

# REDD IC/FFPP- SEA/SH Risk Prevention and Response Action Plan

## I. Introduction

1. The project development objective (PDO) is to improve sustainable forest management; increase benefits from forests and contribute to net Greenhouse Gas Emission (GHG) reductions in selected municipalities in Province 2 and Province 5 in Nepal. The project has three interlinked components: Component 1: Policy and capacity building support for new government structures and processes for sustainable forest management. Component 2: Community-based sustainable forest management and smallholder forest plantations. Component 3: Forest Enterprise Improvement and Development.
2. This Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH) Prevention and Response Action Plan is prepared by REDD IC as part of the Forests for Prosperity Project (FFPP). It details the operational measures to assess and mitigate the risks of gender-based violence, most notably sexual exploitation and abuse (SEA) and sexual harassment (SH), and how they will be integrated over the life of the project.
3. The purpose of this action plan is to identify the issues, stakeholders, assess their capacity, and document the legal and institutional mechanisms that aid in accessing grievance redressal. The action plan will focus on sensitizing the communities and other stakeholders on GBV and SEA/SH issues including sexual exploitation and abuse related to children (CSEA), strengthening the institutional capacities. **A survivor-centric approach is followed - all through, victim/survivors' care and providing access to different referral mechanisms are considered key aspects of this plan.**
4. This action plan is intended for and applicable to Project implementing agencies including the client and all project staffs, workers and contractors to cover the Project's footprint and adjoining communities. This is a living document which is suggested to be revised should adjustment or additional factors in project change the overall SEA/SH risk landscape within the project.

## II. Contextualizing GBV and SEA/SH for FFPP

1. Nepal has high incidence rates of GBV cases with mostly girls and women as reported victims. Latest DHS (2022) data shows that 23% of women in Nepal age 15–49 have experienced physical violence since age 15, and 8% have ever experienced sexual violence. Only 28% of women who have ever experienced any type of physical or sexual violence have sought help to stop the violence. Out of the 15 most GBV prevalent countries in the world, Nepal ranks 4<sup>th</sup> in domestic violence and violence by a partner<sup>1</sup>, and child marriage tops 2<sup>nd</sup> highest in South Asia (DHS, 2022). GBV in Nepal is prevalent due to unequal gender relations and discrimination towards women in both public and private spheres. It has direct implications on the reproductive health status of women and physical, emotional, and mental health of their children.

---

<sup>1</sup> <http://nwchelpine.gov.np>

2. The World Bank's Good Practice Notes (GPN) on SEA/SH for civil helps in identifying, assessing and managing the risks of GBV, in particularly, Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH) that involves major civil works and Human Development projects<sup>2</sup> The GPNs state that a large labor influx could possibly have adverse social and environmental effects leading to changes in community dynamics as well as increase the risk factors of SEA/SH. Likewise, HD Operations, with their high levels of human interaction, can also expose people to the risk of GBV.
3. Identifying and understanding the risk to women and children, as well as to other vulnerable populations, of SEA/SH and GBV is challenging, yet critical. Project-related risk factors include the size and scale of a project; the scale of labor influx; the extent to which a community can absorb labor influx or requires separate camp facilities; and the inflow of income to workers, which can exacerbate already existing inequities between workers and community members; and the geographic location of project activities. Despite the relatively small scale of the civil works, the project's reach extends across 50 rural and urban municipalities in Lumbini and Madhesh provinces, drawing a moderate workforce across these areas, resulting in potential interaction and exposure with girls and women from communities, with CFUG members, and within the workforce. Moreover, the Implementing Agency faces challenges due to its limited capacity, experience, and insufficient skilled human resources to effectively plan, execute, supervise, and monitor SEA/SH mitigation measures in areas, particularly Madhesh Province, which already grapples with high levels of Gender-Based Violence (GBV) and other harmful practices. The latest report by DHS (2022) states that women's experience of physical abuse in Madhesh Province is the highest in Nepal, at 37%. Thus, the project's SEA/SH risk is assessed as 'moderate' using the World Bank's standard tools on Social Protection and Civil Works.

### III. Legal frameworks

1. **The Constitution of Nepal (2015)** ensures protection for women from physical, mental, sexual, psychological, or other forms of violence or exploitation based on any grounds. It identifies VAW as a criminal offense and prohibits any form of discrimination based on sex.
2. **The National Penal Code (2017)** identifies and criminalizes rape, discrimination, sexual harassment at the workplace, and enslavement among others. It prohibits any marriage below twenty years of age in Nepal.
3. **The Children Act (2018)** prohibits any discrimination between sons and daughters for nourishment, education, and healthcare.
4. **The Human Trafficking (Control) Act (2007)** provides several legal safeguards, including the provision of rehabilitation and integration of survivors, protection, and compensation.
5. **The Domestic Violence (Crime and Control) Act (2009)** defines domestic violence as any form of physical, mental, sexual, and economic harm perpetrated by a person to a person with whom he/she has a family relationship.
6. **The Crime Victim Protection Act (2018)** ensures the right to justice for crime victims in criminal investigation, adjudication of cases, compensation, and social rehabilitation.
7. **The Sexual Harassment at the Workplace (Elimination) Act (2014)** prevents sexual harassment at both public and private workplaces. It defines sexual harassment as any unsolicited acts

<sup>2</sup> <https://thedocs.worldbank.org/en/doc/741681582580194727-0290022020/original/ESFGoodPracticeNoteonGBVinMajorCivilWorksv2.pdf>. Addressing Sexual Exploitation and Abuse and Sexual Harassment in Human Development Operations.2022

committed by, or caused to be committed by, any person in abuse of his/her position, or power or by the imposition of any type of coercion, undue influence, or enticement.

8. **The Caste-based Discrimination and Untouchability Act (2011)** provisions to end discriminatory practices aimed at those considered to be members of the lowest castes in the public and private sphere.
9. **The Witchcraft-related Accusation (Crime and Punishment) Act (2015)** criminalizes the acts of accusing someone of practicing witchcraft and subjecting the accused to cruel, inhuman, and degrading treatment.
10. **Electronic Transaction Act (2007)** refers to cybercrime not limited to the misuse of, and harassment through, social media; sale of illegal items, stalking and cyber-bullying. Provision of a jail term up to five years or a fine up to Rs.20,000.

#### **IV. National response to address GBV/SEA/SH includes:**

1. GBV Relief Fund provides relief services to the survivors of SGBV.
2. National Women Commission (NWC) operates with 1145 support helpline (☎☎☎ ☎☎☎): It is a 24-hour free helpline service used to report incidences of GBV.
3. Child Helpline Nepal 1098 Program: The toll-free number 1098 was launched in 2007 to safeguard child rights by providing vital support for vulnerable children. At present, there is a total of 18 child helplines in Nepal.
4. The Ministry of Law, Justice and Parliamentary Affairs has constituted a Legal Aid Committees Center that provides legal aid at all 77 districts of Nepal, through District Legal Aid Committees.
5. Nepal Bar Association has also established legal aid service units on SGBV Issues through its district Bar chapters.
6. Safe homes are available and mostly led by NGOs.
7. Women's cell established at Police Office.
8. 88 One Stop Crisis Management Centers (OCMC) as of 2021/22.

### SEA/SH Risk Prevention and Response Action Plan

Actions to Address SEA/SH Risks	Indicators	Timing for Action	Responsibilities	Ongoing Risk Management	Recent Update
<b>Project Preparation</b>					
Orientation to the Client, Financial Intermediary (FI) on GBV/SEA/SH/ CSEA and to prioritize SEA/SH on the project, and the mechanism that will be implemented Orientation and training to technical specialists		<ul style="list-style-type: none"> <li>• Preparation</li> <li>• Implementation</li> </ul>	<ul style="list-style-type: none"> <li>• WB</li> <li>• FFPP PMU</li> </ul>	WB/ FFPP to monitor and provide additional guidance as necessary.	Both REDD IC and FFPP PMU and PPMU staff trained on gender and SEA/SH requirements
<b>Orientation of Contractors on GBV:</b> <ul style="list-style-type: none"> <li>• Orientation on SEA/SH actions, GBV</li> <li>• Environmental and Social Management Plan of FFPP to include SEA/SH risk assessment tool for safety and ethical consideration related to SEA/SH data collection</li> </ul>	<ul style="list-style-type: none"> <li>• SEA/SH Risk Mitigation Action plan included in the ESMP</li> <li>• Procurement for SEA/SH related activities and costs outlined in the contract.</li> </ul>	<ul style="list-style-type: none"> <li>• Preparation</li> <li>• Implementation (before civil works commence)</li> </ul>	<ul style="list-style-type: none"> <li>• FFPP PMU</li> <li>• Social safeguards specialist</li> <li>• Technical support by WB</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing review during implementation</li> <li>• Update the project environmental and social management plan from “low” to “substantial” risk</li> </ul>	<ul style="list-style-type: none"> <li>• The WB’s social development team carry out a rapid assessment of both FFPP PPMU provinces.</li> </ul>
<b>Stakeholder Engagement Plan (SEP) to include SEA/SH risks and options for response during:</b> <ul style="list-style-type: none"> <li>• Review the SEP based on SEA/SH and Orientation and consultation with the project affected communities.<sup>3</sup></li> </ul>	<ul style="list-style-type: none"> <li>• # of awareness and consultations held</li> <li>• SEP includes SEA/SH risks and options</li> </ul>	<ul style="list-style-type: none"> <li>• Preparation</li> <li>• Implementation</li> <li>• Operation (throughout the project cycle)</li> </ul>	<ul style="list-style-type: none"> <li>• Social Safeguard Specialist and PPMU of both the provinces</li> <li>• Technical support by WB</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring of Implementation of Stakeholder Engagement Plan</li> <li>• Ongoing consultations particularly when C-ESMP is updated</li> </ul>	<ul style="list-style-type: none"> <li>• SEP to be reviewed through consultation and update the section on SEA/SH</li> </ul>

<sup>3</sup> This would include the community members, local leaders, youth groups, women groups, Dalit and Indigenous group government bodies- municipalities, rural municipalities, wards, police working on GBV, local GBV service providers. (A separate consultation with women group as they would most likely not speak in the presence of men.) Their feedback and suggestion will help in preparing better SEA/SH mitigation plan in prevention and response to SEA/SH

<p><b>SEA/SH Risk Mitigation Action Plan must:</b></p> <ul style="list-style-type: none"> <li>• Address how SEA/SH-related costs will be paid in the contract, in the procurement documents to mitigate risks.</li> <li>• SEA/SH requirements and expectations to be incorporated in the bid document.</li> </ul>	<ul style="list-style-type: none"> <li>• SEA/SH Risk Mitigation Actions included in worker’s contract</li> <li>• Procurement for SEA/SH related activities and costs outlined in the Action Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Preparation</li> <li>• Implementation (before civil works commence)</li> <li>• Procurement</li> </ul>	<ul style="list-style-type: none"> <li>• Social safeguard specialist <ul style="list-style-type: none"> <li>• FFPP PMU/PPMU</li> </ul> </li> </ul>	<p>Ongoing review during implementation</p>	
<p><b>Set up a SEA/SH grievance redressal mechanism (GRM) within the overall REDD IC/FFPP PMU and PPMU GRM</b></p> <ul style="list-style-type: none"> <li>• Appoint GBV focal person within the GRM committees of FFPP PMU and PPMU GRM.</li> <li>• Training of GBV focal points of the GRM.</li> <li>• Mapping of local service providers for referrals.</li> <li>• Develop SOP/guidelines of SEA/SH procedures.</li> <li>• Raise community awareness, including children’s awareness, of the GRM (understanding what they can report and how to report it).</li> </ul>	<ul style="list-style-type: none"> <li>• Availability of an effective GRM with multiple channels to initiate a complaints related to SEA/SH.</li> <li>• no. of monthly meetings held</li> </ul>	<p>Prior to contractors mobilizing</p>	<ul style="list-style-type: none"> <li>• REDD IC/FFPP PMU and PPMU to discuss and agree upon with the Task Team</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing monitoring and reporting on GRM to verify and update SEA/SH grievances</li> <li>• Regular update of the available information regarding SEA/SH</li> </ul>	
<p>Assess and review Contractor’s capacity to facilitate and supervise SEA/SH related issues including but not limited to supervision of functional SEA/SH GRM; facilitating dialogue and interaction with community, contractors SEA/SH GBV awareness; signing of codes of conduct</p>	<ul style="list-style-type: none"> <li>• GBV specialist/ GBV skilled expertise in supervision team</li> <li>• No. of SEA/SH activities per action plan completed</li> </ul>	<ul style="list-style-type: none"> <li>• Preparation</li> <li>• Implementation</li> </ul>	<ul style="list-style-type: none"> <li>• REDD IC/FFPP PMU and PPMU</li> <li>• Technical support by WB</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing review during implementation support missions.</li> <li>• Update project ESMP if risk situation changes</li> </ul>	

(CoCs); supervision of the implementation of SEA/SH action plan.					
Client to appoint a Gender/ GBV focal person from within the institution	<ul style="list-style-type: none"> <li>Focal person appointed</li> <li>GBV/SEA/SH TOR reflected</li> </ul>	Preparation Implementation Operation (throughout the project cycle)	REDD IC/FFPP PMU and PPMU or monitoring division		Social safeguard appointed as focal point
<b>Project Implementation</b>					
<p><b>Strengthen the capacity of the client, FI and contractors in the implementation of SEA/SH Risk Mitigation action plan</b></p> <ul style="list-style-type: none"> <li>Provide training/orientation on SEA/SH action plan specifically to social/environment safeguard specialist, GBV specialist and GBV focal persons</li> <li>Provide training on receiving and referring cases of SEA, including child SEA, to key contractor personnel, GBV focal persons, and additional service providers in the area (police, medical staff, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>No. of trainings and workshop</li> </ul>	Implementation	<ul style="list-style-type: none"> <li>REDD IC/FFPP PMU and PPMU</li> <li>Supervision consultant</li> <li>WB</li> </ul>	Ongoing SEA/SH Refresher trainings / workshop	Series of orientation provided to social safeguard focal points and appointed gender specialist
Revise job descriptions, contracts and performance appraisal systems etc. to ensure adequate attention to the responsibility to prevent and respond to diverse cases of SEA/SH	<ul style="list-style-type: none"> <li>TOR</li> </ul>	Throughout project cycle	<ul style="list-style-type: none"> <li>REDD IC/FFPP PMU and PPMU</li> <li>Social safeguards specialists</li> </ul>	Ongoing	ToRs of GBV service provider, gender specialist in final round of review
Monitoring and evaluation of the operation of SEA/SH mechanism within the GBV/SEA/SH GRM to ensure that the protocols are being followed in a timely manner, referring complaints to service providers	<ul style="list-style-type: none"> <li>No. of personnel associated with GRM trained</li> <li>No. of service providers informed about</li> </ul>	<ul style="list-style-type: none"> <li>Implementation</li> <li>During construction, after construction</li> </ul>	<ul style="list-style-type: none"> <li>REDD IC/FFPP PMU and PPMU</li> <li>Social safeguards specialists</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing monitoring reporting</li> <li>Monitoring complaints and its resolution</li> </ul>	

	<p>and linked with GRM</p> <ul style="list-style-type: none"> <li>• No. of SEA/SH cases reported to GRM</li> <li>• No. of survivors/victims of SEA/SH who access medical, legal, or PSS services upon referral by the GRM</li> </ul>				
<p><b>Develop Codes of Conduct for client, contractors and each project staffs and workers</b></p>	<ul style="list-style-type: none"> <li>• Contractors have their own CoC as well as a separate CoC for the subcontractor and its employees</li> <li>• code of conduct incorporated into contracts, job descriptions, terms of reference and performance appraisal system</li> <li>• Considerations around child SEA incorporated into the CoC</li> </ul>	<p>Preparation</p>	<ul style="list-style-type: none"> <li>• REDD IC/FFPP PMU and PPMU             <ul style="list-style-type: none"> <li>• Social safeguards specialists</li> <li>• Technical assistance by WB</li> </ul> </li> </ul>	<p>Amend CoCs as necessary</p>	<p>CoCs for workers/contractors develop as part of the bidding documents may need come under procurement or project in future develop on its own with consultation with field staff</p>

<p><b>Conduct induction program for the understanding and signing of the Codes of Conduct</b></p> <ul style="list-style-type: none"> <li>• Ensure requirements in CoCs are clearly understood by those signing.</li> <li>• Have CoCs signed by all those with a physical presence at the project site.</li> <li>• Train project-related staff on the behavior obligations under the CoCs.</li> <li>• Disseminate CoCs (in brochure and leaflet forms) and discuss with employees and surrounding communities.</li> </ul>	<ul style="list-style-type: none"> <li>• No. of workers and staff trained on code of conduct</li> <li>• No. of CoCs signed</li> </ul>	<ul style="list-style-type: none"> <li>• Initiated prior to contractor mobilization and continued during implementation.</li> </ul>	<ul style="list-style-type: none"> <li>• REDD IC/FFPP PMU and PPMU <ul style="list-style-type: none"> <li>• Social safeguards specialists</li> </ul> </li> </ul>	<p>Monthly reporting of workers understanding, signing and trained on CoCs</p>	<p>Monitoring officer to develop the monitoring tool and share for monthly reporting</p>
<p>Undertake regular M&amp;E of progress on SEA/SH activities, including reassessment of risks as appropriate.</p>		<p>Implementation.</p>	<ul style="list-style-type: none"> <li>• DCID, DOR</li> <li>• Supervision Consultant</li> <li>• Contractors</li> </ul>	<p>Supervision Consultant to undertake baseline, mid-line and end-line monitoring internally</p>	
<p><b>Implement appropriate project-level activities to reduce SEA/SH risks such as:</b></p> <ul style="list-style-type: none"> <li>• Separate facilities like toilets, child care facilities, 24 hours properly well-lit work areas as per the Labor Act and labor Good Practice Note.</li> <li>• Install Complaint/ suggestion box inside worksites and in surrounding communities</li> <li>• Local employment in skill based trainings</li> <li>• Need for contractors to have a CoC as well as proper documentation of each laborer including social sanctions.</li> <li>• Identify location and display visible</li> </ul>	<ul style="list-style-type: none"> <li>• # of IEC material displayed</li> <li>• # No of local employees (male and female)</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to works commencing.</li> <li>• Implementation</li> <li>• Operational</li> </ul>	<ul style="list-style-type: none"> <li>• REDD IC/FFPP PPMU and ADBL clients <ul style="list-style-type: none"> <li>• Social safeguard specialists <ul style="list-style-type: none"> <li>• ADBL and clients</li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing report</li> <li>• Reviews during Implementation support mission</li> <li>• Staff / workers meeting to discuss upcoming SEA/SH issues and mitigation measures</li> </ul>	<p>Part of gender tagging requirement (out of 20 clients receiving loan from ADBL will be trained and response on mitigation measures ensured in ESMPs</p>



<p>signage on GBV messaging, including child SEA, and CoCs.</p> <ul style="list-style-type: none"><li>• Provide on-site GBV/SEA/SH awareness trainings including actions that a perpetrator might face</li></ul>					
--	--	--	--	--	--

DRAFT