

Assessment of Human Rights Due Diligence Processes for WWF Germany

*Focus: Wildlife
Conservation
Projects / Specific
Protected Areas*

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About Löning – Human Rights & Responsible Business

Founded in 2014, Löning – Human Rights & Responsible Business is a Berlin-based human rights consultancy and think tank. With our diverse team, we support global companies and organisations step-by-step as they integrate respect for human rights into their strategies and daily operations. By providing a structure for the process of human rights due diligence, we help organizations navigate through the process and ensure it is compatible with international standards. We look at facts impartially and comprehensively, tackling difficult issues and providing practical tailored recommendations for action.

This report was commissioned by World Wide Fund For Nature (WWF) Deutschland.

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Introduction

With an active network in more than 100 countries, WWF is one of the world's largest conservation organisations. Its mission is “to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature”.¹

On March 4th, 2019 BuzzFeed News raised serious allegations on human rights abuses in the context of WWF's conservation work. On March 6th, 2019 we received the mandate from WWF Germany to assess WWF Germany's current human rights due diligence processes particularly with regard to wildlife conservation projects in protected areas. The focus for this mandate lies on three existing protected areas and a potential new one in Africa that were named by BuzzFeed News and which are supported by WWF Germany's work: Lobéké National Park in Cameroon, Salonga National Park in the Democratic Republic of Congo (DRC), Dzangha-Sangha Protected Areas in Central African Republic (CAR) and the proposed Messok Dja Protected Area in the Republic of Congo (RoC).

According to the United Nations Guiding Principles on Business and Human Rights (UNGPs), a human rights due

diligence can be described as the process to identify, prevent, mitigate and account for how an enterprise addresses its adverse human rights impacts across its value chain, which includes e.g. project partners, donors and suppliers.

Although the primary duty to protect human rights lies on the States, this authoritative set of principles, adopted unanimously by the UN Human Rights Council in 2011, defines clearly that transnational corporations and other business enterprises, including international organisations, have the responsibility to respect human rights, as their activities can have a direct impact on them. The endorsement of the UNGPs marked a milestone in the long-lasting debate about business and the respect of human rights – and with that, the public regulatory and political pressure for enterprises to act in line with human rights have rapidly increased. According to Principle 13 of the UNGPs, the responsibility to respect human rights requires enterprises to “(a) avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur; [and] (b) seek to prevent or mitigate adverse human rights

impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.”

The UNGPs should likewise be applied to WWF Germany and its conservation activities. Conservation projects have the potential to contribute positively to the realisation of many human rights, yet they also come along with adverse impacts on human rights. Conservation projects not only face security challenges with regard to organised wildlife crime, but often they are located in conflict-affected settings, where corruption is widespread and the rule of law is weak in many ways. Working in these environments includes cooperation with government agencies, such as administrations of protected areas and nature conservation authorities. The UNGPs provide a framework to tackle these challenges through a robust due diligence process.

This report gives an initial high-level overview (based on information gathered from March 6th to April 3rd, 2019) of current practices at WWF Germany in regard to wildlife conservation projects in the protected areas previously mentioned. It will identify the initial gaps in the human rights due diligence process of WWF Germany and provide actionable recommendations.

Methodology

Key guiding principles

Based on international standards

This assessment is based on existing methodologies and well-recognised guidance on human rights due diligence, such as the United Nations Guiding Principles on Business and Human Rights (UNGPs).² The well-known Human Rights Compliance Assessment Tool from the Danish Institute for Human Rights³ were considered for the development of specific indicators. The assessment considers human rights as defined in the Universal Declaration of Human Rights⁴ and core international human rights instruments⁵ as well as in the labour standards set up by the International Labour Organization (ILO).⁶

Understanding the country-specific human rights context

Considerations of the human rights country-specific context is an important element. Here, we conducted background country research to acquire a good and overall understanding of the general political and human rights challenges occurring at the country level.

Engagement with relevant stakeholders

Another key aspect was the engagement with stakeholders (at this stage of the process internal stakeholders: relevant staff members of WWF Germany and WWF International) to gather necessary information and to better understand the challenges WWF Germany faces in its operations. This was critical in constructing a holistic and contextual view of the processes under study and to gain insights about current practices.

² UN Guiding Principles on Business and Human Rights: [ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf](https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf) ³ The Danish Institute for Human Rights, Human Rights Impact Assessment: Guidance and Toolbox: humanrights.dk/sites/humanrights.dk/files/media/dokumenter/business/hria_toolbox/hria_guidance_and_toolbox_final_may22016.pdf_223795_1_1.pdf ⁴ The Universal Declaration of Human rights: [un.org/en/universal-declaration-human-rights/](https://www.un.org/en/universal-declaration-human-rights/) ⁵ United Nations Core International Human Rights Instruments: [ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx](https://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx) ⁶ ILO (Fundamental and Technical) Conventions: [ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12000:0::NO::](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12000:0::NO::)

Overview: project phases & main tasks

01

Scoping & planning – Context analysis

Summary of the allegations – Cross-cutting topics

Development of WWF’s assessment framework

Research and analysis of the country-specific human rights situation of operating countries

Stakeholder analysis and engagement plan

Kick-off meeting

02

Data collection & engagement

Review of provided documents

10 Interviews with WWF staff members of all relevant functions

03

Analysis of findings – Identification of gaps

Analysis of findings

Identification of gaps

04

Developing recommendations & report

Developing recommendations for improvement

Discussion of recommendation with key WWF staff

Communicating results: report

IN PHASE 01 (*scoping and planning*), a context analysis was conducted. Here, we conducted a review and a **summary of the allegations** drawn upon the allegations from BuzzFeed News published in March 2019 in the context of WWF's projects in and around protected areas with a focus on Democratic Republic of Congo (DRC), Republic of Congo (RoC), Central Africa Republic (CAR) and Cameroon. The analysis focuses on these African countries as WWF Germany is involved in extensive projects in this region. We applied qualitative evaluation methods to identify **cross-cutting topics** arising from BuzzFeed's allegations that would reflect potential main human rights risk areas to be addressed by WWF Germany at the organisational level. For this we developed a coding system, which was applied on BuzzFeed's press request and articles related to the allegations. This so-called axial coding allows for the discovery of common patterns and relations between the allegations in the different existing or planned protected areas. Additionally, **background research** was conducted. The desktop research took into consideration the country specific political situations and challenges from a human rights perspective, as well as related aspects such as law enforcement activities, including anti-poaching and good practice examples in this area.

To structure the assessment of WWF Germany's human rights due diligence process in the context of wild life

conservation projects (specific protected areas), **an assessment framework** was developed. The assessment framework identified the five core elements of a human rights due diligence in accordance with the UNGPs. For each of the five elements, indicators were developed that guided our assessment through the data collection and engagement in phase 2. We developed further indicators for the identified main human rights risk areas from the summary of allegations in phase 1.

Finally, we had a **kick-off meeting** with staff members from WWF Germany in which we explained our approach, agreed on timeline and milestones and conducted a stakeholder mapping exercise.

PHASE 2 (*data collection and engagement*) entailed the review and analysis of current policies and procedures (most of them provided by WWF Germany, others publicly available) with regard to the indicators of the five core elements of a human rights due diligence:

1. Human rights policy commitment
2. Procedure for the identification of actual and potential adverse impacts on human rights
3. Measures to address (potentially) adverse human rights impacts
4. Reporting
5. Grievance mechanisms

Additionally, for further triangulation of findings we conducted a total of 10 semi-structured interviews with relevant WWF staff from Germany as well as WWF International from different departments and functions. Here, the stakeholder mapping from the kick-off meeting in phase 1 served as the basis for the sample of interview partners. In **PHASE 3** (*analysis of the findings and identification of gaps*) the information and data we gathered was analysed using the assessment framework and its indicators to identify gaps.

In **PHASE 4** (*recommendations and report*), the findings from phase 1-3 were used to develop actionable recommendations for WWF Germany to improve current practices on human rights within its due diligence process. Therefore, the identified gaps are described and a roadmap for recommended next steps is given in this report.

Findings

The following findings are drawn from the documents received, the interviews conducted with WWF Germany and WWF International staff members and information publicly available gathered from March 6th to April 3rd, 2019.

I. WWF Germany: its position within the WWF global organisation

In the context of WWF global organisation, WWF Germany is categorised as a national office, i.e. it raises funds and carries out its work autonomously. WWF Germany operates independently from WWF International, which is the Secretariat for WWF's global network with the primary function of coordinating its work. Social policies & guidelines are developed at WWF International and cascade down along the global organisation. WWF Germany is legally and financially independent and it is not legally bound to follow any instructions (in the context of social policies and safeguards) from the Secretariat. There is however, a commitment to follow WWF International's standards due to trademark license and complementary annual agreements.

WWF country offices and regional offices are legally and financially dependent on WWF International.

WWF Germany develops international projects with the respective WWF country offices. The scope of the assessment focuses on wildlife conservation projects (including habitat, forest, community strengthening, buffer zone management) in protected areas in Cameroon, Democratic Republic of Congo (DRC), Republic of Congo (RoC), Central African Republic (CAR). From an

organisational structure perspective, WWF Germany has a direct line of communication with the offices based in the respective countries (WWF Country Office in Cameroon; WWF Country Office in DRC; WWF Country Office in CAR; WWF presence in RoC), as WWF Germany oversees the management and the progress of the projects in which it is involved. This does not include staff or office management oversight. The level of supervision may vary according to the projects (e.g. donor requirements) and countries. WWF Germany's oversight function is also intertwined with WWF International through WWF Regional Office for Africa (ROA), which has the role of supervising country offices in the region and is represented by the two hubs in Nairobi, Kenya and Yaoundé, Cameroon. WWF DRC co-manages Salonga national park together with the Congolese park authority ICCN (Institut Congolais pour la Conservation de la Nature). In CAR, WWF CAR works alongside with the government and supports the management of the Dzanga-Sangha Protected Area (DSPA), which includes the Dzanga-Ndoki National Park and Dzanga-Sangha Dense Forest Special Reserve. In Cameroon, WWF Cameroon has a partnership with the Ministry of Fauna and Forest (MINFOF). In RoC, WWF has no office but staff working there are managed by WWF Gabon. In all these cases, WWF Germany holds the donor contract.

II. Context analysis

As one of the largest conservation organisations in Germany, WWF Germany contributes significantly to biodiversity conservation in selected key ecological regions, both nationally and internationally. This does not go without its challenges and dilemmas. As any other conservation organisation, WWF Germany faces serious challenges in complex environments while designing, planning and implementing its projects in protected areas. In the following, general key challenges in the context of conservation projects will be outlined.

Challenges in the context of conservation projects

Working in unstable settings – Many international projects such as the support and/or management of protected areas are implemented in countries with weak law enforcement structures. The Congo Basin, for example, is the second largest rainforest in the world with high biodiversity making it one of WWF's key working areas and it spreads across the assessed countries Cameroon, Democratic Republic of Congo (DRC), Republic of Congo (RoC), Central African Republic (CAR). These countries can be referred to as conflict-affected settings. Civil war situations are very present, are unstable, and rule of law is weak in many ways. The likelihood and severity of human rights violations is considerably higher than in other settings, the most vulnerable members of society are likely to disproportionately experience more negative impacts, and the operating context is highly complex with many actors involved. This also entails a challenge for WWF Germany: protected areas usually belong to national authorities. Therefore, the WWF depends on government collaboration and

national institutions whose practices might not be in line with international human rights standards. Setting up structures in conservation projects in line with international standards requires time, resources and a long-term commitment.

The social and economic dimension of conservation – Another challenge results from the tension between conservation and development. Global population is constantly growing and the untouched spaces for wildlife are shrinking alongside the decline of sustainable natural resource usage. In many protected areas, access is only allowed to selected areas and the overall idea is to leave large parts of the areas free from human influence by supporting the communities around the protected areas. Yet, local people are making use of the ecosystem, e.g. by farming and hunting. Conservation activities, particularly in the case of conflict affected settings, need to consider how staff in protected areas (in particular rangers⁷) and communities in and around protected areas experience each other's presence and activities in general. Indigenous peoples inhabit over 85 percent of the world's protected areas, which is why 'new proposed protected areas almost invariably include areas claimed as indigenous territories'⁸ as outlined in a WWF publication on a series of case studies about collaborative experiences with indigenous peoples. Conservation projects might involve a resettlement or relocation of local communities or affect their common way of using their land. Free, prior and informed consent (FPIC) approach has arisen as the necessary preliminary step before any conservation, research and development interventions. Even though the international principles for FPIC are clearly outlined, practical methods are still evolving and are highly dependent on the local context. Controversies exist worldwide as to whether FPICs have been conducted in a proper way in various protected areas.

© 7 Following the definition in the WWF Publication "Rangers Perceptions – Africa" the word "ranger" or "rangers" is used throughout this report "as a general term to collectively refer to all frontline staff. It is inclusive of wildlife wardens, forest guards, foresters, rangers, scouts, watchers and other frontline field staff."

© 8 WWF (2000) Indigenous Peoples and Conservation Organizations: Experiences in Collaboration: [c402277.ssl.cf1.rackcdn.com/publications/372/files/original/Indigenous_Peoples_and_Conservation_Organizations_Experiences_in_Collaboration.pdf?1345](https://www.rackcdn.com/publications/372/files/original/Indigenous_Peoples_and_Conservation_Organizations_Experiences_in_Collaboration.pdf?1345)

The “militarisation” of conservation efforts – The third big challenge WWF Germany is facing in conservation projects is the increase of illegal wildlife trade when it comes to certain species such as rhinos or elephants.⁹ According to the United Nations, the trafficking of wildlife is increasingly recognised as both a specialised area of organised crime and a significant threat to many plant and animal species. Rangers in protected areas are confronted with heavily armed and highly professionalised illegal poachers. The development and application of “militarised” approaches to conservation appear to be expanding. This includes measures such as counterinsurgency-like strategies and the use of technologies originally developed by the military. These type of strategies are becoming institutionalised in a growing number of regions involving states, conservation organisations and donors.¹⁰ This comes along with a shift in the way rangers are trained, moving away from holistic management of protected areas towards a focus on anti-poaching activities.¹¹ Rangers therefore face difficult settings – they can be victims,¹² but at the same time they can be involved in human rights violations.¹³ WWF Germany thus faces the dilemma that such approaches might differ from their initial mission to build a future in which humans live in harmony with nature. Working in “militarised” settings can lead to becoming more deeply embedded in the very conflict afflicted dynamics that undermine conservation efforts. For instance, anti-poaching trainings and equipment of rangers can be turned against actual wildlife and local communities.¹⁴ These approaches can therefore contribute to a more negative view of the work of park rangers,¹⁵ sparking tensions between them and the local communities. The necessity to sometimes collaborate with different partners (which can include cooperation with the judiciary, the police and depending on the setting even the army) that might have a record of human right abuses can lead to significant loss of public trust, thereby undermining international support for conservation. Additionally, while attention to bring

© 9 World Wildlife Crime Report: Trafficking in protected species (2016): [unodc.org/documents/data-and-analysis/wildlife/World_Wildlife_Crime_Report_2016_final.pdf](https://www.unodc.org/documents/data-and-analysis/wildlife/World_Wildlife_Crime_Report_2016_final.pdf)

© 10 See e.g.: Duffy, R., 2016. War by conservation. *Geoforum* 69, 238–248.; Büscher, B., Fletcher, R., 2018. Under pressure: conceptualising political ecologies of green wars. *Conserv. Soc.* 16 (2), 105–113.; Massé, F. (2019). Anti-poaching’s politics of (in) visibility: Representing nature and conservation amidst a poaching crisis. *Geoforum*, 98, 1-14.

© 11 Lunstrum, E., 2014. Green militarization: anti-poaching efforts and the spatial contours of Kruger National Park. *Ann. Assoc. Am. Geogr.* 104 (4), 816–832.

© 12 Life on the Frontline 2018. A global survey of the working conditions of rangers: [wwf.de/fileadmin/fm-wwf/Publikationen-PDF/WWF-Rangers_Survey_Report-181005.pdf](https://www.wwf.de/fileadmin/fm-wwf/Publikationen-PDF/WWF-Rangers_Survey_Report-181005.pdf)

© 13 A research in north CAR showed that providing militarized trainings and equipment to rangers can be a risk for conservation organizations, because there are instances where the new skills and weaponry are turned back on wildlife and local communities. See: Lombard, L., 2016. Threat economies and armed conservation in Northeastern Central African Republic. *Geoforum* 69, 218–226.

© 14 Lombard, L., 2016. Threat economies and armed conservation in Northeastern Central African Republic. *Geoforum* 69, 218–226.

© 15 Verweijen, J., Marijnen, E., 2018. The counterinsurgency/conservation nexus: guerrilla livelihoods and the dynamics of conflict and violence in the Virunga National Park, Democratic Republic of the Congo. *J. Peasant Stud.* 45 (2), 300–320.

the much-needed resources is drawn towards violently destroyed wildlife, threatened rangers and the need for “militarised” conservation, the social causes influencing poaching and related violence are not properly addressed. This, together with the underlying implications of “militarised” approaches in conservation might lead to being complicit in reproducing violence. The result can lead to a normalisation of and support for a conservation practice that further consolidates protected areas as exclusionary territories to be defended with force.

Summary of allegations

The allegations refer to protected areas located in the Congo Basin in Central Africa, India and Nepal where WWF Germany is involved in projects of different sizes. WWF is accused of having turned a blind-eye to human rights violations and therefore indirectly supported human rights abuses linked to their operations in and around these protected areas – in particular to implementation partners and decision-making authorities. The overall human rights allegations are very severe, ranging from murder, rape and torture to corruption, obstruction of justice and arms trafficking. Most of these cases were related to the activities carried out by rangers which work on the frontline of conservation efforts. Through qualitative research methods (see methodology – phase 1) common patterns and relations between the BuzzFeed allegations in the different protected areas in the Congo Basin have been identified. These can be clustered into four cross-cutting topics that constitute the **main human rights risk areas**:

- Government relations
- Local communities
- Security management
- Information sources – Use of informants

III. Assessment of WWF Germany's human rights due diligence (HRDD) in the context of wildlife conserva- tion projects

The assessment was conducted following the five core elements of a human rights due diligence in accordance with the UNGPs. The following section include: overview of the findings, considerations for our analysis and WWF Germany's current practices.

1. Human rights policy commitment

Considerations for the analysis

The UNGPs require businesses to have a policy statement with respect of human rights that should be publicly available; be approved by the senior management; be externally and internally communicated; refer to international human rights standards; mention particular human rights of relevance to the organisation; describe the procedure to exercise human rights due diligence; include clear assignment of responsibilities; mention relevant training of staff, and finally, it should be continually revised.

Overall findings

- Through the enactment of WWF's Social Policies, WWF International shows a commitment towards the respect of human rights in the context of its activities.
- Policies refer to international human rights standards (not explicitly mentioned in the WWF Policy on Poverty and Conservation).
- Such policies cascade through the WWF network but there is no structured roll-out yet.
- WWF Germany acknowledges the social policies.
- WWF Germany provides links to these social policies on its official website. However, such links are not easily accessible.
- Clear governance structure and assigned responsibility are not detailed in all policies.
- Commitment to implementation is enshrined, yet, not enough information on the how.
- Training and implementation capacity are mentioned only in a few policies.
- WWF International is currently working on the development of trainings on social policies and how to integrate them into the project cycle (from design phase to implementation) and the ambition is to make it mandatory and applicable to the whole WWF network.

WWF Germany current practices

Social policies are developed at WWF International for disbursement along the WWF network. WWF Germany does not develop its own social policies.

WWF International shows a commitment to human rights through the adoption of several policies, which embed the WWF Social Principles and are all publicly available. WWF International does not have one single policy on human rights covering all the elements set out in the UNGPs – instead WWF International has adopted several policies and commitments including a code of conduct, which cover many relevant aspects required by the UNGPs. These social policies apply to WWF Germany and are mentioned on the German official website. However, such links are not easily accessible.

As a general commitment to human rights, WWF International is one of the signatories of the *Conservation and Human Rights Framework* (in the context of the Conservation Initiative on Human Rights), in which a commitment to respect internationally proclaimed human rights and to make sure that no infringement on human rights occur while WWF's mission is envisaged.

There are other policies on specific relevant human rights issues in the context of WWF's activities, such as the *Indigenous Peoples and Conservation – WWF Statement of Principles*, which resorts to internationally recognised human rights standards. This policy is supplemented by the *Guidance on Mainstreaming WWF Principles on Indigenous Peoples and Conservation in Project and Programme Management*, which outlines further the implementation of WWF's statement of Principles on Indigenous Peoples and Conservation in WWF's Programme and Project Cycle. There is a *WWF Network Guidelines on the Prevention of Restriction of*

Rights and Involuntary Relocation and Resettlement of Indigenous Peoples and Local Communities, categorised as an internal policy, which supports the implementation of WWF's Social Policies. These policies constitute part of the implementation of the Conservation Initiative on Human Rights.

The WWF Policy on Poverty and Conservation embodies WWF's commitment to find equitable solutions for people and the environment. Implementation procedures within the organisation are envisaged. There is also a policy on gender equality, i.e. *the Gender Policy*, putting an emphasis on the importance of mainstreaming gender sensitivity across WWF's conservation policies, programmes and activities, including internal human resource policies, procedures and governance mechanisms.

WWF International also adopted a Code of Conduct, which embraces WWF's Code of Ethics. In line with the UNGPs requirements, the Code of Conduct's foreword is signed by WWF President and Director General.

Training and implementation capacity are mentioned in a few policies. We learned that trainings on social policies are currently under development – as the embedment of such policies in practice have been considered weak and inconsistent.

Accountability and clear assignment of responsibilities are detailed only in some policies, e.g. *WWF Policy on Poverty and Conservation*. There is currently a revision process on social policies and safeguards. This could affect the policies under assessment.

2. Procedures for the identification of actual and potential adverse impacts on human rights

Considerations for the analysis

The main focus of this part is to assess whether and to what extent WWF Germany has a procedure in place to identify, prevent and mitigate adverse impacts of WWF's activities on human rights in the context of wildlife conservation projects in protected areas.

Overall findings

- WWF Germany has a structured process concerning project design, planning and implementation as described in the *Projekthandbuch WWF Deutschland*. This process seems to apply mainly in the case of public funding.
- Risk assessment and risk management are part of the project management.
- Human rights are integrated insufficiently along the project cycle –
- only one general section in the risk assessment (RuQ) tool.
- It is not clear whether a right-holder's perspective is adopted while assessing human rights risks.
- Human rights are not addressed in-depth during internal project meetings.
- Donor requirements seem to trigger the use of specific human rights standards and safeguards.
- The Safeguards Working Group of WWF Germany is currently working on a review of safeguards based on a structured project plan and timeline. There is no clarity yet on how results will be implemented.
- There is a current review of social and environmental safeguards at the international level. So far, this is not linked to the work of the German Safeguards Working Group.

WWF Germany current practices

WWF Germany has a structured process for designing, planning, implementing and monitoring projects, which is reflected in the *Projekthandbuch des WWF Deutschland* and is used for conservation projects in protected areas.

This process is based on WWF Network's Standards of Conservation Project and Programme Management Standards (WWF PPMS) (also known as, the PPMS, the Programme Standards, or simply WWF Standards) and the Operational Network Standards (WWF ONS). *The Open Standards for the Practice of Conservation* from the Conservation Measures Partnership (CMP) provide the foundational roots for the WWF PPMS.

This process applies to projects with public funding. Interviewees noticed that a similar process could be developed for projects with WWF funds.

Drawn upon the international standards set out in WWF PPMS, the process in WWF Germany has six phases. For our assessment the following is relevant:

- In the initial phase, the so-called *Entscheidungsvorlage* is filled out and human rights considerations are not taken into account. According to the stakeholder engagement, although some discussions around the topic seem to occur, they are informal and not structured.
- In phase 3 (Project Development and Application), the following takes place:
 - WWF internal quality requirement: risk assessment (RuQ) tool in which an analysis of what general risk factors exist for the project and how they can be addressed is conducted – mitigation strategies are developed.

→ In the risk assessment (RuQ) tool, elements of human rights are considered. There is one section to describe the risks concerning social and environmental safeguards, e.g. working conditions, health & safety, land acquisition and involuntary relocation, indigenous or marginalised groups, right to education or right to food. This risk assessment (RuQ) tool is filled out by the project lead (PL) of each project. It is unclear how the different elements of this section are addressed and assessed.

→ Based on the interviews held with WWF staff members, the project lead (PL) briefs the Monitoring and Evaluation Team in meetings about the project goals and risks considerations – usually there is no in-depth discussion on the human rights topic. There is a perception that human rights are only briefly touched upon and that there is no mechanism to check the information provided in the risk assessment tool and no follow-up on the topic.

→ Further external requirement checks might occur in the case of public donors, e.g. the use of specific safeguards.

- In phase 5 (Project Implementation) risk management is envisaged.

→ The project leader takes over the summary provided by the risk assessment (RuQ) tool. Mitigation strategies developed in phase 3 are updated and documented in the risk registry.

→ During the project implementation, the risk registry is continually supplemented, non-relevant risks are eliminated, and mitigation measures are

documented. The responsibility for the management of the risk registry lies on the Project Leader. Measures vary depending on the level of risk.

→ Reporting and communication on a regular basis is envisaged. According to conversations with internal stakeholders, the internal reporting is unstructured and often occurs orally.

Additionally, there are practical guidelines (currently under revision) for mainstreaming the implementation of *WWF's Statement of Principles on Indigenous Peoples and Conservation* in Programme and Project Management, which are linked to the steps of the WWF PPMS. These include safeguard requirements. In order to see whether the guidelines are applicable or not, a preliminary screening is used to identify whether there are indigenous issues and concerns relevant to a project. If positive, the guidelines apply. In the same vein, *the Prevention of Restriction of Rights and Involuntary Relocation and Resettlement of Indigenous Peoples and Local Communities (IPLCs)* (WWF internal policy) also requires preliminary assessment of social impacts and risks prior to the onset of any project in areas and sites where WWF is potentially involved. Similarly, in the context of gender and diversity, there are guidelines in order to integrate gender and diversity in Programme and Project management, which are also linked to the steps set out in the WWF PPMS.

Our engagement with internal stakeholders suggests that no proper integration of such safeguards in current processes at WWF Germany takes place. For instance, interviews show that some staff members are not aware of social policies and/or not aware of the use or integration in current processes. Human rights concerns do not seem to be addressed in a structured and compre-

hensive manner. In some cases specific safeguards on social topics are applied due to donor requirements.

WWF Germany Safeguards Working Group is currently conducting a safeguard review. The Working Group was created in March 2018. There is a visible motivation from the Working Group to advance further on this topic. The use of safeguards and policies is not a legally binding requirement for the national offices but they commit to following WWF International standards due to trademark license. Interviewees commented that social safeguards were regarded as a low priority.

In parallel, WWF International is currently in the process of reviewing and revising the WWF Network Social and Environmental Safeguards system. The goal is to create one global framework that operates in line with international standards such as the ones from the World Bank and the International Union for Conservation of Nature (IUCN), as well as sound methods to harmonise the practice along the WWF Network and applicable projects. Information from our interviews suggest that the planned approach will consider a set of exclusion and methods to define areas where safeguards have to apply automatically (irrespective of the size and funding amount), e.g. risky operations and conflict areas. Finally, it will consider the further enhancement of grievance mechanisms not only at the local ground level but also at the international level through the creation of an ombudsman. Rounds of discussions will take place at the national offices, including Germany.

3. Measures to address (potentially) adverse human rights impacts

In this category, we looked at whether measures (e.g. trainings, management processes) to prevent or mitigate adverse impacts are integrated into current processes at WWF Germany. Through our analysis, we identified the following main human rights risk areas arising from BuzzFeed News' allegations:

- **Security Management**
- **Local communities**
- **Government relations**
- **Information sources – Use of informants**

The presentation of the overall findings will be structured by main human rights risk areas.

Considerations for the analysis

At this stage of the assessment, we looked at whether a risk assessment is conducted in the context of security arrangements. We looked at whether adequate measures are adopted and whether the assessment and measures are reviewed on a regular basis and whether security incidents and allegations of human rights abuses are investigated.

Additionally, we looked at the approach WWF Germany takes when resorting to public security forces, e.g. encouraging the implementation of adequate human rights training.

Overall findings

- WWF Germany is aware of security risks, especially those risks regarding anti-poaching operations.
- WWF Germany shows awareness of the risks of violent acts against rangers, as well as the risk of rangers to violate human rights in the Congo Basin. This includes situations related to the non-respect of the suspect's rights in anti-poaching operations and the rights of the local communities living around protected areas, including those of indigenous peoples.
- WWF International has developed in partnership with TRAFFIC a Zero Poaching Framework/Toolkit.
- At WWF Germany, we could not find an established risk assessment framework and monitoring procedures for security matters on the ground along the project cycle.
- WWF Germany is currently working together with the respective country offices on establishing and improving existing grievance mechanisms through which human rights abuses, including those related to security, can be reported.

- In general, rangers are assigned a law enforcement mandate, trained and employed by the state. WWF Germany and the respective country offices support those activities in various ways, depending on the setting.
- WWF and the Congolese Institute for Nature Preservation (ICCN) have proactively started joint investigations to identify previous and current cases of rangers being convicted for abuse of power but are still in service. Further investigations have been conducted together with KfW at the beginning of 2019 – the report is currently in the approval phase.
- There are other investigations related to abuse of power of rangers in Lobéké, e.g. “Conflicts, participation and co-management in protected areas. A case study of Lobéké National Park, Cameroon”, conducted by the Seminar für Ländliche Entwicklung (SLE) with support from the KfW Bank. Interviewees commented that WWF Cameroon and WWF Germany facilitated logistics and relevant background documents in full transparency. A summary was released in March 2019. The full report is not yet publicly available.
- WWF Germany together with respective country offices has taken steps to address the need of rangers to be trained on human rights, including the development of codes of conduct for rangers, a training manual for human rights and background checks when hiring new rangers.
- Funding coming through WWF Germany can be used to purchase equipment used by rangers. The responsibility to provide equipment to rangers is sometimes defined in the Memorandum of Understanding (MoU). We have not identified any clear guideline and procedure related to the provision of equipment to rangers.

Considerations for the analysis

We looked at whether WWF Germany has policies and procedures in place for the engagement with local communities, including consultation with potentially impacted communities and individuals through the free, prior and informed consent (FPIC) approach.

Overall findings

- WWF International issued practical guidelines (currently under revision) for mainstreaming the implementation of WWF's Statement of Principles on Indigenous Peoples and Conservation in Programme and Project Management, which are linked to the steps of the WWF PPMS. These guidelines provide recommendations on how to implement WWF's Statement on Indigenous Peoples and Conservation into programme and project cycle.
- These guidelines envisage engagement modalities with indigenous communities, including securing free, prior, and informed consent (FPIC). Interviews suggest that these approaches are not rolled out in a structured way.
- Statements in the interviews indicate that FPIC is carried out when new projects are set up. However, implementation guidelines do not seem to be precisely defined.
- WWF Germany has conducted engagement activities with local communities, e.g. facilitating the signing of a Memorandum of Understanding (MoU) between Baka people and the Cameroonian Ministry of Forests (MINFOF) for accessing protected areas in south-east Cameroon.

Considerations for the analysis

For this section, we looked at whether cooperation schemes with governments and national authorities are formally agreed and documented. Whether these documents include human rights expectations and if so, to what extent. Finally, we assessed whether a risk assessment is conducted to identify human rights risks areas and define an effective (and structured) way of engagement with national authorities.

Overall findings

- WWF Germany depends on state authorities to conduct its work in protected areas.
- WWF International through the respective country office engages with the relevant state authority through the adoption of a MoU. The agreement defines the relationship between the two parties concerning governance, incl. roles and responsibility, management and financing.
- We have identified human rights aspects, e.g. in the context of personnel training in the Central African Republic. However, based on the documents made available to us, we were unable to identify a structured procedure for communicating the human rights expectations of WWF Germany to state authorities.
- Some aspects touching on the issue of government relations are included in the risk assessment process while developing a new project, e.g. policy context and explanations on local political partners.

Considerations for the analysis

In the report entitled ‘Tools and Resources to Combat Wildlife Trade’,¹⁶ produced by the World Bank and partners (including WWF), the management of informants is considered an important tool in the development of complex investigations in the combat against wildlife trade. However, given the human rights risks that these activities entail, preventive measures should be in place.

We looked at whether clear guidelines on the use of informants and a process to monitor the compliance with these guidelines are established; whether risk assessments are conducted previously to the engagement of informants; whether measures are adopted to keep the identity of informants confidential, e.g. data security and risks associated with meetings, concerns of retaliation from criminals, and violence.

¹⁶ Tools and Resources to Combat Illegal Wildlife Trade (2018): pubdocs.worldbank.org/en/389851519769693304/24691-Wildlife-Law-Enforcement-002.pdf

Overall findings

- Collecting voluntary information on illegal activities through community members is part of WWF network's strategy to fight wildlife crimes.
- Intelligence handling varies from region to region and techniques are determined by unique local factors: in some countries WWF funds intelligence hotlines and/or proactively gathers intelligence and manages informants - and rewards them where applicable.
- WWF International has developed three draft documents (*Managing Information Sources, Guidance for Providing Support to Law Enforcement – Guidelines for Managing Informants and Guidance for Providing Support to Law Enforcement and Guidelines for Information Management*) to provide guidance on information management and the use of informants. These guidelines are still going through an approval process and therefore are not yet part of existing WWF Germany's official policies and practices.
- WWF International is very aware of the risks that these activities entail and therefore the need to have established guidelines. Several measures to manage risks are proposed in the draft documents, including:
 - to assess and manage risks associated with meetings with informants;
 - to conduct a human rights risk assessment in case external partners are used.
 - to consider the use of informants only if all other options of data collecting have been judged as ineffective at producing the desired outcome, and if safeguards are in place;
 - to follow processes and to take data security measures to protect the informant's identity;

4. Reporting

Considerations for the analysis

According to the UNGPs, in this section we assessed whether WWF Germany provides adequate reporting about its potential and actual impacts on human rights; whether WWF Germany's work is part of a risk sector and if so, whether it reports regularly to the public; whether an existing format of WWF Germany is used for communication in this regard; and whether there is any independent human rights-related reporting format.

For this section, *only* publicly available information was considered.

Overall findings

- WWF Germany reports on certain human rights topics, in particular on the positive progress with indigenous communities or on the dangerous working conditions of rangers.
- Current practices suggest that WWF Germany reports on their human rights challenges upon reaction from external stakeholders – yet not in a structured and formalised manner.

WWF Germany current practices

WWF Germany cooperates with indigenous peoples in order to protect their rights and include them in conservation projects, which can be read on its website. WWF Germany gives information about the positive progress in its different projects and its positive results. In their annual report,¹⁷ WWF Germany describes its work with indigenous peoples.

Our assessment suggests that WWF Germany reports on potential negative human rights impacts of their actions triggered by external stakeholders. In 2017 (and already prior to that), there were allegations from Survival International against rangers who violated indigenous peoples' (Baka) rights in and around protected areas in South-East Cameroon. WWF Germany supported projects in that area and on their website details the story and final report of the OECD-mediation process.¹⁸

WWF Germany operates in many countries, some of them being conflict-affected regions such as the Central African Republic (CAR), Democratic Republic of the Congo (DRC), Republic of the Congo (RoC), and Cameroon. WWF Germany communicates about the challenges the organisations faces while working in high-risk countries.¹⁹ These include working with non-democratic governments or the dangerous working conditions of rangers, however there is no structured reporting to the public.

Currently, there is no formal separate format WWF Germany uses to report regularly on human rights issues.

© 17 Jahresbericht WWF Deutschland 2017/2018: wwf.de/fileadmin/fm-wwf/Publikationen-PDF/WWF-Jahresbericht-2017-18.pdf

© 18 WWF zum OECD-Mediationsprozess (2017): wwf.de/themen-projekte/menschen-und-naturschutz/oecd-mediationsprozess/

© 19 Über die Vereinbarkeit von Menschenrechten und Naturschutz: wwf.de/themen-projekte/menschen-und-naturschutz/

5. Grievance mechanisms

Considerations for the analysis

For this section, we looked at whether WWF Germany contributes to the implementation of effective grievance mechanisms at the project level.

Considerations include, e.g. whether the mechanism is designed to be accessible to potentially affected people; whether anonymous complaints can be raised; whether the procedure is transparent; and whether the complaint process is regularly reviewed.

Overall findings

- The implementation of guidelines for setting up project complaint resolution process started in 2016 and is still under development.
- WWF national offices are required to implement the *WWF Network Project Complaints Resolution Process*.
- The design of the not yet functional mechanism in Salonga in DRC and the establishment of the human rights center in Dzanga Sangha in CAR show elements of good practice, in line with the UNGPs.
- A big challenge is the allocation of responsibility when law enforcement by the government cannot be guaranteed. Currently, there is no protocol of action on how to proceed with complaints that requires law enforcement measures.

WWF Germany current practices

WWF International set up a *WWF Network Project Complaints Resolution Process* in 2016 on how to receive and respond to complaints in a timely and effective manner. Further, WWF International and the Social Development for Conservation (SD4C) team explain in a guidance document how a country or project office can set up and implement the Project Complaints Resolution Process. WWF Germany is involved in the set-up and improvement of project complaint mechanisms in Cameroon, Democratic Republic of Congo (DRC) and Central African Republic (CA). The WWF International Project Complaints Officer is responsible for streamlining the social standards and grievance mechanisms across various regions. The WWF Complaints Resolution Process is overseen by the office of the Director General of WWF International.

Complaints raised by individuals or affected parties can be directed to WWF International and/or to the WWF country-specific grievance mechanism in place.

For this first assessment the following elements have been identified through document review of the different grievance mechanisms on the ground:

- The *Cameroon Complaints Resolution Process* sets a good example on how to set up access to the mechanism as easy and broad as possible by providing a phone hotline, multiple access points and the possibility to contact an entrusted person in case of illiteracy. The local NGO CEFAID, representing Baka people, manages the handling of the complaints and forwards them to WWF International. In Central African Republic, complaints are received by the Human Rights Centre, which was created specifically for that purpose.

- In general, anonymity for groups cannot be ensured. However, confidentiality is ensured as far as possible. The Cameroon Complaints Resolution Process specifically mentions that anonymity can be ensured for complaints filed by individuals. Affected parties (groups, communities) can also choose a representative to act on their behalf.
- In the case of Cameroon, the types of eligible complaints are not defined. In contrast with the not yet functional mechanism in Salonga, where the types of eligible complaints are clearly defined. Furthermore, there is distinction between two degrees of severity of complaints. Complaints with a low or medium degree are resolved through a mediation or negotiation process in order to find a joint and peaceful resolution between the concerned parties. Complaints concerning severe illegal activities such as abuses, use of violence, or similar, have a high degree of severity and require a judicial procedure. In those cases, complaints are planned to be handed over to the relevant state authorities.
- The complaints mechanism designed for Salonga envisages a confirmation of receipt of the complaint with a clear overview of the follow up process to the complainant.
- Since the implementation of project grievance processes is still in its starting phase, there has not been a regular review so far. One evaluation is currently being conducted in cooperation with the Human Rights Centre in CAR.

Recommendations

Conducting an assessment of current processes and practices with a human rights lens is an important step towards establishing a robust human rights due diligence in line with international human rights standards. WWF Germany shows its commitment to working further on strengthening human rights in the organisation. The following recommendations will help WWF Germany integrate further the respect for human rights into the organisation and its conservation activities. There should be room for open discussion on human rights in the context of conservation projects. For a sustainable approach in conservation, WWF projects should be aligned to human rights and the interest of the people living in and around the parks.

We recommend WWF Germany make very clear, both internally and publicly, that the respect for human rights always comes first.

We recommend WWF Germany take a leading role in the WWF network on human rights.

Embed the respect for human rights into the WWF Germany's organisational culture

An important factor for the respect of human rights across the organisation is raising awareness. Employees have to develop a common understanding on human rights and how they are impacted by WWF's work.

We recommend active communication on existing social policies and make them accessible through existing (internal) communication channels.

Another important step for the actual integration of human rights is the development of trainings. WWF International is currently designing trainings on social policies to embed them into the project cycle. This represents a good opportunity, so we recommend WWF Germany follow the development of such trainings and make sure that staff members follow the trainings – especially those actively involved in the development and implementation of conservation projects.

It is important that top management continues to be involved in the topic, underlining the importance for the organisation. Regular meetings at executive level should be considered.

Establish an effective governance for human rights

WWF Germany should consider establishing a new department or identifying an existing one to oversee the further implementation for human rights due diligence. Alternatively, or additionally, we recommend the creation of a cross-functional human rights committee. This committee would meet on a regular basis to move the discussion on human rights forward on latest developments, status quo of implementation, lessons learned, current challenges, etc.

In addition, we recommend enhanced synergies between WWF International and WWF Germany in the context of the review and revision of social policies and safeguards. There are currently two parallel revision processes regarding social policies and safeguards – one at WWF International level and the other at the WWF Germany level. It is vital that active exchange takes place in order to avoid double work, double standards and to harmonise and streamline social safeguards' practices. Meetings with representatives of the WWF International safeguards revision team took place in April.

Integrate human rights into the design, planning and monitoring of conservation projects

Social safeguards should be seen as an integral part of the project and not as an add-on element. The current safeguards review at WWF International level should be borne in mind.

We recommend WWF Germany integrate further human rights into the project cycle, especially in the following areas:

- In the initial phase, in particular in the so-called *‘Entscheidungsvorlage’*, possible human rights impacts should be reflected upon.
- Human rights considerations should be integrated in any project proposal – not only in those required by public donors, i.e. work on developing a standardised practice.
- Budget proposal should include the expected costs for addressing

the already identified human rights risks (e.g. expected costs for conducting FPIC; setting-up of a grievance mechanism).

- WWF Germany should clearly state to donors the resources needed to carry out measures to prevent human rights infringements.
- The section of ‘environmental and social safeguards’ in the risk assessment (RuQ tool) should be further developed. The right-holder’s perspective should be strengthened (e.g. stake-holder mapping) and a country-specific perspective should be adopted.
 - The main human rights risk areas identified through our assessment, in particular government relations; community impact and security arrangements should be

included and indicators developed drawn upon existing international standards, e.g. Voluntary Principles on Security and Human Rights.

- In high and medium risk projects, consider integrating indicators for further assessment, e.g. self-assessment tool for conflict-affected settings from International Alert organisation.
- Internal reporting should be done in a standardised manner and should be neutral, accountable and transparent. All internal staff members involved along the project cycle should be considered for the internal line of reporting. This will help WWF Germany identify adverse human rights impacts at an early stage and adopt appropriate actions.

Develop a consistent approach to ensure that the main human rights risk areas are addressed in conservation projects

WWF Germany has adopted several measures in the context of the project in protected areas, e.g. trainings on human rights for rangers, code of conducts for rangers, investigations on human rights abuses. We recommend WWF Germany find a more structured approach when adopting measures on the main human risk areas, i.e. working towards standardised practices. For instance:

- make sure that field research and investigations commissioned have proper follow-up and mitigation measures are adopted and communicated;
- encourage country offices to actively communicate human rights expectations when entering into agreements with governments;
- for rangers: require background checks in hiring processes; human rights trainings; code of conduct, standards for provision of equipment and bonus payments, etc.;
- use of FPIC in every project where indigenous communities are involved;
- adopt a clear public positioning on the use of informants.

Conduct human rights impact assessment in selected countries and projects

An important element of human rights due diligence is to conduct human rights impact assessment on a regular basis. They should start focusing on the high human rights risk areas (in particular, security management and local communities) and countries. One of the key aspects is the engagement with right-holders. The learnings from the human rights impact assessments should be integrated into the organisation's operations.

Continue working on the implementation of effective and accessible grievance mechanisms on the ground

WWF Germany is involved in the set-up of grievance mechanisms at the project level. We recommend the continued implementation of the existing Project Complaints Resolution Process by WWF International.

Functional grievance mechanisms are key for responding to actual adverse human rights impacts in the context of WWF Germany's projects and providing remediation. In order to reach communities on the ground, WWF Germany should continue collaborating with local NGOs.

Adopt a more proactive and transparent approach on human rights reporting

WWF Germany's approach towards transparency needs to be adapted to changing expectations of civil society, politicians, donors and other stakeholders.

We recommend reporting on human rights on a regular and structured basis in a stand-alone report. This will help WWF Germany build trust among stakeholders (e.g. donors, general public) and will enhance monitoring practices. The report should reflect the progress but also the challenges WWF Germany faces in the context of human rights due diligence.

Conclusion – A collaborative and learning journey

WWF Germany is part of a unique global network. Projects in protected areas are an important part of its mission to conserve the world's biological diversity. This includes working in some of the most remote areas of the planet and conflict-affected settings.

By undertaking a first assessment of its current human rights due diligence practices, WWF Germany has shown great willingness to embrace its responsibility to respect human rights. Nevertheless, this will be a demanding learning process for the upcoming years. Successfully managing conservation projects in unstable settings will require intense internal debate and a deeper engagement on human rights with external stakeholders.

Towards a structured approach on human rights

An overview of the next steps, drawn from the recommendations in this report.

Leaders in human rights due diligence >>

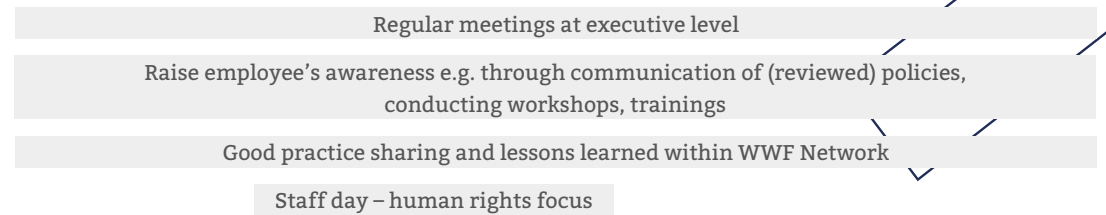
First assessment

- **Report incl. recommendations**
Human rights due diligence WWF Germany, focus: wildlife conservation projects/ specific protected areas

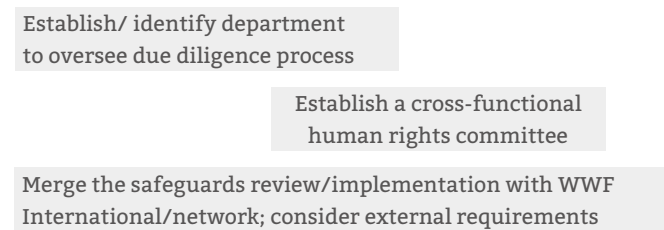
Implementing recommendations, supported by Löning – Human Rights & Responsible Business

- **Kick-Off Workshop:** Onboarding, overview operating activities, risk mapping
- **Prioritisation** for defining next steps
- Possible consideration of further areas of WWF's work

Human rights in WWF Germany's organisational culture



Effective governance



Build up a robust human rights approach within the project cycle and beyond



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