

Environment & Social Framework for IPF Operations

Good Practice Note

Managing the Risks of Projects Involving Protected and Conserved Areas

Annex XII

The following annex is part of the GPN on Managing the Risks of Projects Involving Protected and Conserved Areas. For ease of use, it will be uploaded as a separate file and will have links provided to it in the full text of the GPN, which will also be available online at the following URL:

[To be provided]

Annex XII. Illustrative Protocol for Borrower Reporting to the Bank on Project-Related Incidents

The following annex is part of the Good Practice Note on Managing the Risks of Projects Involving Protected and Conserved Areas, which is accessible at the following URL: [ADD HERE](#)

A protocol/system for Borrower reporting to the Bank would typically be included in the project implementation manual. Reference to this protocol can be included in the Environmental and Social Commitment Plan (ESCP) in the section related to the reporting of incidents.

1. Description of the Incident Reporting System

1. The [Borrower] will report all [insert activities that do not fall into the “reportable” category but whose trends the Bank may want to follow on a regular basis, such as non-violent poaching enforcement activities] that take place in the project-supported parks to the Bank on a quarterly basis. However, when incidents meet the criteria of “reportable incident,” more immediate and follow-up action is required. This protocol spells out the criteria for an incident to be deemed reportable to the Bank, the information to be sent in the reports, and the steps to be taken when a reportable incident occurs, in order to resolve the incident in a satisfactory manner and reduce the risk of similar incidents recurring.

1.1. **Definition of reportable incident under [name of project].** An incident is reportable under the project if it is sufficiently serious and the project could be a cause or contributing factor. Accordingly, an incident is reportable if it involves individuals from at least one of the groups in Section 1.1.1 below, **and** at least one of the types of events in Section 1.1.2.

1.1.1. **The incident involves individuals from among these groups:**

- **Contractors and/or other individuals on their work sites, or consultant staff** (e.g., incidents in construction sites, whether affecting contractor workers or a community member; incidents affecting contractor’s or consultant’s personnel or equipment/machinery, etc.); **or**
- **Government officials and/or authorized officers, while on duty, implementing the objectives of the project** (from any implementing agencies or other project implementing partners) (e.g., incidents while operating equipment, or caused by wildlife, or during any altercation while enforcing park regulations, asset seizure, property removal, apprehension of poachers, displacement of people or communities, etc.); **or**
- **Project beneficiaries while implementing project-supported activities or receiving project services** (e.g., accidents while executing livelihood subprojects, attending project trainings, attending project-supported service centers, etc.); **or**
- **Other individuals who may be affected by project activities** (to be determined by the Bank on a case-by-case basis, e.g., community members, tourists, researchers).

AND

1.1.2. **The incident is one of the following types of events:**

- **Fatality:** Death of a person(s) that occurs within one year of an accident/incident, including from occupational disease/illness (e.g., from exposure to chemicals/toxins); **or**

- **Lost time injury:** Injury or occupational disease/illness that results in a worker requiring 3 or more days off work, or an injury or release of substance that results in a member of the community needing medical treatment; **or**
- **Act of violence/protest:** Any intentional use of physical force, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, deprivation of workers or project beneficiaries, or negatively affects the safe operation of a project worksite; **or**
- **Disease outbreak:** The occurrence of a disease in excess of normal expectancy of number of cases; **or**
- **Displacement without due process:** The permanent or temporary displacement against the will of individuals, families, and/or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection and/or in a manner that does not comply with an approved resettlement plan; **or**
- **Child labor:** An incident of child labor occurs: (i) when a child under the age of 14 (or a higher age for employment specified by national law) is employed or engaged in connection with a project, and/or (ii) when a child over the minimum age specified in (i) and under the age of 18 is employed or engaged in connection with a project in a manner that is likely to be hazardous or interfere with the child’s education or be harmful to the child’s health or physical, mental, spiritual, moral or social development; **or**
- **Forced labor:** An incident of forced labor occurs when any work or service not voluntarily performed is exacted from an individual under threat of force or penalty in connection with a project, including any kind of involuntary or compulsory labor, such as indentured labor, bonded labor, or similar labor-contracting arrangements. This also includes incidents when trafficked persons are employed in connection with a project; **or**
- **Unexpected impacts on heritage resources:** An impact that occurs to a legally protected and/or internationally recognized area of cultural heritage or archaeological value, including world heritage sites or national Protected and Conserved Areas (PCAs) that was not foreseen or predicted as part of the project design or the ESIA; **or**
- **Unexpected impacts on biodiversity resources:** An impact that occurs to a legally protected and/or internationally recognized area of high biodiversity value, to a Critical Habitat, or to a Critically Endangered or Endangered Species—as listed in the International Union for Conservation of Nature (IUCN) Red List of threatened species or equivalent national approaches—that was not foreseen or predicted as part of the project design or the ESIA. This includes poaching or trafficking of Critically Endangered or Endangered Species; **or**
- **Environmental pollution incident:** Exceedances of emission standards to land, water, or air that have persisted for more than 24 hours or have resulted in harm to the environment; **or**
- **Dam failure:** A sudden, rapid, and uncontrolled release of impounded water or material through overtopping or breakthrough of dam structures; **or**
- **Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities (IPs/SSAHUTLCs) and local communities:** An incident related to conflict between PCA management authorities and IPs/SSAHUTLCs and local communities or between IPs/SSAHUTLCs and local communities and other encroachers related to resource access, use, restrictions, and/or displacement; **or**

- **Violence on the basis of sexual orientation or gender identity (SOGI):** The threat or use of physical force that injures or abuses a person, or damages or destroys property, and that is motivated in whole or in part by the victim’s real or perceived sexual orientation, gender identity, gender expression, or sex characteristics; **or**
- **Discrimination on the basis of SOGI:** Discrimination means creating a distinction, exclusion, or restriction which has the purpose or effect of impairing or excluding a person from being on an equal basis with others based on their real or perceived sexual orientation, gender identity, gender expression, or sex characteristics; **or**
- **Sexual exploitation:** Any actual or attempted abuse of position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. Sexual exploitation occurs when access to or benefit from a Bank–financed Goods, Works, Non-consulting Services or Consulting Services is used to extract sexual gain; **or**
- **Sexual abuse:** Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. In Bank–financed operations/projects, sexual abuse occurs when a project-related worker (contractor staff, subcontractor staff, supervising engineer) uses force or unequal power vis-a-vis a community member or colleague to perpetrate or threaten to perpetrate an unwanted sexual act; **or**
- **Sexual harassment:** Any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment. In Bank–financed operations/projects, sexual harassment occurs among the employees of a contractor or subcontractor and relates to employees of the same company experiencing unwelcome sexual advances or requests for sexual favors or acts of a sexual nature that are offensive and humiliating; **or**
- **Other:** Any other incident or accident that may have a significant adverse effect on the environment, the affected communities, the public, or the workers, irrespective of whether harm occurred on that occasion. Any repeated non-compliance or recurrent minor incidents which suggest systematic failures that the Bank deems need the attention of Bank management.

2. Description of the Existing Client and Contractor Processes that Collect Information About Incident(s)

- 2.1. **[Borrower] system that tracks incidents relating to rules enforcement personnel, from which the project-defined reportable incidents are taken.** [insert description of Borrower’s current system for internal reporting and follow-up on incidents. This may be in the form of occurrences books, procedures outlined in codes of conduct (CoCs) or others].
- 2.2. **[Borrower] system for recording and following up on contractor incidents.** [insert description of contractual requirements and remedies as well as how contractor-related incidents are reported to the project implementation unit (PIU), where and how each incident is documented, and how the progress on each incident is reported and tracked, including incident investigation, root cause analysis, corrective actions, and incident closure].

3. Description of Steps Taken, and Timing, Once an Incident Occurs

When an incident that meets the criteria in Section 1 above is identified through the system described in Section 2 above, the implementing agency or contractor takes the following steps:

- The contractor or [Borrower/agency] reports incident to [Borrower] within 24 hours;
- The [Borrower] reports incident to the Bank within 24 hours of learning of the incident;
- The [Borrower] supervises as contractor/implementing agency investigates, determines root causes, and recommends corrective actions. The [Borrower] informs the Bank team leader accordingly. The Bank reviews and the government and Bank agree on corrective actions and timing of their implementation. The normal timeframe for this is within 10 working days;
- The [Borrower] implements corrective actions, and the Bank verifies that these are implemented;
- The [Borrower] reviews GM and incident logs and adopts new strategies to prevent similar incidents; and
- The [Borrower] sends notification to the Bank team leader confirming that corrective actions have been completed, and the incident is closed.

4. Forms to be Filled in in the Case of a Reportable Incident [Insert ESIRT Template Forms for Gender-based Violence (GBV) and Non GBV Incidents]