

CEPF FINAL PROJECT COMPLETION REPORT

I. BASIC DATA

Organization Legal Name: Center for Biodiversity and Indigenous Knowledge

Project Title (as stated in the grant agreement): Mitigating Environmental and Social Consequences of Development in Biodiversity Hotspots of Southwest China

Implementation Partners for this Project: Conservation International China Program, Zhongnan University of Law and Finance.

Project Dates (as stated in the grant agreement): January 1, 2006 – December 31, 2007

Date of Report (month/year): March 09, 2008

II. OPENING REMARKS

Provide any opening remarks that may assist in the review of this report.

This project was executed and managed under a small-grant-making consultative committee based on civil society groups in Southwest (SW) China. The mechanisms identified issues of environmental justice (unfair distribution of socio-economic and environmental impacts among different stakeholders) and emphasized rights-based solutions in the form of legal aid, legal education, and legislative research in order to strengthen public participation and uphold the roles and rights of the grassroots community in resources governance and conservation. Moreover, the mechanism has benefited from and contributed to a stronger local NGO alliance that was expected to promote more robust public discourse and greater participation in programs to mitigate the effects of unregulated development projects (UDPs).

III. ACHIEVEMENT OF PROJECT PURPOSE

Project Purpose: A civil society alliance formed in Yunnan to address the lack of public participation and monitoring of resource exploitation projects, as well as the lack of effective and consistent legal means to hold decision-makers and members of the private sector accountable for biodiversity conservation and sustainable development in southwest China. CBIK uses its current and past experiences in rights-based governance to make recommendations to SEPA, which recently called for suggestions on how public participation processes can enhance an EIA. Thus CBIK continuously produces tangible results in influencing policy decisions.

Planned vs. Actual Performance

Indicator	Actual at Completion
Purpose-level:	

2 NGO-based civil groups set up, one in Yunnan and one in Beijing, to maintain an information exchange and discussion on resource exploitation projects in Yunnan and elsewhere;	The civil groups based on Yunnan has been established ,which kept close contact with other civil organization ,such as CI, NRDC, ABA , .Through the west environmental law forum ,they could exchange information and participated in topic discussion.
Enhancement of laws and legal procedures at all levels concerning farmers' rights and biodiversity conservation;	Through these small projects, it successfully attracted many legal experts and researchers to concern the west biodiversity protect issues. Especially some documental researches could identify the critical problems and put forward constructive suggestions.
A network of lawyers providing pro bono services established to ensure improved accessibility to legal aid for grassroots groups to better defend their livelihoods and rights to resources;	There were several attorney firms based on Yunnan be awarded small grants and participants in the west environmental forum .They are willing to provide pro bono service to the local communities when they are requested.
A team of journalists assembled to deliver in-depth reporting on environmental and social issues resulting from resource development projects;	During the implementing of the project, the process of the project was reported by some newspapers and media, many journalists, include the Beijing newspaper showed great interests in it.

Describe the success of the project in terms of achieving its intended impact objective and performance indicators.

Through the small grant projects, it successfully established the alliance of attorney firms, research institutions, governmental sections and local communities. The alliance mechanism promoted the legal research in SW biodiversity protest, and legal services executed by attorney firms enhanced the legal awareness of the local communities ,the public also had more chances to understand necessity of the environmental protect in the biodiversity hotspot areas.

Were there any unexpected impacts (positive or negative)?

Yes ,during the process of implementing the project ,we found that most people, include the local communities and journalists were not quite aware the importance of the biodiversity protect in SW of China, so it is very necessary to maintain the initiative even the project have finished in February 2008. So the legal education and legal aids of the project were of great impact to the local communities.

IV. PROJECT OUTPUTS

Project Outputs: Enter the project outputs from the Logical Framework for the project

Planned vs. Actual Performance

Indicator	Actual at Completion
Output 1: Establishment of a committee to solicit, evaluate, and select small grant	The committee based on Yunnan NGOS , governmental sectors and academic

proposals from civil society groups and NGOs working in NW Yunnan, and award grant monies on the basis of a governing protocol. The grant monies, in turn, will support capacity-building, legal support, legal research, and NGO networking activities that support the realization of Outputs 2 and 3.	institutions had been built up which had played important role in identifying key issues and awarding grants. And the committee itself had formed the networking mechanism to integrate the experts from various fields to concern the bio-diversity protect issues.
1.1. Dissemination of information to inform and engage civil groups in this initiative;	In the project inception workshop in March 2006, the objective and outputs of the project had been introduced and many experts gave their advices.
1.2. Establishment of a small-grant making committee in Yunnan, with interested representatives from NGOs and other sectors;	In the inception workshop in March 2006, a group of 11 members had been voted as the small-grant making committee, most of they came from the NGOs, governmental sectors and legal research institutions.
1.3. Awarding of small grants to 5-10 projects on targeted issues to be identified by the committee.	In fact, in order to involve more interested partners, the whole project was completed in two rounds and totally 23 sub-projects were awarded by the committee.
Output 2. Increased public awareness and understanding of selected legal issues, as well as enhancement of access to and capacity to use legal aid and legal information in selected cases.	Through activities of legal aids and legal educations by the attorney firms and the legal research institutions ,the local communities have gained the fundamental legal informational on property rights and environmental rights ,and the lawyers have built the good relationship with the local governments with whom they wishes to cooperate in the future.
2.1. Establishment of a network of legal resources to support grassroots communities defending their environmental rights and rights to natural resources;	The alliance of lawyer firms, research institutions, NGOs and local communities has been established, all the small grantees were integrated into the web forum to communicate and share ideas on the related issues. And the forum will continue to act as the intelligence resource center to support the grassroots.
2.2. Compilation of well-documented legal aid cases for informing the: a) public through media; b) law students through law clinic classes;	There are several small projects were executed in the case study way ,which would analyze the problem more deeply .And all the case reports will be published by the publishing house and provided to the domestic law schools.
2.3. Establishment of policy and legal tools and	CBIK has established the friendly and cooperative relationship with the related

<p>procedures to monitor on-going resource investment activities;</p>	<p>governmental sections .Through the dialogue mechanism, CBIK can provide the expert suggestions on the bio-diversity protect issues, include the on-going resource investment activities.</p>
<p>2.4. Publishing of well-grounded legal research reports and legislative proposals, which will ultimately lead to amendment or issuance of the appropriate laws;</p>	<p>All the small grant projects have been implemented and the final reports will be published in May, 2008. Now the group of the compiling committee of the book has been ascertained and the reports will be the first book in China which could integrate so variety of viewpoints of different backgrounds to focus on the bio-diversity protect in SW of China.</p>
<p>2.5. Creation of farmer-accessible educational materials on legal rights and procedures, produced and distributed for grassroots legal education and raising awareness about natural resources conservation, management and sustainable livelihoods;</p>	<p>There were three attorney firms in Yunnan were awarded the grants to provide the legal services for the local communities, for the farmers they also compiled the easy reading materials on environmental rights, especially for those who can not read and speak freely with outside .The materials can be used for future environmental education as well.</p>
<p>2.6. Construction of a website for this program to: a. Establish a publicly accessible information exchange center on legal aid cases, legal resources, policies on farmers' rights, and biodiversity conservation; b. Communicate to the public the project 's progress and other relevant information.</p>	<p>As mentioned above, the “western environmental protect law forum “has been established, and all the small grantees have been invited to joined in it. And the forum will last for at last half a year to boost the cooperation mechanism among the project partners. And all the reports are accessible to the visitors. We hope the forum will become the center for communication and information sharing on western environmental protect.</p>
<p>Output 3. Policy recommendations made to SEPA and Environmental NGOs to establish systematic mechanisms (tools and precedures) of incorporating public participation into the EIA process, and continuous monitoring of UDPs within the SW China Biodiversity Hotspot.</p>	<p>Through the project committee and forum, there has established a good communication relationship with the relevant governmental sections, include the EPA of Yunnan , Forestry Bureau and provincial government, and we have provided the advices and reports about the biodiversity protect plan to the government in charge.</p>
<p>3.1. Establishment of a Yunnan-based NGO coalition, which could make rapid response to individual cases;</p>	<p>The project committee and the forum of environmental law have became the center for information sharing and discussion on western environmental protect issues, that through the internet it had called for common concern and suggestions on latest policy and</p>

	regulations made by relevant governments, including discuss on the “Plan of Biodiversity Protect of SW of Yunnan Province” and “Yunnan Province Collective Forestry Tenure Reform “and the advices had been submitted to the policy makers.
3.2. Networking and communications channels established between Yunnan and Beijing-based NGOs, and efficient exchange of information between targeted research institutions for facilitation of collaboration;	Through the forum , the members of the association extended to Beijing and Wuhan, include the CI, Social Science research Institution of China ,Wuhan University and other research institutions, which could provide strong intellectual support for facilitation of cooperation.
3.3. Analysis of case studies involving public participation in EIAs and recommendation of effective tools and procedures for incorporating public opinion into EIA and SEIA decision-making processes, and ensuring public access to EIA reports.	There were several cases studies about how to involve the local communities into the EIAs, especially in the process of exploring resources, how to build the channels of communication between the relevant stakeholders, to make the requests of the grass groups be heard and considered by the decision makers were the goals of these small projects.
3.4. Selection of EIA-related case studies, publication of recommendations for incorporating public opinion into EIA and SEIA decision-making processes, and ensuring public access to EIA reports.	To save and spread the good experience, all the reports, include the EIA-related case studies, will be published in April 2008, and the reports will be provided to the government for reference as well. We will disseminate these results to other law schools for the sake of teaching and research.
3.5. Availability of institutions and policy tools to pilot transparent, thorough, and just Environmental Impact Assessments (EIAs) and Socio-economic Impact Assessments (SEIAs).	The small grantees have compiled a series of materials for the grass communities, especially those who can not read and write. And the attorney firms who have participated in the environmental law forum promised to provide pro bono service for the grassroots residents when they need. And other partners of the forum ,include the experts and governmental officials could give the facilitations in policy tools as well.
Output 4. An ongoing fund-raising mechanism established to sustain Outputs 1 and 2 in the future.	At the beginning of this year, we started to contact with the interested donors and collect promising ideas from small grants to formulate the whole proposals. We hope new funds could support the project for another 2-3 years.
4.1.	We have contacted with Ford Fund, CI,

Cultivation of further channels of communication with 3- 5 donors who have already expressed interest in this initiative;	and American Bar Association about the possible cooperation. They all showed great interests to support the following actions. The details to be discussed later.
4.2. Formulation of a fund-raising strategy, implementing experience gleaned from awarding grants and dealing with interested donors.	During the process of western developing, the conflict between environment protect and economic development will become more serious, how to solve the dilemma is the common concern of the donors, no matter they are domestic or international organizations. So we will seek for finical supports from them to promote our research and actions. And more and more domestic fund will become the main donors for environmental protect.

Describe the success of the project in terms of delivering the intended outputs.

The project has established a small grant making committee involving the governmental officials, legal experts, attorneys and NGOS. The small grants were used to study on biodiversity protect in SW of China and take actions to aid the local communities whose environmental rights were injured by UDPs . As the outputs shows that these small project actually achieved the goals that the local communities were willing to cooperate with such legal institutions in future. To extend the impact of the collaborate mechanism, we are seeking for additional financial support to sustain future action and study, now the fund-raising action are going on.

Were any outputs unrealized? If so, how has this affected the overall impact of the project?

Two outputs may not be sufficiently realized, one output is construction of a website for program, and another is formulation of fund-raising strategy. Without support of website and clear strategy, the accomplishment of project may seem a little bit slower, although communication and performance keep relatively freely and flexible.

V. SAFEGUARD POLICY ASSESSMENTS

Provide a summary of the implementation of any required action toward the environmental and social safeguard policies within the project.

There were two important actions toward the environmental and social safeguard policies. In the end of 2007, we held a small workshop to discuss by legal measures how to safeguard the biodiversity in collective forestry tenure reform in Yunnan, and the results were reported to the governmental sections in charge. In February 2008, to respond to the Yunnan provincial government request, we collected the advices of experts of the small grantees and submitted the resolution on the “Biodiversity Protect Plan of SW of Yunnan Province” to the provincial government. With the participating of legal experts and NGOs, we believed that these overture can be useful for the policy makers to decide on biodiversity protect.

VI. LESSONS LEARNED FROM THE PROJECT

Describe any lessons learned during the various phases of the project. Consider lessons both for future projects, as well as for CEPF's future performance.

The lessons learned from this project could be summarized as three points: firstly, the communication with the governmental sections, especially the decision makers were far from enough, the channels and chances for dialogue need to be broadened in the future. Secondly, the collaboration with the media need to be strengthened, though there were some reports about the activities of the project, the depth and the range of the impact were not perfect. Thirdly, to consolidate the outcomes of the project, we need to call for more public participation and concern based on the west environmental forum, so how to extend the networking group is the future objective.

Project Design Process: (aspects of the project design that contributed to its success/failure)

The term of the project was designed as 21 months, however as it proved that the period was quite short, especially when the first fund was delayed, the project had to pause for half an year. Consider the procedure of appropriating funds, the term for implementing the project should be designed no less than 24 months.

Project Execution: (aspects of the project execution that contributed to its success/failure)

The project had been delayed for several months for the former project manager's leave, which led the project to applying for a no-cost extension. Lack the connection between the two managers, there were some adjustment towards the objective and outputs, though it was acceptable compared with its initial proposals.

VII. ADDITIONAL FUNDING

Provide details of any additional donors who supported this project and any funding secured for the project as a result of the CEPF grant or success of the project.

Donor	Type of Funding*	Amount	Notes
none		\$	
		\$	
		\$	
		\$	

***Additional funding should be reported using the following categories:**

- A** Project co-financing (Other donors contribute to the direct costs of this CEPF project)
- B** Complementary funding (Other donors contribute to partner organizations that are working on a project linked with this CEPF funded project)
- C** Grantee and Partner leveraging (Other donors contribute to your organization or a partner organization as a direct result of successes with this CEPF funded project.)
- D** Regional/Portfolio leveraging (Other donors make large investments in a region because of CEPF investment or successes related to this project.)

Provide details of whether this project will continue in the future and if so, how any additional funding already secured or fundraising plans will help ensure its sustainability.

As the initiative suggests that the grant was just used as the startup fund, now we are active in seeking for more financial sources to support the collaboration mechanism established in the project. We have contacted with some interested donors, such as the Fund Foundation, NRDC, ABA, CI and other domestic funds. And the proposals have

been submitted to them. For the reason of application periods, these proposals are still in the process of examination, and we believe the objective and the mechanism of the project could sustain for another 2-3 years as it was planned.

VIII. ADDITIONAL COMMENTS AND RECOMMENDATIONS

VIII. INFORMATION SHARING

CEPF aims to increase sharing of experiences, lessons learned and results among our grant recipients and the wider conservation and donor communities. One way we do this is by making the text of final project completion reports available on our Web site, www.cepf.net, and by marketing these reports in our newsletter and other communications. Please indicate whether you would agree to publicly sharing your final project report with others in this way.

Yes ___ Yes ___

No _____

If yes, please also complete the following:

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