



## **Terms of Reference**

### **Environmental and Social Due Diligence (ESDD) Consultant(s)**

#### **For the four Wildlife Management Areas (WMAs) adjacent to the Botswana component of the Kgalagadi Transfrontier Park**

##### **Background**

African Parks (AP) is a non-profit conservation organisation that partners with national governments to manage and restore protected areas across Africa through long-term management agreements. Under these mandates, African Parks assumes operational responsibility for protected areas while working closely with government authorities and other stakeholders to strengthen biodiversity conservation, improve wildlife protection, and support sustainable tourism and community benefits.

AP currently manages 24 protected areas in 13 countries covering over 20 million hectares in Angola, Benin, Central African Republic, Chad, the Democratic Republic of Congo, Ethiopia, Malawi, Mozambique, the Republic of Congo, South Sudan, Rwanda, Zambia, and Zimbabwe.

A core element of African Parks' management approach is the integration of environmental and social safeguards into governance and operational systems. The organisation places strong emphasis on compliance with national legislation, alignment with international best practice, respect for human rights, and meaningful engagement with communities and Indigenous Peoples. As African Parks frequently assumes responsibility for areas with inherited environmental, social, and institutional challenges, Environmental and Social Due Diligence (ESDD) is undertaken at the start of new mandates to identify key risks, establish baseline conditions, and guide early-phase safeguards actions.

##### **Kgalagadi Transfrontier Park (Botswana Component)**

AP is the implementing partner for the EU-funded project between IUCN and the Government of Botswana for the Botswana component of the Kgalagadi Transfrontier Park (KTP) and recently registered the Kgalagadi Management Company (KMC) as the legal entity for AP in Botswana.

As a priority activity an Environmental and Social Due Diligence is commissioned.

KTP is a large arid and semi-arid transboundary protected area characterised by extensive dune systems, dry riverbeds (notably the Nossob and Auob river systems), sparse vegetation, and wildlife adapted to extreme desert conditions. The Botswana component borders South Africa and Namibia and includes environmentally sensitive areas as well as communities and stakeholders with historical, cultural, and livelihood connections to the landscape.

## Statement of Need

The purpose of the ESDD is to identify existing, inherited, and potential environmental and social risks, liabilities, and opportunities at the outset of African Parks' management and to ensure alignment with Botswana legislation, African Parks safeguards, donor expectations, and applicable best practice safeguards.

## Objectives

The overall objective is to provide African Parks with an independent, risk-based assessment of environmental and social conditions associated with the Botswana component of KTP at the commencement of the project.

Specific objectives are to:

- Identify and assess environmental, social, cultural heritage, health and safety, and human rights-related risks and liabilities.
- Distinguish legacy risks inherited at the start of the mandate from risks associated with current or planned African Parks operations.
- Assess compliance with applicable Botswana environmental, labour, and cultural heritage legislation.
- Evaluate alignment with relevant international safeguards frameworks.
- Review existing management systems, governance arrangements, and institutional capacity related to safeguards.
- Develop a prioritised Environmental and Social Action Plan (ESAP) suitable for early-mandate implementation.
- Assess actual and potential human rights impacts arising from the management of the protected area, including impacts linked to conservation operations and associated relationships.
- Identify vulnerable or at-risk groups within affected communities, including Indigenous Peoples, women, youth, and other groups that may be disproportionately affected by protected area management or conservation law-enforcement activities.
- Identify any existing or historic grievances, allegations, or claims related to park management or conservation enforcement, and assess associated risks and liabilities.
- Assess actual and potential human rights impacts arising from conservation law-enforcement and security activities, including impacts of prior enforcement practices and potential future risks under African Parks' management.
- Undertake a focused assessment of Indigenous Peoples present in or associated with the KTP landscape, including legal recognition under national law, socio-economic status relative to the general population, reliance on natural resources, and vulnerability to project-related risks.

The Consultant must engage with stakeholders including local NGOs, Botswana government partners, and other institutions operating in the landscape to gain deeper insights into the socio-cultural context and to incorporate independent perspectives into the assessment.

### Applicable Standards

The ESDD must be adequate, objective, and credible. The Consultant shall apply relevant international & national safeguards standards, adapted to the conservation and protected area context. Applicable reference frameworks include:

- World Bank Environmental and Social Framework (2016)
- IFC Performance Standards on Environmental and Social Sustainability (2012)
- United Nations Guiding Principles on Business and Human Rights (2011)
- ILO Convention 169 on Indigenous and Tribal Peoples (1991)
- United Nations Declaration on the Rights of Indigenous Peoples (2007)
- Voluntary Principles on Security and Human Rights (2010)
- Convention on Biological Diversity (1992)
- IUCN Environmental and Social Management System (ESMS)
- Botswana's statutory provisions on environmental and social safeguards including for instance [Environmental Assessment Act \(Chapter 65:07\)](#), CBNRM Framework, [Wildlife Conservation and National Parks Act \(Chapter 38:01\)](#)

### Intellectual Property

All reports, documents, datasets, drawings, images, software, and other materials produced by the Consultant under this assignment ("Deliverables") shall be deemed the property of the purchaser. The Consultant shall retain no ownership rights over such Deliverables but may, with prior written consent of the purchaser keep copies for internal reference. Any pre-existing intellectual property brought into the assignment by the Consultant shall remain the Consultant's property, provided that purchaser is granted a non-exclusive, worldwide, royalty-free license to use such materials strictly for the purposes of the project. The Consultant warrants that all Deliverables are original and do not infringe upon third-party intellectual property rights. All intellectual property rights arising from the Deliverables shall vest in purchaser is, which may use, reproduce, publish, adapt, and disseminate them without limitation. The purchaser is will grant the Consultant a non-exclusive, worldwide, royalty-free, educational and non-commercial license to use the Deliverables generated during the assignment.

### Reporting, Ethics, and Confidentiality

All information collected shall be treated as confidential and used solely for the purposes of this Park Management Plan (PMP) and or WMA Management Plans. Consultants must adhere to

ethical research standards, including informed consent and sensitivity to cultural, social, and security considerations.

### Scope of Work

The ESDD shall apply to the Botswana component of the Kgalagadi Transfrontier Park and the intervention areas adjacent to the Park. The South African and Namibian components are largely excluded, except where transboundary dynamics directly influence environmental or social risks on the Botswana side.

This shall explicitly include a review of impacts of prior law-enforcement and security activities, including any historical allegations, incidents, grievances, or community perceptions, and an assessment of potential future risks associated with African Parks' operational role.

Consultants are expected to propose a risk-based and proportionate methodology that includes:

- **Desk review and preparation**, including review of management agreements, policies, plans, incident records, legal frameworks, and documentation publicly available and provided by African Parks; desk-based research on Botswana and the KTP landscape; and preparation of site visits and stakeholder engagement plans.
- **Field-based data collection**, including targeted site visits to park facilities, surrounding communities, and engagement with relevant stakeholders, subject to access, safety, and operational considerations.
  - The Consultant shall ensure that all project activities involving local communities are undertaken in accordance with the principles of Free, Prior and Informed Consent (FPIC).
- **Stakeholder engagement**, through key informant interviews and consultations using culturally appropriate, ethical, and inclusive approaches.
- **Risk screening and assessment**, involving identification, classification, and prioritisation of environmental and social risks in alignment with applicable safeguards standards. This shall include an assessment of human rights risks associated with conservation law-enforcement activities, including ranger conduct, use-of-force practices, detention procedures where applicable, and interactions with local communities, as well as identification of any past allegations or incidents relevant to the landscape.
- **ESAP development**, identifying compliance gaps and recommending practical, prioritised corrective actions. The draft ESAP shall be workshopped with African Parks to ensure feasibility and strategic alignment.
- **Reporting and presentation**, including preparation of a formal ESDD report in English and presentation of findings and recommendations to African Parks (in person or remotely).

## **Environmental Safeguards**

The Consultant shall assess at a minimum:

- Ecosystems, habitats, and biodiversity values within the Botswana component of KTP.
- Sensitive habitats, protected species, ecological connectivity, and ecosystem services.
- Existing and historical environmental impacts and liabilities linked to infrastructure and operations.
- Wildlife management risks, including poaching, human-wildlife conflict, cross-border movements, and artificial water provision.
- Climate change risks, including drought, heat stress, and water scarcity.
- Waste management, pollution risks, and hazardous materials handling.

## **Social Safeguards**

The assessment shall include:

- Stakeholder identification and mapping, including communities, traditional authorities, service providers, and government institutions.
- Review of land tenure, access arrangements, and historical land use, including legacy displacement or access restrictions.
- Assessment of community-park interactions, including livestock incursions, resource use pressures, and human-wildlife conflict.
- Review of consultation processes, benefit-sharing arrangements, and grievance mechanisms.
- Assessment of labour and working conditions for park staff, scouts, and contractors.
- Identification of vulnerable or marginalised groups within communities and assessment of how park management activities may differentially impact these groups.
- Comparative socio-economic assessment of Indigenous Peoples relative to the general population.

## **Indigenous Peoples and Cultural Heritage**

- Identification of Indigenous or traditionally associated groups, including San/Basarwa communities where applicable.
- Review of measures for protection and management of tangible and intangible cultural heritage.
- Review of recognition under Botswana national law and international frameworks
- Assessment of socio-economic status and reliance on natural resources

## **Health and Safety**

- Occupational health and safety risks associated with remote operations, extreme climatic conditions, and law-enforcement activities.
- Community health and safety risks related to wildlife interactions, tourism activities, and park infrastructure.
- Review of conservation law-enforcement practices, ranger conduct, use-of-force procedures, and detention practices where applicable, including identification of any prior claims, allegations, or incidents, and assessment of alignment with human rights standards and African Parks safeguards.

## **Law Enforcement, Security, and Human Rights**

The ESDD shall include a dedicated assessment of conservation law-enforcement and security functions associated with management of the Botswana component of Kgalagadi Transfrontier Park as well as the adjacent WMAs

This shall include, at a minimum:

- Review of conservation law-enforcement mandates, roles, and coordination with government and other security actors.
- Assessment of prior and inherited law-enforcement practices, including any documented or alleged incidents, grievances, or community concerns.
- Analysis of social and human rights impacts of historical enforcement activities on communities and Indigenous Peoples.
- Assessment of current and planned law-enforcement practices under African Parks' management, including ranger conduct, use-of-force practices, detention procedures where applicable, and community engagement.
- Identification of potential future risks linked to changes or expansion of enforcement activities.
- Review of alignment with the Voluntary Principles on Security and Human Rights and applicable Botswana legislation.
- Development of mitigation and monitoring measures for inclusion in the ESAP.

The assessment shall clearly distinguish legacy risks inherited at the start of the mandate from risks associated with African Parks' operations.

## **Governance, Legal, and Institutional Capacity**

- Review of governance structures and management roles for KTP Botswana.
- Legal and regulatory compliance review, including environmental, labour, cultural heritage, and protected area legislation.

- Assessment of coordination with the Department of Wildlife and National Parks (DWNP), district authorities, and transboundary partners.
- Identification of capacity gaps related to safeguards implementation and monitoring.

### Expected Deliverables

The Consultant shall deliver:

1. Inception Report (End of Week 3)
2. Environmental and social risk assessment (Gap analysis) (End of Week 5)
3. Draft ESDD Report (End of Week 5)

Please note that the draft report should include :

- a) Conservation law-enforcement legacy impacts and future risk assessment; and
  - b) Indigenous Peoples legal status, socio-economic profile, and resource reliance.
4. Environmental and Social Action Plan (ESAP) (End of Week 8)
    - a) Please note the ESAP includes a proposed framework for ongoing environmental and social safeguards oversight, including recommended reporting lines, monitoring indicators, and feedback or grievance mechanisms to support continuous risk management during implementation of the ESAP feedback. This framework is done in collaboration with the project team (End of Week 8)
  5. Final ESDD Report incorporating African Parks feedback (End of Week 8)

### Timeline

A suggested timeline should be suggested based on the area, sample size etc. but is assumed to be **six (6) to eight (8) weeks** from contract signature, subject to site access and stakeholder availability.

### Logistics

African Parks, through the Regional Safeguards Manager and KTP park team, will support the assignment by facilitating:

- Local travel within KTP
- Transport for meetings with communities and stakeholders
- Introductions to local leaders and stakeholders
- Security assessments for field activities

The Consultant is expected to identify a suitable local partner to support contextual understanding, translation, moderation of focus group discussions, and culturally appropriate community engagement.

## **Budget**

The Consultant shall submit a detailed budget covering professional fees, international travel, and other relevant costs. Payment will be linked to deliverables as follows:

- Inception Report – 20%
- Gap Analysis – 30%
- ESAP – 30%
- Final ESDD Report – 20%

The Consultant shall submit a detailed budget covering professional fees, international travel, and other relevant costs. All supporting logistics should be covered in the budget submitted.

The Consultant is expected to identify a suitable local partner to support contextual understanding, translation, moderation of focus group discussions, and culturally appropriate community engagement.

## **Reporting, Ethics, and Confidentiality**

All information collected shall be treated as confidential and used solely for the purposes of this ESDD. Consultants must adhere to ethical research standards, including informed consent and sensitivity to cultural, social, and security considerations.

## **Consultant Eligibility with screening criterion**

- Minimum 5 years of relevant safeguards experience (High)
- Africa experience (Botswana/southern Africa preferred) (High)
- Safeguards expertise and application of international standards (High)
- Stakeholder engagement experience (High)
- Conservation or protected area experience (Medium)
- Arid/semi-arid ecosystem experience (Medium)
- Multidisciplinary team with senior social safeguards specialist (High)
- Strong analytical and reporting capacity (High)
- Fluent in written and spoken English and Setswana (High)
- Willingness to conduct fieldwork in Botswana (High)

## **Proposal Submission Requirements**

Interested Consultants shall submit:

- A technical proposal outlining understanding of this TOR, methodology, workplan, and team composition
- A financial proposal with a clear budget summary
- CVs of key personnel and examples of relevant assignments

- In the case of a company submitting, letters of registration/incorporation must be included, making it clear organisation is eligible to operate in Botswana
- All submissions must include a brief cover letter outlining relevant experience and suitability. The proposals will be scored on the above eligibility criteria with 40% on price and 60% on quality.

**Applications should be submitted electronically to:  
KTP procurement on Email: [ktpprocurement@africanparks.org](mailto:ktpprocurement@africanparks.org)**

- Request for Proposals (RFP) issued by KMC by June 25<sup>nd</sup> and proposals submitted by bidders COB MJuly 16th
- Selection of Preferred and Back-up bidders by July 21st
- Final negotiation and signing of contract for work to start by August 1<sup>st</sup>, 2026

*Disclaimer: This request for proposals does not obligate KMC to select any party, nor to explain any decisions in this regard. The terms and time-lines above are indicative and may be changed by KMC. All expenses incurred in the preparation, of this submission, as well as any associated site visits to Kgalagadi Transfrontier Park shall be for the interested party's own account. KMC agree not to disclose any confidential information contained in the submission to third parties unless expressly agreed by the interested party. The decision by the KMC Selection Committee is final.*