered by the national or local authorities.

The PIU E&S Specialists and the government Focal Points will be responsible for the monitoring of the PF implementation.

9.2 Delineation of Funding Responsibilities

Project funds will be used to implement the consultative processes described in this PF. They will be overseen by the PIU staff in close cooperation with the national focal points. In view of funds required, this includes staff costs for the PIU, management and supervision costs as well as the costs of facilitators of implementation, the GRM and M&E and reporting activities. Where measures are based on benefits or activities financed by the Project, they will be the Project's responsibility. However, other measures, including all compensation (in-kind and cash), provision of alternative access rights where applicable, will be covered by the respective government authorities in each country. The activities which involve payment of compensation will only be taken up once disbursement of compensation has been made and necessary livelihood restoration measures taken.

10. Monitoring Framework

Local NGOs, CSOs and community members will undertake environmental and socio-economic monitoring in their area to obtain evidence that MPA targets are being met and to assess the impacts of the MPS on both the community and the resources. The monitoring activities are conducted with the

active involvement of key stakeholders, particularly local NGOs, CSOs and the communities residing adjacent to the MPA. The baseline data is obtained through ecological and social-economical (household) surveys, which will be part of the MPA Management Plans.

Through this process, the implementation of the Process Framework will be monitored, notably the impacts of access restrictions and the effects of potential livelihood measures. This monitoring results will be presented through regular reports.