

GEF-8 REQUEST FOR International Waters enabling activity

Proposal for Funding Under the GET
Processing Type: Expedite

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A. Funding Elements

GEF-8 Program	Trust Fund	GEF Financing (\$)
IW-2	GET	2,450,000.00
Total Enabling Activity Cost		2,450,000.00

Does the enabling activity deviate from typical cost ranges? Yes No

If yes, please describe

B. Enabling Activity Summary

Enabling Activity Objective

The objective of the Enabling Activity (EA) grant is to support countries in: (a) assessing the extent to which their current legal, policy and institutional framework allows for promptly becoming parties to the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement) and enables their implementation of the Agreement; (b) carrying out preparatory work in the context of their ratification, approval, acceptance or accession process towards becoming parties to the BBNJ Agreement; and (c) supporting their readiness to implement the BBNJ Agreement.

Enabling Activity Summary

The UNCLOS, adopted in 1982, sets out the legal framework within which all activities in the oceans and seas must be carried out. It was then supplemented by two implementing agreements. Although UNCLOS contains provisions for the protection and preservation of the marine environment and the sustainable management of ocean resources, the UN General Assembly recognized that there was a need for the comprehensive legal regime under UNCLOS to better address the conservation and sustainable use of marine biodiversity of ABNJ. Ultimately, this recognition culminated in the adoption of the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction” (the BBNJ Agreement) on 19 June 2023, after nearly two decades of negotiations under various format.

The BBNJ Agreement is the outcome of a long, iterative process that was initiated by the United Nations General Assembly (UNGA) in 2004. This process, as detailed in GEF Council document GEF/C.64/12/Rev.025, was completed with the adoption of the Agreement at the further resumed fifth session of the Intergovernmental conference on an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, in June 2023. The BBNJ Agreement is the third implementing agreement to the UNCLOS. The Agreement opened for signature on 20 September 2023 and, as of 10 June 2024, has 90 signatories, including [46] countries currently supported by the GEF. Seven of those signatories have deposited their instrument of ratification with the Secretary-General of the United Nations. Sixty instruments of ratification, approval, acceptance or accession are required for the Agreement to enter into force. The UNGA, in its resolution 78/272, emphasized the importance of the early entry into force and effective implementation of the Agreement. To this end, timely support to national processes towards becoming parties to the Agreement and implementation readiness is critical.

This EA will address the need to facilitate the rapid entering into force and early implementation of the BBNJ Agreement. The EA builds upon the previous experiences of the GEF in providing national ratification support to developing countries for several Multilateral Environmental Agreements, including the Nagoya Protocol to the Convention on Biological Diversity (CBD) and the Minamata Convention on Mercury, and in supporting some countries, as part of regular projects and programs for the International Waters focal area, in the context of their efforts to become parties to the United Nations Fish Stocks Agreement and the FAO Port State Measures Agreement.

This EA has been developed in line with the GEF-8 Programming Directions and GEF Council Decision 14/2023 and is consistent with the initial guidance document GEF/C.66/07. It will be implemented in parallel with other pre-ratification support provided by the GEF through FAO, UNEP and UNDP through the MSP 'Global and regional support to the BBNJ Agreement ratification process', also developed in line with document GEF/C.66/07.

Supported countries will prepare an initial BBNJ assessment, including, as appropriate to the country: (1) an overview of the country's situation with respect to the conservation and sustainable use of BBNJ and its potential impacts; (2) an overview of the institutions and legal and regulatory frameworks already in place in relation to the BBNJ Agreement; (3) progress towards ratification, approval, acceptance or accession, including the identification of legal or regulatory gaps that need to be addressed prior to ratification, approval, acceptance or accession; and (4) main challenges to ratification, approval, acceptance or accession and future implementation, including priority capacity-building needs, as detected via the overviews required.

National-level support to develop this initial BBNJ assessment, carry out the ratification process and support implementation readiness will be provided as a menu of options and could include (1) the determination of national situation with respect to the conservation and sustainable use of BBNJ and potential impact; (2) a national legal, regulatory, and policy gap assessment; (3) drafting of national legislation and regulations; (4) awareness raising and targeted outreach on opportunities, rights and obligations under the Agreement; (5) development of national implementation readiness strategies; and (6) other national-level activities identified by countries that are demonstrably required to support ratification, approval, acceptance or accession and/or implementation readiness in a given national context.

Each national-level grant should not exceed USD 175,000 (including project management costs).

ENABLING ACTIVITY COMPONENTS

Component 1: Creating the enabling conditions for the Agreement's swift entry into force and initial implementation

GEF Enabling Activity Financing (\$): 2,104,774.00

Outcome:

Outcome 1:

Participating countries are better positioned to ratify the Agreement and have implementation readiness

Output:

Output 1.1

A BBNJ initial assessment conducted and reported for each participating country, which will include, as applicable to the specific context:

- i. An overview of the country situation with respect to the conservation and sustainable use of BBNJ and potential impact thereon;

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- ii. An overview of the institutions and legislative and regulatory framework already in place in relation to the Agreement;
 - iii. Progress towards ratification, approval, acceptance or accession, including identification of legal or regulatory gaps to be addressed prior to ratification, approval, acceptance or accession;
 - iv. Main challenges to ratification, approval, acceptance or accession and future implementation, including priority capacity building needs.

Output 1.2

Participating countries may select from a menu of options, which best respond to specific needs, for national support to carry out the ratification, approval, acceptance or accession processes and support implementation readiness. These activities may feed into the development of the Output 1.1 BBNJ initial assessment:

- a. Documented assessment of national situation with respect to the conservation and sustainable use of BBNJ and potential impact thereon (e.g., mapping of relevant stakeholders and activities under the country's jurisdiction or control; of relevant traditional knowledge of Indigenous People and Local communities; inventory of repositories, databases and national research and utilization capacities associated with marine genetic resources in ABNJ).
- b. National legal, regulatory, and policy gap assessment, and/or governance, institutional and administrative capacity gap assessment, and/or scientific, technical and infrastructure capacity gap assessment for the implementation of the country's obligations under the BBNJ Agreement, including with regards to:
 - i. Notification on activities with respect to marine genetic resources and digital sequence information on marine genetic resources of areas beyond national jurisdiction.
 - ii. The fair and equitable sharing of benefits arising from these activities, including gender equality considerations.
 - iii. Traditional knowledge of Indigenous Peoples and local communities associated with marine genetic resources in areas beyond national jurisdiction.
 - iv. Monitoring of activities with respect to marine genetic resources and digital sequence information on marine genetic resources of areas beyond national jurisdiction.

- i. The development of proposals, consultations on and assessment of proposals, and implementation of area-based management tools, including marine protected areas, and related measures.
 - ii. The conduct of environmental impact assessments according to the process established by the BBNJ Agreement, and monitoring and review of impacts of authorized activities.
 - iii. Monitoring of implementation and reporting.
- a. Drafting national legislation and regulations, including through inclusive and gender-responsive national stakeholder consultation processes, as required by national ratification, approval, acceptance, or accession processes.
 - b. Awareness raising and targeted gender-responsive outreach products on opportunities, rights, and obligations under the Agreement, including within the legislative and executive branches of governments. As appropriate, national implementation readiness strategies, for addressing identified needs and gaps for implementation.
 - c. Other national-level gender-responsive activities/products identified by countries that are demonstrably required to support ratification, approval, acceptance, or accession and/or implementation readiness in a given national context.

M&E

GEF Enabling Activity Financing (\$): 122,500.00

Outcome:

Effective project implementation based on adaptive management and lessons learned.

Output:

A gender-sensitive project M&E system designed and operational

Component Balances

Project Components	GEF Enabling Activity Financing (\$)
Component 1: Creating the enabling conditions for the Agreement's swift entry into force and initial implementation	2,104,774.00

M&E	122,500.00
Subtotal	2,227,274.00
Project Management Cost	222,726.00
Total Enabling Activity Cost	2,450,000.00

Please provide justification

As per MSP rules and as also approved for FAO.

SECTION 2: ENABLING ACTIVITY SUPPORTING INFORMATION

C. Eligibility Criteria

Please provide eligibility information for this enabling activity.

The BBNJ Agreement provides that “Eligibility for access to funding under this Agreement shall be open to developing States Parties on the basis of need” (Article 52, paragraph 12). Until the Conference of the Parties (COP) to the Agreement, or the Preparatory Commission established by UN General Assembly resolution 78/272 to prepare for the entry into force of the Agreement and the convening of the first meeting of the Conference of the Parties to the Agreement, provides guidance to the GEF on eligibility criteria to be applied for the purpose of the BBNJ Agreement, GEF grants are to be in accordance with eligibility criteria stated in paragraph 9(b) of the GEF-8 Instrument.

The GEF support for ratification and implementation readiness will thus be provided upon request, as expressed through a Letter of Endorsement signed by the GEF Operational Focal Point, to developing countries that:

- (a) have signed the BBNJ Agreement, or have taken meaningful steps towards becoming a Party to it, as evidenced by a letter from the relevant minister to the head of the BBNJ Secretariat and, in the interim, to the United Nations Legal Counsel, and to the CEO and Chairperson of the GEF; and
- (b) are eligible for World Bank (IBRD and/or IDA) financing or eligible recipients of UNDP technical assistance through its target for resource assignments from the core (TRAC).

D. Institutional Framework

Describe the institutional arrangements for implementation of the enabling activity.

Project execution at the national level

The government national ministry(s) responsible for responsible for BBNJ Agreement ratification, approval, acceptance or accession, or its implementation in each participating country, or otherwise appointed by the Ministry, will be the National Executing Agency (NEA). The NEAs will coordinate the activities of the EA within each country.

Through the Global/Regional MSP “Global and regional support to the BBNJ Agreement ratification process” FAO, UNEP and UNDP, UNDP, in collaboration with the secretariat to be established under the BBNJ Agreement, and in the interim, with the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations (UNDOALOS), will be able to provide technical assistance to the NEAs to enhance States’ implementation readiness capacity and share awareness raising and outreach materials on the BBNJ Agreement.

Countries are expected to involve a **wide multi-sectoral group of stakeholders** in the various stages of execution of the EA. UNEP will provide the Countries with assistance on stakeholder engagement so that indigenous peoples and local communities (IP&LCs), women, women’s group, gender experts, youth, academia, and other typically marginalized stakeholders are engaged in the stakeholder consultation process from the outset. At a minimum, the following sets of actors should be engaged:

1. Relevant national and local ministries, multisectoral government ministries, and other government authorities responsible for the BBNJ Agreement;
2. Non-government national stakeholders including academia, women groups, and civil society organizations;
3. IPLCs;
4. Private sector entities;
5. International governmental and non-governmental organizations

Gender mainstreaming is an important aspect of the BBNJ agreement. UNEP will ensure that key dimensions of gender are integrated into the project, including improving understanding of the gender-related linkages with marine Areas Beyond National Jurisdiction (ABNJs) to support more sustainable outcomes; understanding the steps related to gender equality and women's empowerment; identifying opportunities for women that make use of their specific knowledge; strengthening efforts to involve women in the ratification and implementation of the BBNJ Agreement; and ensuring that the project monitors and regularly reports on gender-specific results/gender dimensions of the project.

During the implementation of the EA, countries will ensure that its implementation benefits all people, including women, equally and equitably. The EA project will address gender mainstreaming by:

1. Ensure that decision-making processes are inclusive and representative of diverse perspectives.
2. Conduct regular gender analyses and monitoring to identify potential impacts on women's lives and livelihoods in all sea-related activities.
3. Develop capacity building and training programs that prioritize gender equality and women's empowerment.
4. Encourage inclusive stakeholder engagement and participation from diverse groups.
5. Address intersectional issues that affect women's lives.
6. Ensure regular monitoring and reports on gender-specific results/gender dimensions.

The role of GEF Agencies in project implementation

The implementing agency will disburse funds to each country. The GEF implementing agency will process the proposals, legal instruments and disbursements to the countries according to existing protocols for each implementing agency. Funds will be disbursed upon signature of legal agreements, which will include detailed deliverables, timelines, risk mitigation plans and fiduciary requirements, roles and responsibilities for progress and financial reporting, and detailed descriptions of roles and responsibilities for supervision, monitoring and verification. Funds will be disbursed on a quarterly or semi-annual basis against requests for funds, which are prepared against work plans and budgets, and financial and narrative progress reports.

Financial management of GEF resources is carried out in accordance with the rules and procedures of the agencies. The NEA are responsible for achieving the agreed project results and for the effective use of funds provided by the Agencies. Financial management and reporting of the transferred funds will be carried out by the executing partners in accordance with the terms, conditions, formats and

requirements of the GEF Agency, as detailed in the contractual agreements. The management of funds received from the GEF Agency by the EAs shall be carried out in accordance with its own financial regulations, rules and procedures, which shall provide for adequate controls to ensure that the funds received are properly managed and expended. The EAs shall keep accounts in accordance with generally accepted accounting standards.

E. Monitoring and Evaluation Plan

Describe the budgeted M&E plan.

The EA will implement a monitoring and evaluation (M&E) Plan that adheres to GEF and the UNEP requirements, enables effective evaluation of project progress and impact, reflects the needs of women, youth, IP&LCs, and other stakeholder groups, and will effectively monitor social and environmental safeguards risks. These activities will ensure that the project monitoring system operates effectively, systematically provides information on progress, and informs adaptive management to ensure that the intended outcomes are achieved.

The project will follow United Nations Environment Programme (UNEP) and Global Environment Facility (GEF) minimum requirements for project monitoring, reporting, evaluation processes and procedures. Substantive and financial project reporting requirements are an integral part of the UNEP legal instrument that will be signed by the National Executing Agency and UNEP. The Monitoring and Evaluation (M&E) process will include an end of project assessment undertaken by an independent reviewer. The project will be evaluated on the basis of: execution performance, output delivery, and project impact. Evaluation of the project's success in achieving its outcomes will be monitored continuously throughout the project including through a) a project log frame b) a project's web-based portal managed at the Global Regional MSP to allow monitoring of the status of the project implementation by updating the portal regularly c) Project Steering Committee (PSC). The project steering committee will be composed of GEF Operational Focal Point, NEA focal Point and UNEP. d) The M&E process will be guided by key deliverables and benchmarks captured in a costed M&E plan consistent with the GEF Monitoring and Evaluation policy and fully detailed as part of the legal agreement with the NEA.

Day-to-day project management and monitoring will be the responsibility of the NEA. The project monitoring will start with the national inception workshop and the development of a detailed work-plan, budget and detailed monitoring and evaluation plan with key stakeholders.

The NEA will develop and submit to UNEP technical and financial reports every quarter describing the progress according to the work-plan and budget, identifying obstacles that occurred during implementation and the remediation actions to be taken. UNEP will monitor the project progress according to the work-plan on a regular basis and provide guidance to the NEA to progress according to the work-plan. The Enabling Activity does not require a PIR. In lieu of the annual PIR reporting, the project will provide project status data during the annual reporting period in the GEF Portal. Upon completion of the activities, the NEA will prepare a terminal report and final statement of accounts. The final financial audit will review the use of project funds against budget and assess probity of expenditure and transactions. The final audit is to be developed by an independent audit authority (a

recognized firm of public accountants or, for governments, a government auditor). The final audit is to be sent to UNEP within six months after the technical completion of the project. Templates for the quarterly progress and financial report, terminal report and final statement of accounts will be provided by UNEP. An independent terminal review (TR) will take place at the end of project implementation, latest 6 months after completion of the project. The TE will provide an independent assessment of project performance (in terms of relevance, effectiveness and efficiency), and determine the likelihood of impact and sustainability. It will have two primary purposes: (i) to provide evidence of results to meet accountability requirements, and (ii) to promote learning, feedback, and knowledge sharing through results and lessons learned among UNEP and NEA. The direct costs of the evaluation will be charged against the project evaluation budget. The TE report will be sent to project stakeholders for comments. Formal comments on the report will be shared by the independent external consultant in an open and transparent manner. Project performance will be assessed against standard evaluation criteria using a six-point rating scheme. The final determination of project ratings will be made by the independent external consultant when the evaluation report is finalised. The evaluation report will be publicly disclosed and will be followed by a recommendation compliance process.

The progress reporting and terminal reporting will provide a special emphasis on the gender results/dimensions.

SECTION 3: INFORMATION TABLES

F. GEF Financing Resources Requested by Agency, Country and Programming of Funds

GEF Agency	Trust Fund	Country/ Regional/ Global	Focal Area	Programming of Funds	GEF Enabling Activity Financing (\$)	Agency Fee (\$)	Total (\$)
UNEP	GET	Cambodia	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Cameroon	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Costa Rica	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Ecuador	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Liberia	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Maldives	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Mozambique	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Nigeria	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Panama	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Senegal	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Seychelles	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Somalia	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Cook Islands	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
UNEP	GET	Albania	International Waters	International Waters: IW-2	175,000.00	16,625.00	191,625.00
Total GEF Resources					2,450,000.00	232,750.00	2,682,750.00

Sources of Funds for Country Star Allocation

GEF Agency	Trust Fund	Country/	Focal Area	Sources of Funds	Total(\$)
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		Regional/ Global		
Total GEF Resources				0.00

G. Rio Markers

Climate Change Mitigation	Climate Change Adaptation	Biodiversity	Desertification
Significant Objective 1	No Contribution 0	Significant Objective 1	No Contribution 0

H. Record of Endorsement of GEF Operational Focal Point(s) on Behalf of the Government(s):

Please attach the *Operational Focal Point endorsement letter(s)* with this template.

Name	Position	Ministry	Date (MM/DD/YYYY)
H.E. San Vanty	Permanent Secretary of State (Cambodia)	Ministry of Environment	5/7/2024
Dr Haman Unusa	GEF OFP (Cameroon)	Ministry of Environment, protection of nature and sustainable development	7/3/2024
Halatoa Fua	GEF Operational Focal Point & Director (Cook Islands)	National Environment Service Government of the Cook Islands	1/28/2025
Enid Chaverri Tapia	GEF Operational Focal Point (Costa Rica)	Ministry of Environment and Energy	8/14/2024
Mireille Vasconez Cevallos	Minister of Environmental, Water and Ecological Transition, National Focal Point GEF Ecuador (Ecuador)	Ministry of Environmental, Water and Ecological Transition	11/19/2024
Dr Emmanuel K. Urey - Yarkpawolo	Executive Director/CEO (Liberia)	Environmental Protection Agency	6/17/2024
Miruzza Mohamed	GEF Operational Focal Point/Deputy Director General (Maldives)	Ministry of Climate Change, Environment and Energy	5/16/2024
Eduardo Baixo	Head of Department of Mitigation and low Carbon Development (Mozambique)	Ministry of land and Environment, national directorate of climate change	10/3/2024
Jonah Stanley	Director Planning, Research and Statistics, GEF OFP (Nigeria)	Federal Ministry of Environment	12/10/2024
Raul Pinedo	GEF OFP (Panama)	Ministry of Environment	5/6/2024
Baba Drame	OFP (Senegal)	Ministry of environment and sustainable development	6/3/2024
Wills Agricole	GEF Operational Focal Point For Seychelles (Seychelles)	Ministry Of Agriculture, Climate Change &	5/27/2024

		Environment Climate Change & Energy Department	
Liban Mohamed Addulkadir	OFP (Somalia)	Ministry of Environment and Climate change	7/7/2024
Sofjan Jaupaj	Deputy Minister (Albania)	Ministry of Tourism and Environment	10/29/2024

ANNEX A: RESPONSES TO STAKEHOLDER COMMENTS

Describe how the enabling activity has addressed comments from stakeholders, including Council Members, Convention Secretariats, and STAP (if applicable).

N/A

ANNEX B: PROJECT BUDGET TABLE

Attach the project budget table.

Expenditure Category	Detailed Description	Component (USDeq.)				Total (USDeq.)	Number of Participating Countries	Umbrella EA Total	Responsible Entity (Executing Entity receiving funds from the GEF Agency)[1]
		Component 1	Sub-Total	M&E	PMC				
		Outcome 1.1							
Equipment	Costs for publishing national BBNJ Initial Assessment report (layout, printing). Estimated cost for each country.	3,000	3,000			3,000	14 countries	42,000	As per LoEs that is Ministries except for Ecuador via GGGI and Costa Rica which will be determined a contract stage
Local Consultants	\$4,000 Administrative Assistant or operational support services, depending on national level implementation arrangement. \$8,909 National Consultant for project management and		-		12,909	12,909	14 countries	180,726	As per LoEs that is Ministries except for Ecuador via GGGI and Costa Rica which will be determined a contract stage

	<p>monitoring and evaluation to ensure sufficient for day to day implementation of project acquisition processes, administration, adaptive management and timely reporting.</p>								
Local Consultants	<p>\$60,000 National consultants to carry out initial assessment (overview of country situation, progress towards ratification, main challenges, etc) on BBNJ in country and responsible for day to day implementation of the project, acquisition processes, administration and activity management. 43% of salary charged to Outcome 1.1, 43% salary charged to Outcome 1.2 and 14% salary charged to PMC.</p> <p>\$11,000 National consultants to be engaged for providing local technical coordination, other technical services, or to supplement the staff capacity of existing national staff (based on the needs of each country) to identify biodiversity finance gaps</p>	71,000	71,000			71,000	14 countries	994,000	As per LoEs that is Ministries except for Ecuador via GGGI and Costa Rica which will be determined a contract stage

	and opportunities for resource mobilization. Total estimated cost for each country								
Local Consultants	National Consultant for project management and monitoring and evaluation to ensure sufficient for day to day implementation of project, acquisition processes, administration, adaptive management and timely reporting.		-	5,750		5,750	14 countries	80,500	As per LoEs that is Ministries except for Ecuador via GGGI and Costa Rica which will be determined a contract stage
Training, Workshops, Meetings	National inception workshop and final project workshop, including monitoring and evaluation of project. Cost for each country.		-	3,000		3,000	14 countries	42,000	As per LoEs that is Ministries except for Ecuador via GGGI and Costa Rica which will be determined a contract stage
Training, Workshops, Meetings	National workshops and meetings to ensuring strong stakeholder engagement across national level efforts for BBNJ ratification support and implementation readiness.	56,000	56,000			56,000	14 countries	784,000	As per LoEs that is Ministries except for Ecuador via GGGI and Costa Rica which will be determined a contract stage
Travel	Cost of travel for technical data gathering, stakeholder consultations, etc. Estimated cost for each country.	20,341	20,341			20,341	14 countries	284,774	As per LoEs that is Ministries except for Ecuador via GGGI and Costa Rica which will be determined a contract stage

Office Supplies	Cost of stationery & other office supplies, etc. Estimated total cost for each country.		-		3,000	3,000	14 countries	42,000	As per LoEs that is Ministries except for Ecuador via GGGI and Costa Rica which will be determined a contract stage
Grand Total		150,341	150,341	8,750	15,909	175,000	14 countries	2,450,000	

ANNEX C: ENVIRONMENTAL AND SOCIAL SAFEGUARDS

Attached any screening documents or other ESS related documents (if applicable). ESS screening is not required for EAs but should be included if its available.

Check this box is ESS screening is not required per Agency's regulations