

**Process Framework for Involuntary Restrictions**

**14/04/21**

**CEPF Grant 111640**

**Fundação Maio Biodiversidade**

***Co-management agreement for the Protected Areas of Maio***

***Fundação Maio Biodiversidade***

**Ilha do Maio, Cabo Verde**

## **Grant Summary**

1. **Grantee organization:** Fundação Maio Biodiversidade
2. **Grant title:** Co-management agreement for the Protected Areas of Maio
3. **Grant number:** 111640
4. **Grant amount (US dollars):** 110,064 USD
5. **Proposed dates of grant:** 01/05/21 – 31/05/22
6. **Countries or territories where project will be undertaken:** Maio, Cabo Verde
7. **Date of preparation of this document:** 09/04/21

*The Process Framework will describe the project and how restrictions of access to natural resources and measures to assist affected communities. Affected communities should have the opportunity to participate in the drafting of the Process Framework. Typically, the Applicant will prepare a draft Framework that will then be shared and discussed with local communities and other relevant stakeholders. Based on the consultations, a final Framework will be prepared. CEPF may provide guidance on development of the Framework and will review and approve the final Framework prior to approving the final project proposal application. The Process Framework should include the following elements:*

### **A. Project background**

There are 7 protected areas (PAs) on the island of Maio – 3 Nature Reserves, 1 Natural Park and 3 Protected Landscapes. These have been classified for their tourism, historic, cultural, landscape and socio-economic interest; their geological and biological physical characteristics; their historical interaction with man; importance of their flora; wetlands and other well conserved natural habitats; and the populations of aquatic and terrestrial birds, seabirds, and sea turtles.

In the last 20 years, the government of Cabo Verde has been active in developing environmental policies and has approved several international treaties and conventions related to the environment. However, on the ground, the conservation of marine and coastal biodiversity in Cabo Verde has been effectively implemented throughout the archipelago largely by a range of civil society organizations (CSOs), supported mostly by international resources.

In Maio, the PA's have been overseen since 2016 by a PA management unit integrated in the structure of the Ministry of Environment and Agriculture Delegation of Maio (MAA) with very limited staff, means and equipment. A Maio PA Management Plan covering the period 2014 to 2019 was drawn up but was only formally approved in October 2020 without being updated with the current context of Maio, for example new tourism plans that have been approved; updated data available on biodiversity; and the island's classification as a Biosphere Reserve.

The supervision of the PA's in Maio is currently sporadically carried out by a Joint Inspection Nucleus (NFC), created in 2015, which includes 7 local entities. An effort has been made by institutions involved in PA management (namely FMB, DMAA and CMM) to engage Maio's communities through information, communication and awareness raising initiatives and campaigns on issues related to environmental management. Despite some tension around illegal sand extraction, communities seem to perceive the economic value of natural resource management and regulations as overall beneficial. Maio PAs are visited by tourists and residents with some regularity, although not with the intensity of the PAs in the neighbouring islands of Sal and Boavista. However, no access fee is charged, and the management unit does not have any specific revenue of its own.

## **Threats to Maio's PAs**

Maio is a biodiversity hotspot in the Atlantic, one of the only islands in the archipelago with majority pristine habitats. The island hosts endemic species; internationally important wetlands sites; and important breeding populations of sea turtles (*Caretta caretta*), nurse sharks (*Ginglymostoma cirratum*), Kentish plovers (*Charadrius alexandrinus*), and humpback whales (*Megaptera novaeangliae*), to name a few.

Threats to these habitats are posed by unsustainable use of Maio's PAs and their resources, such as uncontrolled free grazing, illegal sand extraction, turtle poaching, and expansion of arable agricultural areas beyond agreed limits. Other threats to Maio's Protected Areas include pollution through the build-up of marine litter, introduced and invasive species, and the impacts of climate change.

Beyond unsustainable use of resources, many of these pristine habitats are within designated tourist development areas (ZDTIs) and therefore are threatened by the potential for poorly planned tourist developments. As an example, a large tourist development project 'Little Africa', is expected to begin work in 2021 and will occupy 770 ha of the ZDTI adjacent to one of the most important Nature Reserves in Maio. The development will have an estimated capacity of 5,000 beds, more than Sal Island already has installed, and will most likely permanently change the island of Maio even if the greatest precautions are taken.

Furthermore, Maio's port, based in the capital Porto Inglês, is currently being expanded. We are witnessing negative, instant impacts from this expansion directly from the construction process, and indirectly through increased traffic, and are expecting longer term impacts of poorly managed or unsustainable tourism on the island.

Despite the risks they entail, these developments represent a unique opportunity for Maio in terms of employment and economic development, if it is possible to mitigate their impacts in a consistent, realistic, and effective way. With the volume of tourism that is expected it is extremely important to ensure the sustainability of Maio's PAs in the framework of a co-management agreement. This project presents the well-timed opportunity of gaining experience in national PA management before the port expansion and the tourist development 'Little Africa' are completed.

## **Opportunities**

Maio became a UNESCO Biosphere Reserve in October 2020 and the nucleus of the Biosphere Reserve is made up of 6 out of 7 of Maio's PAs. Therefore, the effective management of Maio's PAs is of particular importance to the government and presents a unique opportunity to take advantage of the momentum generated by this designation. Not guaranteeing the conservation of the nucleus could have serious consequences for the classification as a Biosphere Reserve, which at this stage would be very negative for the image of Maio and even for Cabo Verde.

Existing legislation favours co-management, as can be seen in Article 23 of Decree-Law n° 3/2003, which provides for the possibility of establishing co-management arrangements to ensure effective management of Protected Areas, and to share with civil society a responsibility that belongs to everyone. These agreements may be established between the department or body responsible for the management of protected areas and different local entities, community associations, NGOs interested in environmental matters, or international entities.

Other projects implemented in Cabo Verde demonstrate the government's commitment to co-management. For example, 'Diálogo de Políticas', a project implemented by the GEF Small Grants Programme to establish a Public-Private Partnership (PPP) that guarantees the effective

management and financial sustainability of selected PAs on the island of Sal. The process is underway and a first proposal for a co-management agreement for 5 Marine PAs has already received an agreement in principle, showing the government's interest in this innovative solution to ensure effective and efficient management of the Protected Areas in Cape Verde.

One of the objectives of the Bio-Tur project 'Integration of biodiversity in the tourism sector, in synergy with the strengthening of Cabo Verde's national system of Protected Areas' is to design and implement models of co-management of marine resources, focused on artisanal fishing and tourism with the support of local NGOs, associations and private companies. In September 2019, a workshop was organised by DNA in Praia to discuss this issue and to develop a 'Roadmap for implementing co-management initiatives in Protected Marine Areas in Cabo Verde'. Furthermore, in November 2020, a national workshop was held by DNA in collaboration with the Bio-Tur project on the 'Presentation and Collection of Subsidies for the Management Models of the National System of Protected Areas (SNAP)'. This workshop presented three models of possible protected area management to all relevant institutions and authorities. One of these models, and the model that reached an informal consensus by all entities including DMAA, was a formal co-management model. Importantly, this model also suggested to promote and facilitate co-management arrangements on islands where stakeholders are available and interested.

## **B. Participatory implementation**

### ***FMB's partners and stakeholders in Maio***

This project is by its very nature, participatory. The co-management agreement has the aim of bringing together relevant stakeholders in Maio to jointly contribute to the management of Protected Areas, led by FMB and funded by CEPF initially, with potential co-funding from the European Community.

FMB has strong links with the National Ministry of Agriculture and Environment (MAA) through the National Directorate for the Environment (DNA), which has the mandate and authority on biodiversity and conservation in Cabo Verde. The island's local council, the Câmara Municipal do Maio (CMM), are heavily involved in our programme and FMB receives support for all our projects from them.

FMB also works closely with other local institutions, especially during the turtle season, such as the Maritime Authority (IMP), the fisheries inspectors of the DGRM (National Directorate of Marine Resources) and the National and Maritime Police (PN). Unfortunately, the capacity of these organisations is still limited in Maio due to the low number of staff and restricted funds. With the approval of the new turtle law, our relationship with the National Police (PN) was strengthened, since the PN is the main enforcer of the law. FMB provides logistical and technical support to the PN for better implementation of the law.

FMB remains formally in partnership with national and international academic institutions. The University of Cabo Verde (UniCV) will remain a key partner. FMB hosts national students from UniCV starting scientific careers, and volunteers who support the conservation programme, and scientific collaboration on specific questions is maintained with teachers and researchers from UniCV.

The community-based approach developed by FMB as the basis for its projects continues to help create strong ties with local communities, building good relationships with even the most remote villages on the island. Some of the related groups or organizations with which FMB has collaborated include: Herdeiros Sao José (Calheta); Youth-Pro Environment; Santana Sports Club (Morrinho); Zona Penoso (Pedro Vaz); Boca Praiona (Gonçalo Beach), Santa Clara (Alcatraz); Batucadeiras Nova Imagen (Pilao Cao); Clube Miramar, Tupas (RDJ); Clube Barreirense (Barreiro); the Red Cross, Youth Centre (Porto Inglês). In addition to formal groups, FMB has worked directly with community

members, elementary and high school students and fishermen in all communities. FMB continues to work together with three fishing associations: “Vindos do Norte”, “Vindos do Sul” and the fishing group PescaMaio.

FMB’s projects have been regularly supported by the National Volunteer Corps, Education and Health and the Central Government Delegations of Maio, as well as the Cabo Verdean Red Cross, through the mutual exchange of materials, knowledge and a set of educational and cultural events.

### ***FMB policy relating to communities in Maio***

The following statement comes from FMB’s Staff Handbook, containing FMB’s Policy and Procedures:

“Our mission is to empower and involve the communities of Maio for environmental protection and sustainable development. Therefore, the success of our mission lies in the well-being of local people and communities. We are strongly committed to ensure our work does not negatively impact communities in Maio.

FMB respects human rights throughout our activities, whether in the office, field work, community support, fundraising, or employment. This includes child protection against all forms of abuse and exploitation, and fair treatment of workers and their protection against exploitation.

We respect and contribute to gender diversity and balance. We engage with local people to understand the drivers on the environment, and to work with them in addressing these.

We try to reduce poverty in our conservation efforts, by proactively working with communities, and addressing the trade-offs between conservation and poverty reduction goals.

We respect local culture and treat all people with respect, even when their views/ethics/morals differ from our own.

If we witness or receive a complaint of any harm done to communities or vulnerable groups or individuals in the implementation of our conservation work, please immediately report it to the FMB Director, or other appropriate senior management.”

### ***Project activities to increase participatory implementation***

- A steering committee will be created, composed of 7 of Maio’s local institutions and authorities. The Steering Committee will be composed of the members of the NFC (please see above) and will meet ideally once per month, but at least once every three months. The Steering Committee will represent all relevant sectors of Maio’s society and create participatory implementation to ensure that the project does not disadvantage, and more likely benefits, Maio’s communities.
- Opening job opportunities for local people in Maio, with a particular focus on encouraging women to apply, as an underrepresented group in the local economy. For example, through the Protected Area Team recruitment.
- Outreach to all 12 of Maio’s communities, ensuring that all local people have the opportunity to properly understand and contribute to the planned co-management agreement and Action Plan, and so that the role of the Biosphere Reserve and its consequences are well understood. Outreach meetings will be held within local communities at times that both men and women are able to participate, in Portuguese or Creole. We will notify communities of the meetings beforehand via notice boards in central community locations, at the FMB office, via the FMB Facebook, and by word of mouth, so people have time to arrange attendance.

## **C. Criteria for eligibility of affected persons**

The main affected persons by the implementation of this project are people involved in illegal practices inside the Protected Areas of Maio, e.g. turtle poaching, illegal cattle grazing, illegal fishing, illegal sand extraction, creating disturbances to turtle nesting areas, and illegal waste disposal.

These activities are already illegal, but the strengthening of enforcement through the creation and capacity building of the Protected Area team will result in a further restriction of these activities.

#### **D. Measures to assist the affected persons**

FMB works with the communities in Maio to provide sustainable alternative income to illegal activities. The Homestay is a project where families from local communities receive volunteers, national or international tourists in their homes and the visitor is offered an experience focused on nature and Maiense culture. The Eco-guides is an initiative to support young local guides in creating and promoting their own ecological tourism businesses; and the Guardians of Sea is an initiative that involves 20 fishermen from different communities in the patrolling and monitoring of illegal fishing activities within their fishing areas, in return for capacity building and incentives. These projects aim to preserve and value protected areas and local biodiversity; to promote the empowerment of women; and to create a means of income for local families and an opportunity for the economic development of each community.

We do not anticipate that this project will negatively affect any persons that are not already committing an illegal act. Therefore, compensation for project activities specifically is not expected to be necessary.

If any negative consequences are identified throughout the implementation of this project which were not already catered for in the design of the project, FMB will ensure that there is adequate compensation or mitigation of these consequences. Any persons affected can also use FMB's grievance procedure to address this, as detailed below.

#### **E. Conflict resolution and complaint mechanism**

*All projects that trigger a safeguard must provide local communities and other relevant stakeholders with a means to raise a grievance with the grantee, the relevant Regional Implementation Team, the CEPF Secretariat or the World Bank.*

*This grievance mechanism must include, at a minimum, the following elements.*

- *Email and telephone contact information for the grantee organization.*
- *Email and telephone contact information for the CEPF Regional Implementation Team.*
- *Email and telephone contact information for the local World Bank office.*
- *The email of the CEPF Executive Director: [cepfexecutive@conservation.org](mailto:cepfexecutive@conservation.org)*
- *A statement describing how you will inform stakeholders of the objectives of the project and the existence of the grievance mechanism (e.g., posters, signboards, public notices, public announcements, use of local languages).*
- *You should include the following text, exactly, in any grievance mechanism: "We will share all grievances – and a proposed response – with the Regional Implementation Team and the CEPF Grant Director within 15 days. If the claimant is not satisfied following the response, they may submit the grievance directly to the CEPF Executive Director at [cepfexecutive@conservation.org](mailto:cepfexecutive@conservation.org) or by surface mail. If the claimant is not satisfied with the response from the CEPF Executive Director, they may submit the grievance to the World Bank at the local World Bank office.*

*Following the guidance above, describe the grievance mechanism that you will use.*

The following procedure has been adapted from FMB's standard grievance procedure for this project. It will be disseminated in Portuguese through any project meetings that FMB has with any partners, stakeholders, or the public. The FMB Project Manager details will be updated as recruitment processes are completed.

The procedure is as follows:

# Grievance procedure

*For FMB partners, stakeholders and the public participating or affected by the CEPF project 'Co-management agreement for the Protected Areas of Maio' 2021-2022*

## **Background, purpose and scope**

FMB encourages partners, stakeholders and the public to communicate their grievances – i.e. any practices, policies or treatment from FMB, or other individuals involved in the project, that concerns, negatively affects them, or hinders their work. That way we can foster a supportive and pleasant environment for everyone and ensure that the project has the intended outcomes.

Partners, stakeholders and the public should be able to follow a fair grievance procedure to be heard and avoid conflicts.

**Purpose:** To explain how partners, stakeholders and the public can voice their complaints in a constructive way.

**Scope:** Any persons affected by the implementation of the CEPF funded project 'Co-management agreement for the Protected Areas of Maio'.

## **Policy statement**

Although it may not be possible to solve all problems to everyone's complete satisfaction, this policy forms an undertaking by FMB that we will deal objectively and constructively with all grievances, and that anyone who decides to use the procedure may do so with the confidence that their problem will be dealt with fairly.

This grievance procedure is not a substitute for good day-to-day communication. We encourage partners, stakeholders and the public to discuss and resolve daily working issues in a supportive atmosphere. Many problems can be solved on an informal footing very satisfactorily if all involved are prepared to keep the channels of communication between themselves open and working well.

The procedure below is designed to deal with those issues that need to be approached on a more formal basis so that every route to a satisfactory solution can be explored and so that any decisions reached are binding and long lasting.

Contact details for all relevant parties are at the end of this procedure.

## ***Options for informally solving a grievance***

Ideally, grievances will be solved by discussing the issue with the FMB CEPF Project Manager (or another FMB manager if the grievance is with the FMB CEPF Project Manager), and a solution reached through one, or a combination, of the below options:

- Changes in work procedure or plans
- Informal/mediated discussions between affected parties
- Changes in resources available
- Plan for ongoing monitoring and resolution of the problem

## **Formal grievance procedure**

If you cannot settle your grievance informally, you should raise it formally. This procedure has been drawn up to establish the appropriate steps to be followed when pursuing and dealing with a formal grievance. You will not be penalised for raising a grievance, even if it is not upheld, unless your complaint was both untrue and made in bad faith.

### **Stage 1**

1. Put your complaint in writing and address it to the FMB CEPF Project Manager. Where your grievance is against the FMB CEPF Project Manager, your complaint should be addressed to an alternative FMB manager.
2. A manager (who may not be the manager to whom your grievance was addressed) will then invite you to attend a meeting to discuss your grievance, usually within five working days. You must attend this meeting.
3. Following the meeting, FMB will respond as soon as possible, usually within five working days of the grievance meeting. You will be informed in writing of FMB's decision and notified of your right to appeal against that decision if you are not satisfied with it.

### **Stage 2**

1. If you feel that your grievance has not been satisfactorily resolved, you may appeal in writing within five working days of the grievance decision.
2. On receipt of your appeal letter, a more senior manager (who again may not be the person to whom your appeal was addressed) will hear your grievance at an appeal meeting. You must attend this meeting.
3. Following the meeting, the senior manager will respond to your grievance, usually within five working days of the appeal meeting. You will be informed in writing of FMB's decision on your grievance appeal.

FMB will share all grievances – and a proposed response – with the Regional Implementation Team and the CEPF Grant Director within 15 days. If the claimant is not satisfied following the response, they may submit the grievance directly to the CEPF Executive Director at [cepfexecutive@conservation.org](mailto:cepfexecutive@conservation.org) or by surface mail. If the claimant is not satisfied with the response from the CEPF Executive Director, they may submit the grievance to the World Bank at the local World Bank office.

### **FMB contact details**

**FMB Office Address:** Prédio cor-de-rosa (atrás da Igreja Católica) 1º andar, Cidade de Porto Inglês, CP 6110, Ilha do Maio, Cabo Verde.

**FMB Office Phone Number:** +238 355 62 42

**FMB Office Email Address:** [info@fmb-maio.org](mailto:info@fmb-maio.org)

**FMB CEPF Project Manager:** Sara Ratão

**FMB CEPF Project Manager Email Address:** [sara.ratao@fmb-maio.org](mailto:sara.ratao@fmb-maio.org)

## **F. Implementation Arrangements**

This project builds on informal, already established and agreed, principles of co-management with Maio's institutions and authorities. This is the first method employed to reduce the likelihood of conflict and complaints.

FMB has long-lasting and strong partnerships with many of Maio's authorities, institutions, community groups and the public. Therefore, an informal procedure to settle grievances or any problems with the project is likely to be sufficient.

However, to further reduce the risk of needing the formal grievance procedure, FMB has designed the project so that we will gain a local mandate for the co-management agreement and the annual Action Plan, before they are escalated to national level for approval, through participatory implementation in developing these documents.

Presentations regarding the Biosphere Reserve will be held in each community, and these presentations will also include an explanation of the project's aims, and objectives. Contact details of the FMB CEPF Project Manager will be shared as to show how stakeholders can gain more information on the project or address any issues that may arise. These details will also be shared with FMB's partners and stakeholders by email.