

Free, Prior and Informed Consent

Guidance and Tool

WWF-Laos



Acronyms

Protected Area	PA
Civil Society Organization	CSO
Conservation Teams	CT
Environmental and Social Safeguards Framework	ESSF
International Labour Organization	ILO
Free, Prior and Informed Consent	FPIC
Fish Conservation Zone	FCZ
FPIC Facilitation Team	FFT
Gender, Equality, Disability, and Social Inclusion	GEDSI
Grievance Redress Mechanism	GRM
Lao People's Democratic Republic	Lao PDR
Monitoring, Evaluation, and Learning	MEL
Participatory Land Use Planning	PLUP

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(1) Introduction: Overview of FPIC Guidance and Tool

This document explains the concepts required to understand Free, Prior and Informed Consent (FPIC) in the context of WWF-Laos' conservation activities, and is set forth in two parts:

1. The FPIC Guidance (Section 1-4) provides guidance on the fundamental components of FPIC. The guidance is derived from WWF's relevant [Principles](#) and [Standards](#), WWF's draft FPIC Guidance, Guidance from regional INGOs and UN agencies, and expert knowledge and experience of the authors.¹
2. The FPIC Tool (Section 5 and Annexes I and II) provides project teams and implementing partners with the process for implementing FPIC.

This document can be used by WWF-Laos project teams, including civil society organizations (CSO) partners (e.g., sub-grantees), to help them understand the FPIC process and as well support the Government of Laos, and other implementing partners, with implementation of the FPIC process.

(2) FPIC Guidance

2(a) What is FPIC?

FPIC helps to ensure the rights of Indigenous and tribal people, as prescribed by international instruments such as International Labour Organisation 169 (ILO 169). **For purposes of this FPIC Guidance and Tool the term Ethnic Groups will be used, as this is the most common English translation for Indigenous and tribal people when discussing the context of Lao Peoples Democratic Republic (PDR).**

ILO 169, as well as WWF's Principles and Standards, particularly the Principle and Safeguard on Indigenous Peoples, recognizes the social, economic, cultural, and political rights of Ethnic Groups. It also expressly recognizes the right of Ethnic Groups to be consulted and participate in decisions affecting them. It is this support for Ethnic Groups that is at the heart of FPIC.

FPIC is divided into 4 components, which are as follows:

1. **Free:** The project team, as well as implementing partners working with Ethnic Groups, must commit to undertaking the community consultation process free of coercion,

¹ WWF's [Standard on Indigenous Peoples](#) is particularly relevant, and all elements of paragraphs 2-5 of this Standard must be implemented as part of the FPIC process.

intimidation and manipulation. The term “project” will be used in the FPIC Guidance and Tool to mean project or program, as relevant.

2. **Prior:** The project team, as well as implementing partners working with Ethnic Groups, must commit to undertaking the community consultation processes sufficiently in advance of the proposed project to allow the community to reach a decision using its decision-making processes.
3. **Informed:** The project team, as well as implementing partners working with Ethnic Groups, must commit to ensuring that the community understands all relevant project information pertaining to the proposed project, such as the potential benefits, risks, negative impacts, and WWF-Laos’ social and environmental safeguard commitments as per WWF’s relevant Principles and Standards. Communities must also be informed about the potential in-kind contributions that they may be required to provide, such as labour, knowledge, expertise, use of land, and use of facilities (e.g., community meeting hall, temple, village head office).
4. **Consent:** The project team, as well as implementing partners working with Ethnic Groups, must commit to ensuring that the community’s collective decision will be respected. This includes respecting the community’s right to grant consent, set conditions for their consent, refuse, withhold and withdraw consent using its established decision-making process.

In order to carry out these four components of FPIC, specific “required actions” must be implemented. The required actions for each component are described below in Section 3 and examples of the required actions are set forth in Annex II.

2(b) Who is Responsible for FPIC?

Before explaining the four components of FPIC, it is essential to identify who bears the responsibility for implementing FPIC. While FPIC is not required by law in Lao PDR, representatives from the Government usually take the leading role in overseeing project design and implementation. Thus, in most cases, a Government representative will lead, or at the very least, facilitate, the initial engagement with Community stakeholders, which is done at the outset of the FPIC process. While Lao PDR is not a signatory to ILO 169, WWF-Laos is mandated to uphold FPIC as per WWF’s Principles and Standards.

As per WWF’s FPIC guidance, in countries where FPIC requirements are not specified or are only partially specified in the national law or subnational regulations, as is the case in Laos, the project must:

- i) Identify the primary duty-bearer(s)' responsibility to implement FPIC. For example, where WWF-Laos is supporting the creation, expansion, or zoning of state protected and conserved areas, the respective Government entity is the primary duty-bearer, and it is therefore the Government's responsibility to implement FPIC.
- ii) Having established the primary duty-bearers' responsibilities for FPIC, determine what WWF Laos' role would be in such a situation and given project constraints (e.g. feasibility of accomplishing the scope of FPIC across the number of affected villages given the project timeline and available budget). Notwithstanding the fact that the Government or partner organization may play a leading role in WWF's projects, in some instances they may not have the capacity to implement FPIC, and thus WWF-Laos could play a supporting role by providing financial assistance and/or capacity building for implementing partners and communities. In some cases, and where deemed appropriate, this could entail the project team working collectively with Government representatives and implementing partners to ensure that there is a fair and appropriate FPIC process that enables Ethnic Groups to collectively assert their influence over the WWF-Laos project activities that may affect them. Importantly, WWF's role in any FPIC process will depend on what is agreeable to the community rights-holders.
- iii) Establish a clear agreement with the primary duty-bearer and any other implementing partners regarding the scope of responsibilities with respect to FPIC prior to project implementation. Responsibilities for financing, conducting and monitoring FPIC must be clearly assigned in our agreement with partners.
- iv) Clearly communicate that WWF-Laos expects the partner to uphold the principles of FPIC. WWF-Laos must conduct due diligence to ensure that FPIC principles have been met. Implementing partners should be informed that WWF reserves the right to withdraw support if FPIC principles have not been followed or the process has been inadequately conducted.

2(c) When is FPIC Required?

FPIC is required when project activities may affect the rights, lands, resources, livelihoods, or cultural heritage of Ethnic Groups. Specifically, FPIC is required for activities when:

1. Ethnic Groups are present in the project area; **and/or**
2. Ethnic Groups have a collective attachment to the project area (e.g., the project area is used for livelihood or cultural purposes); **and**
3. Ethnic Groups' rights, lands, resources, livelihoods, or cultural heritage could be affected by the projects.

While there is no single globally-recognized definition of Indigenous Peoples and Ethnic Groups, for the purposes of this FPIC Guidance and FPIC Tool, WWF is guided by the statement of coverage contained in ILO 169, which includes both Indigenous Peoples and tribal peoples or other contextually-appropriate terminology, such as Ethnic Groups.² The legal requirement for FPIC also covers groups who have been extended the rights of Indigenous People, tribal people, or Ethnic Groups under national law or rulings by applicable regional human rights courts. Specific expertise may be needed to ascertain whether a particular group should be considered Indigenous Peoples, tribal peoples, or an Ethnic Group; however, in the case of WWF-Laos, all communities that its projects are supporting are regarded as Ethnic Groups.³

As such, in the context of WWF-Laos projects, elements 1&2 of the FPIC analysis above are *assumed to be met*. That is, it is assumed, for purposes of FPIC, that Ethnic Groups are present in the project areas, and/or that Ethnic Groups have a collective attachment to the project area. Thus, the key question for determining whether FPIC is triggered is element 3: Whether the rights, lands, resources, cultural heritage, or livelihoods of the community could be affected by the project activities. Some common examples of project activities that usually trigger element 3 of FPIC are as follows:

- **Rights** – WWF’s activities that support the implementation of National Protected Area (PA) may affect the communities’ economic right to access natural resources within the PA that they use for livelihoods.
- **Lands** – the implementation of forest restoration activities will directly impact the communities’ land.
- **Resources** – the implementation of conservation land management plans developed with WWF support may restrict communities’ access to the resources that are being conserved.
- **Cultural Heritage** – WWF’s activities that support the implementation of planned PAs may restrict communities from accessing areas or resources that are culturally significant.

² Note: Laos is not a signatory to the ILO Convention 169 on Indigenous and Tribal Peoples and does not officially use the term "indigenous" in political and legal discourse.

³ Lao People's Democratic Republic (PDR) does not have any laws or policies that formally mandate FPIC, however, the Government will generally take the lead on project or program activities. Notwithstanding this fact, WWF or its partner organizations often be required to take a significant supporting role on FPIC due to capacity issues within the Government. It is also important to note that elements of FPIC are integrated into such laws as: Land Law (2019), Environmental Protection Law (2012), Decree on Environmental Impact Assessment (No. 21/2019), and the Law on Customary Land Tenure and Ethnic Groups, however, none of these laws fully mandate FPIC and none of them require consent.

- **Livelihoods** – agricultural activities will affect the communities’ livelihoods.

As is seen in the above examples, many of the activities that trigger FPIC are related to WWF-Laos’ support to the Government with designing and managing PAs, or when WWF directly implements activities related to land management, natural resource management, and livelihoods. Therefore, when these activities are envisioned as part of the project activities, site coordinators and project managers should immediately begin to consider FPIC, and if FPIC is triggered, conditions specified in section 2(b) must be fulfilled before starting to plan for implementing the four components of FPIC outlined in Section 3. Consideration must be made to ensure sufficient time and resources, both technical and financial, are allocated for the FPIC process.

2(d) Activities that Do Not Require FPIC

Before proceeding to the four components of FPIC, it is important to underscore the fact that project activities that do not affect the rights, lands, resources, livelihoods, or cultural heritage of Ethnic Groups do not require FPIC. Project activities that do not require FPIC may proceed while the FPIC process is being implemented for the activities that require FPIC. For example, if output 1 of a project is implementing multi-stakeholder consultations to discuss climate change adaptation, activities in output 1 do not affect the rights, lands, resources, livelihoods, or cultural heritage of Ethnic Groups, and thus output 1 does not trigger FPIC. If, however, output 2 of the project is implementing forest restoration activities in communities, this affects the rights, lands, resources, and perhaps the livelihoods, and cultural heritage of Ethnic Groups. Thus, it triggers FPIC. In this example output 2 activities *cannot begin implementation until consent has been granted following the four components of FPIC, while output 1 activities can proceed.*

3) The 4 Components of FPIC

The FPIC process must meet the four principles of FPIC: “Free,” “Prior,” “Informed,” and “Consent.” In this Guidance and in the FPIC Tool, these FPIC principles are referred to as “components”. Each component is explained in Section 3 by stating the “Requirement.” The Requirement constitutes what the project team or implementing partner – referred to as the FPIC Facilitation Team (FFT), is mandated to do as per the four components of FPIC. Each component also has a series of “Required Action.” The Required Actions provides the FFT with the specific actions that they are required to implement in order to complete each component

of FPIC. Annex II offers examples of how the Required Actions could be implemented, however, the FFT must tailor the Required Actions to the context of each community.

3(a) Pre-FPIC

Before starting the formal FPIC process, the FFT should hold a preliminary meeting with village authorities.

The purpose of this initial meeting is to:

- **Introduce the Project:** Familiarize the authorities with WWF-Laos, the proposed project, and the rationale behind the FPIC process.
- **Provide Key Information:** Explain the potential risks and benefits to the community, outline the community's potential roles and responsibilities, and highlight why leadership support for the FPIC process is essential.
- **Plan Logistics:** Begin coordinating the logistics for community-wide consultations, focus-group discussions, and surveys.
- **Prepare Village Leaders/Authority:** Build the capacity of the village authorities to introduce the project and FPIC process before having the initial consultations. This will allow the village authorities to knowledgably lead the internal discussions, which should help to encourage greater community trust and participation in the FPIC process.

The preliminary meeting with the village authorities is also an opportunity to:

- Address any question that they may have.
- Provide an opportunity for them to offer suggestions and make requests that the project should consider before taking next steps.
- Learn about how the community normally goes about information dissemination, discussion, and decision-making.
- Learn about the different groups and subgroups within the community and how best to engage with them.
- Learn about legal tenure and/or customary rights (including any claims to land and/or resources that they have used, owned or occupied for generations);
- Learn about livelihoods, governance systems or institutions, and important cultural values and practices;
- Identify Ethnic Groups' representative organizations (should they exist).

If required, the WWF-Laos ESS Manager and QA Manager, together with the project ESS Focal Point, will provide for the FFT and Implementing Partners with 2-3 training capacity building workshops to support their ability to implement the FPIC Process.

3(b) Component 1 - Free

Requirement: *The project must commit to undertaking the consultation process free of coercion, intimidation, and manipulation.*

Ultimately, it is the communities' collective decision whether or not to consent to the project activities. FPIC prescribes the community's right to consent to none, some, or all of the proposed activities. The FPIC process must not attempt to influence this decision. The FFT should not seek to get "buy-in," but rather, present the proposed activities, possible benefits and risks, methodology, potential roles and responsibilities of the community, and answer the Community stakeholders' questions. The FFT can – and indeed is encouraged to – amend project activities as per the needs of the community; however, project teams must manage the expectations of the Community stakeholders, as requests that are not within the scope of the project proposal are often difficult to implement. Amending project activities should always be done to respect the rights of the communities, avoid negative impacts to communities, and as a way to improve project outcomes and the benefits for the communities, not as a way to secure "buy-in".

Required Actions: In order to support the implementation of the Free component of FPIC, the following actions are required:

1. Conduct community consultations about their decision-making process or procedure and their preferences for the decision-making processes that they will employ in order to decide whether the project activities should proceed.
 - a. Example: the evidence for this could be the meeting minutes where the community provides an overview of the community's decision-making process.
 - b. Example: the evidence for this could be minutes from focus-group discussion meetings (particularly with GEDSI groups) that provide an overview of the decision-making process.
 - i. Note: if it becomes apparent that certain groups are excluded from the decision-making process, these groups should be engaged using focus-group discussions or surveys and their input should be considered in the design or revisions of the project activities.

- ii. [An example of a focus-group discussion is available here.](#) [An example of a survey is available here.](#) The FFTs are encouraged to use the free app, [Kobotoolbox](#) to conduct surveys.
2. Conduct consultations with the community where they are able to co-design measures to avoid, or if this is not possible, minimize or mitigate the identified risks, including revisions to the project activities.
 - a. Example: the evidence for this can be revisions to the risk analysis, project activities and mitigation measures based on the community’s input as expressed in the Community Stakeholder (defined as the project’s target beneficiaries) consultation minutes.⁴
3. Conduct interviews or surveys with community members confirming that the FFT has not used any form of intimidation, including the presence of security personnel or law enforcement.
 - a. Example: the evidence for this could be surveys and focus-group discussions that confirm that intimidation was not used. The project monitoring, evaluation, and learning process can also be used to confirm that intimidation was not used.
4. Conduct Interviews or surveys with community members confirming that no money, goods, or enticements whatsoever have been offered by the FFT to influence the consent of the community and that the community have been informed that they have no obligation to provide consent.
 - a. Example: the evidence for this could be surveys and focus-group discussions that confirm that enticements were not used. The monitoring, evaluation, and learning process can also be used to confirm that enticements were not used. Note that in most cases project activities such as livelihood activities or the creation of a village development fund would not be considered “enticements” as defined in this guidance, if the activities are within the scope of the project and are provided at the request of the community.

3(c) Component 2 - Prior

Requirement: *The project must undertake consultation processes sufficiently in advance of the proposed project activities to allow the community to reach a decision using its own decision-*

⁴ Note that Community Stakeholder and Stakeholder Communities are used interchangeably in this FPIC Guidance and Tool. Both terms refer to the project’s target beneficiaries.

making process. “Sufficiently,” in this context, means that the community members have had enough time to:

- Understand the project activities and implications, including any potential negative impacts (the “Informed” component of FPIC);
- Understand the community’s expected contributions and commitments;
- Undertake the community’s customary decision-making process;

Required Actions: In order to ensure the “Prior” component of FPIC is implemented, the following actions are required:

1. Conduct the FPIC process prior to any decisions being taken regarding the project’s advancement as per the timeline that has been established and agreed upon by the community.
 - a. Example: the evidence for this could be dated community engagement meeting minutes that establish the approximate timeline for the decision-making process.
2. Conduct consultations with the community in order to understand the community’s decision-making processes and verify that this decision-making process has been respected and adhered to.
 - a. Example: the evidence for this could be Community Stakeholder meeting minutes that describe the community’s decision-making process.

3(d) Component 3: Informed

Requirement: *The project must ensure that the community has been presented with all relevant information pertaining to the proposed activities in a manner that will facilitate comprehension.*

This includes:

- The purpose, scope, risks, timeline, details of any potential in-kind support, financial contributions (e.g., for Village Development Fund), and WWF’s safeguard commitments.
- All information must be disseminated in a culturally-appropriate manner and in language(s) understood by the community (including potentially affected sub-groups within the community).
- The community must be informed that they have the right to withdraw or modify their consent at any stage of the project.

The “Informed” component of FPIC is usually the most time-intensive aspect of FPIC. It may take several iterations of Community Stakeholder engagement and often requires engaging with GEDSI groups in focus-group discussions.

Required Actions: In order to ensure the Informed component of FPIC is implemented, the following actions are required:

1. Conduct Community Stakeholder consultations related to the proposed project activities, the attendant social and environmental risks, and proposed initial mitigation measures.
 - a. Example: the evidence for this could be a presentation that the FFT delivered to the Stakeholder Community, attendance lists of the community members who attended, meeting minutes, and pictures and videos of the consultation meeting.
 - i. Note: organize a childminder to ensure the safety of children brought to the Stakeholder Community meeting and increase the likelihood of attendance of those who have childcare duties.
2. Conduct a scoped community-level Stakeholder Engagement Plan that ensures the relevant information pertaining to the proposed activities and WWF's safeguards commitments are present to the whole Stakeholder Community, including GEDSI groups within the community.
 - a. Example: the evidence for this would be the scoped Stakeholder Engagement Plan.
3. Conduct community consultations with the relevant information pertaining to the proposed activities and the relevant safeguards commitments in all necessary languages in a manner that the information will be fully understood by the community, including GEDSI groups within the community.
 - a. Example: the evidence for this could be presentations that have a mix of written materials such as posters, laptop/projector (if available), or flipcharts/whiteboards (if available), as well as oral presentations in local languages.
 - i. Note: The explanation of important points should always use examples that are relevant to the community. Technical terms should generally be avoided unless the FFT is also engaging stakeholders with technical expertise, such as the government and CSOs, and even in this case the focus must always be ensuring that community members comprehend the material presented.
 - b. Topics that should be covered during the community engagement are:
 - i. The project activities as well as their attendant risks;
 - ii. Discussion of how the benefits will be shared and formalized as part of the FPIC process.

- iii. WWF-Laos' obligation as duty bearer in the context of the proposed project/activity (this consists of everything within the Environmental and Social Safeguards Framework (ESSF) and relevant WWF Standards, e.g. Ethical Law Enforcement Guidance);
- iv. The Government's obligation as duty bearer (this consists of all relevant national laws and policies, as well as ratified international laws).
- v. The Stakeholder Community's rights as rights holders, and particularly their right to grant, condition, withhold, and withdraw consent to some or all of the project activities, and the ways they can exercise these rights.
- vi. Explanation of the Grievance Redress Mechanism (GRM) and how Community stakeholders can use the GRM;

Note: Provide ample opportunities for Community Stakeholders to ask questions, provide feedback, suggestions and input to the project activity design during the Community Stakeholder meetings, focus-group discussions, and through informal conversations with the project team.

- 4. Conduct community consultations, including with GEDSI groups within the community, in an appropriate manner that will facilitate the community members understanding the relevant information pertaining to the proposed activities, potential risks, and safeguards commitments.
 - a. Example: the evidence for this could be the minutes from the Community Stakeholder meetings or focus-group discussions where the Community Stakeholders engage with the project team in a way that demonstrates comprehension. This could be through the questions that they ask, comments that they make, or specific recommendations that they provide.

3(e) Component 4: Consent

Requirement: *The project must engage with the community to understand whether they have made a decision about whether they wish the project activities to proceed.*

A decision can be in the form of any of the following:

- The community consents to the project activities as proposed.
- The community consents to specific project activities but does not provide consent for others.

- The community request revisions to some or all of the project activities as a condition for their consent.
- The community withholds its consent, and the activities in question cannot proceed.

When consent has been granted, formalizing consent could take the form of signing a memorandum of understanding, or similar formal agreements, community agreement, or traditional practices, such as a ceremony. In some cases, communities may not be comfortable signing a formal document and may prefer traditional practices.

If consent is not provided for specific activities, the FFT can inquire about whether the community would be interested in engaging in further discussions to revise the activities with the goal of potentially reaching consent, however, the community is under no obligation to do so. If consent is unclear, then the FFT should assume that consent has not been reached. In this case, the FFT can engage in further dialogue to understand the issues that are inhibiting clarity with respect to consent and inquire about whether the community is open to working together to address these underlying issues, noting that the community is under no obligation to engage further with the FFT. It is also important to note that *unclear consent should be interpreted as non-consent*.

Required Actions: In order to ensure the Consent element of FPIC is implemented, the following actions are required:

1. Conduct community consultations to verify that the community has reached their decision through an inclusive process that uses the community’s decision-making process, and that conditions set by the community (if any) are included in the consent agreement.
 - a. Example: the evidence for this could be verification through focus-group discussions that the decision-making process that was explained at the outset of the FPIC process was used.
 - b. Example: the evidence for this could be verification using focus-group discussions with GEDSI groups that they were included in the decision-making process.
2. Conduct community consultations to verify that consent has been formalized using a format that is appropriate for the community.
 - a. Example: the evidence for this could be a signed memorandum of understanding, community agreement, or contract. [An example of a Community Agreement is available here.](#)
3. Implementation of culturally-appropriate procedures or ceremonies to formalize consent, as necessary.

- a. Example: the evidence for this could be videos or pictures of the ceremony (if culturally appropriate).

3(f) Co-design Project Activities

Co-designing activities and outputs with the Stakeholder Communities and key government partners (Central, Provincial and District levels) can be built into an FPIC process. While co-design is not strictly required for FPIC, it can empower Stakeholder Communities to assert their needs and shape the project's activities, which is at the heart of the FPIC process. Moreover, effective co-design can support social and environmental risk avoidance or mitigation.

Co-design is defined as ensuring that the Stakeholder Communities are actively involved in designing the project activities and outputs that affect them. This process should be supported by the project team to ensure the Community's co-design input is within the scope of the project; however, without interference or bias with respect to the ideas themselves. In particular, the project team should emphasize that communities are encouraged to co-design project activities and outputs in ways that are accessible, and ensure that marginalized groups and those who may be negatively impacted by the project have the opportunity to equally benefit, and leverage activities and knowledge that are already successfully being used within each community. To achieve this, the project teams must engage with the Stakeholder Communities directly in their villages, and thus should not design activities and outputs in isolation of these communities, as is often the case with project design.

When the project engages the Stakeholder Community in co-design of the project activities and outputs this helps to ensure that the process is **free** of coercion. It also ensures that the Stakeholder Community has approved the activities **prior** to implementation – indeed they have played an integral role in the design of the activities (and outputs). Moreover, it ensures the Stakeholder Community is **informed** about the fundamental components and risks of the activities and outputs, as they are driving the design. Lastly, the Stakeholder Community is more likely to **consent** to activities and outputs that they have designed. WWF-Laos teams are already engaged in aspects of the co-design process when they meet with Stakeholder Communities during the project design phase. For example, prior to implementing one of its projects, WWF-Laos assessed environmental and social risks and impacts in communities in Salavan and Sekong provinces. It was then able to leverage this engagement to ensure the community's input was incorporated into the activity design of the project, which significantly supports the FPIC process. Similar processes should be utilized for all WWF-Laos' projects, where feasible.

3(g) GEDSI

Gender Equality, Disability and Social Inclusion (GEDSI) is an essential aspect of the four components of FPIC. GEDSI processes help to support the inclusion of all people as part of the four components of FPIC, regardless of gender, age, ethnicity, disability or social status. To achieve this, the FFT must make a concerted effort to identify and engage directly with these groups and individuals. To this end, focus-group discussions and surveys with the above-mentioned groups and individuals can be used as an effective way to ensure their inclusion in the four components of FPIC.

While it is essential to understand and respect the community's decision-making process, this decision-making process should be inclusive and representative, particularly of individuals and groups who may be negatively impacted by the project's activities, and those who may be in situations of vulnerability and marginalisation. This requires that all members of the community who wish to be engaged are provided with an opportunity to be engaged in the decision-making process, including GEDSI groups. In situations where GEDSI groups are not actively participating in the decision-making process, community leaders should be encouraged to expand the decision-making process for purposes of the project. If this is infeasible, or presents a potential risk to these groups, GEDSI groups should be engaged using other locally appropriate methods, such as confidential surveys or focus-group discussions, so that their interests and concerns can be understood and represented in project decisions that may affect them. Some examples of GEDSI groups that could be engaged directly in focus group discussions and surveys are: women's groups, youth groups, disability advocacy groups, and advocacy groups representing minority groups. The extent to which GEDSI groups co-design the project activities can decrease the necessity for these groups to play a central role in the final decision-making process, however, the FFT must always aim for representation, non-discrimination, transparency, and equity in the FPIC process.

(4) Once Consent has been Granted

4(a) Continued Engagement

Consent granted at project inception can only cover what is known and understood by the community at that early stage. Once the project enters full implementation, and especially as project outputs start to take shape and implications become clearer, the FFT may need to seek consent at these different stages of the project. This occurs when decisions are needed from the

community. For example, once a FCZ project activity has been approved, FPIC will still be required when: the FCZ boundaries become clear, the FCZ rules are developed, the FCZ patrolling is being organized, and the FCZ Committee is being formed. Moreover, once consent is granted for project activities it must be actively maintained through specific actions of the FFT or project team such as: check-ins, utilization of the GRM, periodic participatory reviews of the terms of the consent agreement, and monitoring, evaluation, and learning.

4(b) Right to Withdraw Consent During Implementation

The Stakeholder Community always has the right to refuse, withhold, or withdraw consent at any stage, even during project implementation. In a situation where the community withdraws consent in relation to a specific activity, this does not necessarily mean that the entire project in the community in question must be closed. It is important to discuss the decision to withdraw consent with the community and confirm whether the community is agreeable for other activities to still proceed. Moreover, if consent is withdrawn, there may be specific reasons for this, and the project should engage with the community regarding whether the activities can be revised to remedy the underlying issue(s) that caused the community to withdraw consent, although the community is under no obligation to engage with the project about these issues.

4(c) Grievance Redress Mechanism

The GRM is available to community members to formally file Grievances related to issues that arise during the project cycle. Project teams should ensure that the channels for raising concerns are accessible and accepted as locally appropriate. During the FPIC process it is essential that the Stakeholder Community is informed about the GRM and how to utilize it.

4(d) Project Monitoring

Regular project monitoring, evaluation, and learning provides a formal opportunity to ensure that consent is maintained during the duration of the project cycle, and that the FFT or project team can respond timely and effectively to feedback from the Community stakeholders. Monitoring indicators must be established to ensure that consent is maintained throughout the project, as it is possible, as noted above, that a community may wish to withdraw consent. Indicators that should be included in the project's annual monitoring, evaluation, and learning process, and should include both quantitative and qualitative. Indicators should be monitored using different methods such as focus-group discussions and surveys.

(5) FPIC Tool

The FPIC Tool (see Annex I) is divided into the 4 components: “Free,” “Prior,” “Informed,” and “Consent.” Each component is explained in the “Requirement” column of the FPIC Tool. The actions that must be taken related to the component are outlined in the “Required Actions” column. The third column indicates whether the Required Action has been implemented (“yes/no/partially completed”). In many cases a Required Action may only be partially completed for much of the FPIC process and it will not be until well into the FPIC process that the FFT can mark “yes.”

The fourth column of the FPIC Tool provides an opportunity for the project to add further information and attach relevant documents demonstrating that the action has been taken. Attaching or linking documents to the FPIC Tool is the key to demonstrating that the FPIC Process has been completed. The project team will then be able to share the completed FPIC Tool with donors, Government partners, implementing partners, civil society organizations, and the communities themselves, as requested.

5(a) How to Use the FPIC Tool

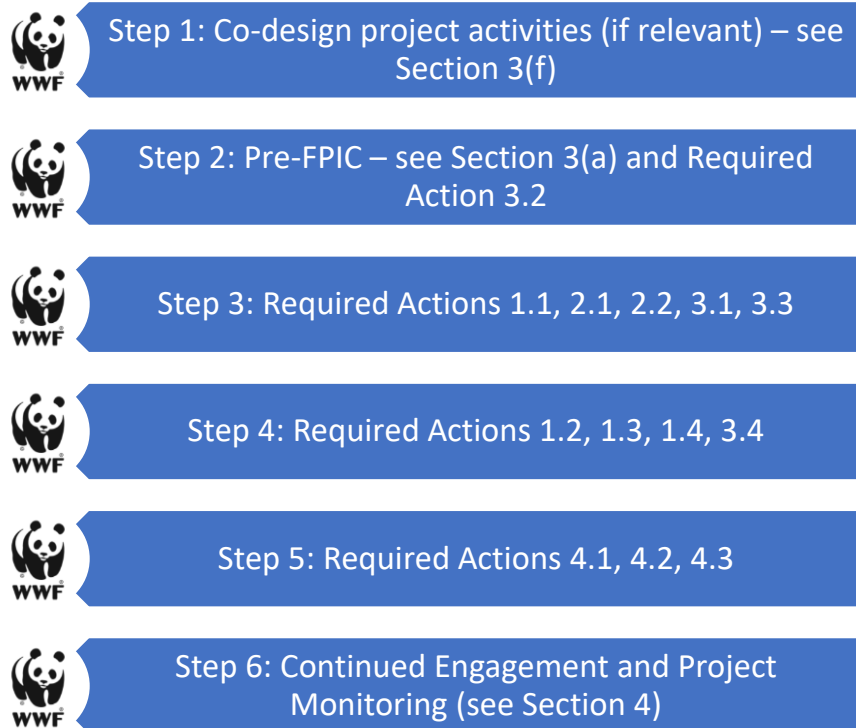
The four components of FPIC are not necessarily implemented sequentially. That is, the preceding component does not require completion before the next component begins. In fact, it is quite common to begin with the “Informed” component, as the presentation for the Stakeholder Community that outlines the activities, risks, and mitigation measures often commences early in the FPIC process. The components can also be combined. For example, the presentation for the Stakeholder Community that outlines the activities, risks, and mitigation measures may be combined with discussions about the decision-making process (essential for the Free and Consent components). This presentation also helps to develop documentation that the FPIC process was initiated prior to any decisions being taken (the Prior component).

It is also important to note that the Required Actions will often remain “Partially Completed” (see column three of the FPIC Tool below) for much of the FPIC process and indicating “Yes” will only be possible at or near the end of the completion of the four components of FPIC.

5(b) FPIC Tool Roadmap

In order to provide specific, user-friendly guidance, a suggested roadmap for completing the FPIC Tool is provided in this Section. Each Required Action is numbered in the FPIC Tool (1.1 – 4.3). The following roadmap provides a possible sequence of steps that the FFT may wish to use. This

roadmap is an example. It is not a fixed formula that can be replicated for every situation, but rather, adapted as per the needs of the project and the community.



***Note: If Step 1 is not possible, move to Step 2.**

It should also be noted that the FPIC Tool template (Annex I) can also be used in project proposals to demonstrate to a potential donor how the FPIC process will be implemented. This can help to strengthen project proposals, thus increasing the chances of funding. Annex I provides the blank FPIC Tool template, while Annex II provides an example of a completed FPIC Tool. The completed FPIC Tool can be used to assist the FFT with possible approaches to completing the FPIC Tool.

Annex I: FPIC Tool

COMPONENT 1: FREE			
Requirement	Required Actions	Yes/No/Partially Completed	Comments and attach relevant documents.
		If you answer “no,” please provide an explanation of why you have answered no and whether you plan to implement the Required Action at a later date.	Note that one document may suffice to provide evidence for multiple Required Actions.
The project must commit to undertaking the consultation process free of coercion, intimidation, and manipulation.	1.1 Conduct consultations with the community about their decision-making processes and their preferences for the decision-making processes that they will employ in order to decide whether the project activities should proceed.		
	1.2 Conduct consultations with the community where they are able to co-design measures to avoid, or if this is not possible, minimize or mitigate the identified risks, including revisions to the project activities.		
	1.3 Conduct interviews or surveys with community members confirming that the FFT has not used any form of intimidation, including the presence of security personnel or law enforcement.		
	1.4 Conduct interviews or surveys with community members confirming that no money, goods,		

	or enticements whatsoever have been offered by the project team to influence the consent of the community and that the community has no obligation to provide consent. Note: in most cases, activities such as livelihood or small grant activities would not be considered “enticements” as defined in the FPIC Tool.		
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COMPONENT 2: PRIOR

Requirement	Required Action	Yes/No/Partially	Comments and attach relevant documents
The project must undertake consultation processes sufficiently in advance of the proposed project activities to allow the community to reach a decision using its own decision-making process.	2.1 Conduct the FPIC process prior to any decisions being taken regarding the project’s advancement as per the timeline that has been established and agreed upon by the community.		
	2.2 Conduct consultations with the community in order to understand the community’s decision-making processes and verify that this decision-making process has been respected and adhered to.		

COMPONENT 3: INFORMED

Requirement	Required Action	Yes/No/Partially	Comments and attach relevant documents
The project must ensure that the community has been presented with all relevant information pertaining to the proposed activities in a manner that will facilitate comprehension.	3.1 Conduct Community Stakeholder consultations related to the proposed project activities, the attendant social and environmental risks, and proposed initial mitigation measures		

	3.2 Conduct a scoped community-level Stakeholder Engagement Plan that ensures the relevant information pertaining to the proposed activities and WWF's safeguards commitments are presented to the whole Stakeholder Community, including GEDSI groups within the community		
	3.3 Conduct community consultations with the relevant information pertaining to the proposed activities and the relevant safeguards commitments in all necessary languages in a manner that the information will be fully understood by the community, including GEDSI groups within the community.		
	3.4 Conduct community consultations, including with GEDSI groups within the community, in an appropriate manner that will facilitate the community members understanding the relevant information pertaining to the proposed activities, potential risks, and safeguards commitments.		

COMPONENT 4: CONSENT

Requirement	Required Action	Yes/No/Partially	Comments and attach relevant documents
The project must engage with the community to understand whether they have made a decision about whether they wish the project activities to proceed.	4.1 Conduct community consultations to verify that the community has reached their decision through an inclusive process that uses the community's decision-making process, and that conditions set by the community		

	(if any) are included in the consent agreement.		
	4.2 Conduct community consultations to verify that consent has been formalized using a format that is appropriate for the community.		
	4.3 Implementation of culturally-appropriate procedures or ceremonies to formalize consent, as necessary.		

Annex II: Example of a Completed FPIC Tool

COMPONENT 1: FREE			
Requirement	Required Actions	Yes/No/Partially Completed	Comments and attach relevant documents.
		If you answer “no,” please provide an explanation of why you have answered no and whether you plan to implement the Required Action at a later date.	Note that one document may suffice to provide evidence for multiple Required Actions.
The project must commit to undertaking the consultation process free of coercion, intimidation, and manipulation.	1.1 Conduct consultations with the community about their decision-making processes and their preferences for the decision-making processes that they will employ in order to decide whether the project activities should proceed.	Yes	The meeting minutes where the community provides an overview of the community’s decision-making process are attached to the FPIC Tool. Focus group discussion minutes that state that the community used its decision-making process.
	1.2 Conduct consultations with the community where they are able to co-design measures to avoid, or if this is not possible, minimize or mitigate the identified risks, including revisions to the project activities.	Yes	The revisions to the project activities based on the community’s input are attached to the FPIC Tool.
	1.3 Conduct interviews or surveys with community members confirming that the FFT has not used any form of intimidation, including the presence of security personnel or law enforcement.	Yes	Answers to the focus-group discussion questions that confirm that intimidation was not used are attached to the FPIC Tool.

	1.4 Conduct interviews or surveys with community members confirming that no money, goods, or enticements whatsoever have been offered by the project team to influence the consent of the community and that the community has no obligation to provide consent. Note: in most cases, activities such as livelihood or small grant activities would not be considered “enticements” as defined in the FPIC Tool.	Yes	Answers to the focus-group discussions that confirm that enticements were not used are attached to the FPIC Tool.
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COMPONENT 2: PRIOR

Requirement	Required Action	Yes/No/Partially	Comments and attach relevant documents
The project must undertake consultation processes sufficiently in advance of the proposed project activities to allow the community to reach a decision using its own decision-making process.	2.1 Conduct the FPIC process prior to any decisions being taken regarding the project’s advancement as per the timeline that has been established and agreed upon by the community.	Yes	Dated community engagement meeting minutes that establish the timeline for the decision-making process are attached to the FPIC Tool.
	2.2 Conduct consultations with the community in order to understand the community’s decision-making processes and verify that this decision-making process has been respected and adhered to.	Yes	Community engagement meeting minutes that describe the community’s decision-making process and the timeline for this process are attached to the FPIC Tool.

COMPONENT 3: INFORMED

Requirement	Required Action	Yes/No/Partially	Comments and attach relevant documents
The project must ensure that the community understands and has all	3.1 Conduct Community Stakeholder consultations related to the proposed project activities, the attendant social	Yes	The community presentations explaining the project activities, social and environmental risks, and

relevant information pertaining to the proposed activities.	and environmental risks, and proposed initial mitigation measures		mitigation measures is attached.
	3.2 Conduct a scoped community-level Stakeholder Engagement Plan that ensures the relevant information pertaining to the proposed activities and WWF's safeguards commitments are presented to the whole Stakeholder Community, including GEDSI groups within the community	Yes	The community Stakeholder Engagement Plan is attached.
	3.3 Conduct community consultations with the relevant information pertaining to the proposed activities and the relevant safeguards commitments in all necessary languages in a manner that the information will be fully understood by the community, including GEDSI groups within the community.	Yes	The community presentations in local languages are attached to the FPIC Tool.
	3 4 Conduct community consultations, including with GEDSI groups within the community, in an appropriate manner that will facilitate the community members understanding the relevant information pertaining to the proposed activities, potential risks, and safeguards commitments.	Yes	The minutes from the Community Stakeholder meetings or focus-group discussions where the Community stakeholders engage with the project team in a way that demonstrates comprehension are attached to the FPIC Tool.

COMPONENT 4: CONSENT

Requirement	Required Action	Yes/No/Partially	Comments and attach relevant documents
The project must engage with the community to understand whether	4.1 Conduct community consultations to verify that the	Yes	Answers from focus-group discussions that demonstrate

<p>they have made a decision about whether they wish the project activities to proceed.</p>	<p>community has reached their decision through an inclusive process that uses the community's decision-making process, and that conditions set by the community (if any) are included in the consent agreement.</p>		<p>that the decision-making process was explained at the outset of the FPIC process and was utilized are attached to the FPIC Tool.</p> <p>The conditions that the community requested are contained in the Community Agreement.</p>
	<p>4.2 Conduct community consultations to verify that consent has been formalized using a format that is appropriate for the community.</p>	<p>Yes</p>	<p>The signed Community Agreement is attached to the FPIC Tool.</p> <p>Stakeholder engagement meeting minutes demonstrating that the community is comfortable with signing a community agreement are attached to the FPIC Tool.</p>
	<p>4.3 Implementation of culturally-appropriate procedures or ceremonies to formalize consent, as necessary.</p>	<p>No</p>	<p>This was not required for this community.</p>