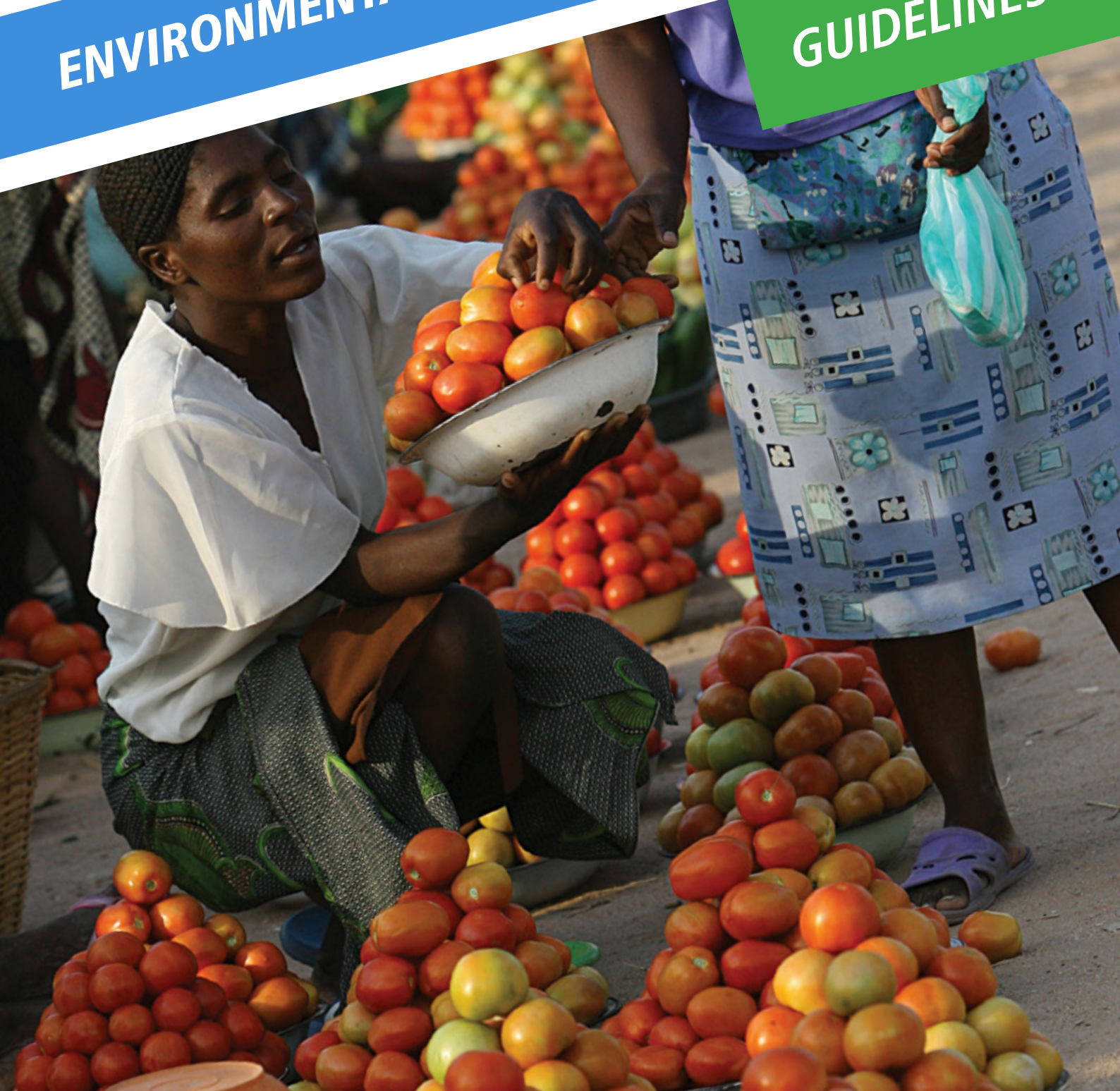




Food and Agriculture
Organization of the
United Nations

ENVIRONMENTAL AND SOCIAL MANAGEMENT

GUIDELINES



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Environmental and social management

Guidelines

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

Rome, 2015

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Acronyms and abbreviations

AAP	Accountability to Affected Populations
ANGRFA	Animal Genetic Resources for Food and Agriculture
CBD	Convention on Biological Diversity
CCRF	Code of Conduct for Responsible Fisheries
CRC	UN Convention on the Rights of the Child
CSO	Civil Society Organization (CSO)
CWR	Crop Wild Relatives
DNA	Deoxyribonucleic Acid
E&S	Environmental and Social
EAA	Ecosystem Approach to Aquaculture
EAF	Ecosystem Approach to Fisheries
ESAP	Environmental and Social Action Plan
ESIA	Environmental and Social Impact Assessment
ESM	Environmental and Social Management
ESS	Environmental and Social Standard
FAO	Food and Agriculture Organization of the United Nations
FPIC	Free, Prior and Informed Consent
FPMIS	Field Programme Management Information System
GHG	Greenhouse Gas
GMO	Genetically Modified Organisms
HHP	Highly Hazardous Pesticides
HQ	Headquarters
ILO	International Labor Organization
IPM	Integrated Pest Management
IPP	Indigenous Peoples' Plan
IPPC	International Plant Protection Convention
LMO	Living Modified Organisms
LTO	Lead Technical Officer
MLS ABS	Multilateral System of Access and Benefit-Sharing
NRM	Natural Resources Management
OIG	Office of the Inspector General
OSH	Occupational Health Safety
PGRFA	Plant Genetic Resources for Food and Agriculture
PIC	Prior and Informed Consent
PMP	Pest Management Plan
PPRC	Programme and Project Review Committee
UNDRIP	UN Declaration on the Rights of Indigenous Peoples
UNFCCC	United Nations Framework Convention on Climate Change
UPOV	Union internationale pour la protection des obtentions végétales
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security
WHO	World Health Organization

I. INTRODUCTION

1. Agriculture, including crop, livestock, forestry, fisheries and aquaculture, depend largely on the sound use of natural resources. Sustainable agriculture must strike a balance between protecting and sustainably using natural resources while at the same time meeting society's growing needs by offering decent and resilient livelihoods. FAO and its key stakeholders need to share a common understanding of what sustainable food and agriculture means, and have appropriate strategies and approaches to support its implementation, in different contexts and at different scales.
2. These Environmental and Social Management Guidelines¹ (ESM) are an important building block for FAO's approach to achieve sustainable development and provide guidelines for FAO headquarters and decentralized offices for the management of environmental and social (E&S) risks in its strategies, policies and field projects.
3. FAO's vision, strategic objectives, key principles for sustainability, and E&S standards establish a boundary for FAO programs and projects. The boundary excludes projects that are not in line with the vision, strategic objectives, key principles for sustainability, and E&S safeguard standards.
4. Within the boundary are potential FAO projects where E&S risks need to be managed in order to deliver expected outcomes for each individual project while mitigating potential negative environmental or social impacts.
5. These guidelines facilitate the early and systematic identification and assessment of E&S risks and the integration of the management of these risks into the project cycle (design and implementation). The guidelines address compliance with the cited standards while facilitating the project outcome and wider strategic aspirations of FAO.
6. The ESM Guidelines are aligned with the FAO project cycle and will play a vital role in ensuring quality of field projects. The consistent application of the ESM Guidelines will also generate knowledge on a continuing basis to enhance the quality of FAO projects and programmes as well in updating FAO's normative principles and policies that are derived largely from field experience.
7. This document covers: guidelines for FAO project formulators on the identification, assessment and management of E&S risks; principles and safeguard standards on which FAO's approach to ESM is built; and procedures for integrating the management of E&S risks into the project cycle.

¹ These Environmental and Social Management Guidelines supersede the previous Environmental Impact Assessment: Guidelines for Field Project which was issued in December 2011. Management incorporates identification, analysis/assessment and mitigation of potential adverse impacts.

A. *MANAGING RISK*

1. Institutions routinely deal with risk. Risk is the effect of uncertainty on objectives and impacts, where the effect is a deviation from the expected – positive and/or negative outputs.
2. Risk management is a coordinated set of activities to direct and control an organization with regard to risk. It comprises a structured, methodical approach to identifying, scoring and reducing exposure to risks for the achievement of objectives.
3. FAO is embedding risk management into existing practices and processes so that it becomes a part of the organization's culture² to help decision makers make informed choices, prioritize actions and distinguish among alternative courses of action.
4. Risk management helps managers make sure their strategies are robust and that they identify weak points and mitigating actions for managing operations and minimising risks. It also reinforces accountability by facilitating agreement between a team and their supervisors on the problems and challenges expected and the measures to address them.
5. FAO's strategic framework establishes organizational overarching objectives of sustainable development and utilization of natural resources as a risk management approach to deliver programs to eradicate hunger and malnutrition.
6. Risks to agriculture and food systems occur at three levels: (i) capacity of the natural resources to sustain production and ecosystem services; (ii) the producer and his/her well-being, livelihood, assets and skills; and (iii) governance (e.g. the legal, regulatory, administrative and financial structures).
7. At the project level, FAO applies a risk management process that focuses specifically on individual project risks.

² http://intranet.fao.org/departments/osp/risk_management

B. FAO MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS

I. Management of Risk at Strategy, Policy and Corporate level

1. Internally FAO's vision has a corporate commitment to sustainability, which is embedded in the strategic objectives and work of the organization.

FAO's vision is that of

“a world free from hunger and malnutrition, where food and agriculture contribute to improving the living standards of all, especially the poorest, in an economically, socially and environmentally sustainable way”.

2. In line with this vision, FAO has identified five strategic objectives (Figure 1) representing the main areas of work on which it will concentrate its efforts in striving to achieve its vision as well as the demands posed by major global trends in food and agriculture.
3. FAO's vision and strategic objectives provide the basic conditions for sustainability. This is further complemented by a framework for a common vision which uses five interconnected principles for the attainment of sustainable food and agriculture.
4. The key principles are³
 - Improving efficiency in the use of resources is crucial to sustainable agriculture
 - Sustainability requires direct action to conserve, protect and enhance natural resources
 - Agriculture that fails to protect and improve rural livelihoods and social well-being is unsustainable
 - Enhanced resilience of people, communities and ecosystems is key to sustainable agriculture
 - Sustainable food and agriculture requires responsible and effective governance mechanisms:
5. The five principles balance the economic, social and environmental dimensions of sustainability in agriculture and food systems, and provide a basis for developing policies, regulations and incentives to guide the transition to sustainability, while promoting resilience through an adaptive response to shocks and opportunities.

³ *Building a common vision for sustainable food and agriculture*. Available at: <http://www.fao.org/3/contents/919235b7-4553-4a4a-bf38-a76797dc5b23/i3940e.pdf>

Figure 1: FAO's Strategic Objectives

1. **Contribute to the eradication of hunger, food insecurity and malnutrition.** *This objective identifies the root causes of hunger, food insecurity and malnutrition as the lack of physical and economic access to the resources needed to secure enough food and consume a nutritionally adequate diet both in terms of quantity (energy) and quality.*
2. **Increase and improve provision of goods and services from agriculture, forestry and fisheries in a sustainable manner.** *This objective focuses on maximizing production without bringing adverse impacts on the natural resource base and ecosystem services. It emphasizes the integration of FAO's work relating to the three "pillars" of sustainable development (environmental, economic and social) and ways to generate the necessary wide-scale transition to more sustainable practices.*
3. **Reduce rural poverty.** *This objective focuses on supporting member countries in improving governance, creating and improving access to decent employment and markets and promoting social protection of rural people.*
4. **Enable more inclusive and efficient agricultural and food systems at local, national and international levels.** *This objective addresses inclusive food and agriculture systems that link smallholder farmers, foresters and fisherfolk and their organizations with agribusiness enterprises and supply chains for their effective and sustainable participation in rapidly changing global, regional and national markets.*
5. **Increase the resilience of livelihoods to threats and crises.** *This objective aims at increasing the resilience of agriculture and natural resources based livelihoods, which is important to food and nutrition security, as well as enhancing the resilience of ecosystem services and the natural resources base.*

Cross-cutting themes on gender and governance are mainstreamed into all the Strategic Objectives

II. **Management of Risk at Field Programme and Project Levels**

6. These guidelines detail the mandatory requirements for managing environmental and social performance of FAO field programmes, projects and sub-projects throughout the life of a project at field programme and project level and optimising sustainability and equity post project.
7. The objectives of the Guidelines are to:
 - Identify, evaluate and manage the environmental and social risks and impacts of a project.
 - Adopt a mitigation hierarchy:
 - a. Avoidance of adverse environmental and social impacts is the priority;
 - b. Where avoidance is not feasible, minimize or mitigate risks to acceptable levels; and then
 - c. Where residual impacts remain, compensate for/offset them whenever technically and financially feasible.

- Promote sustainable agriculture and food systems
8. It applies to all FAO projects and programmes. FAO will develop projects and programmes so that they meet the requirements of standards as stipulated in these Guidelines.
 9. These also apply to technical assistance provided by FAO staff or supported by FAO.

II. Management of Risk at Programme and Project Levels

Introduction

1. At the programme and field level, FAO Environmental and Social Standards (ESS) 1-9 are designed to help manage and improve FAO environmental and social performance through a risk and outcome based approach.
2. The desired outcomes are described in the objective of each ESS, followed by specific requirements to help the organization achieve these objectives.
3. The nine ESS standards set out specific requirements relating to different social and environmental issues. Projects approved and supported by FAO must meet these environmental and social standards.
4. FAO Environmental and Social Standards relate to the following areas:
 - ESS 1: Natural Resource Management
 - ESS 2: Biodiversity, Ecosystems and Natural Habitats
 - ESS 3: Plant Genetic Resources for Food and Agriculture
 - ESS 4: Animal - Livestock and Aquatic - Genetic Resources for Food and Agriculture
 - ESS 5: Pest and Pesticide Management
 - ESS 6: Involuntary Resettlement and Displacement
 - ESS 7: Decent Work
 - ESS 8: Gender Equality
 - ESS 9: Indigenous Peoples and Cultural Heritage
5. Application of the standards is determined during FAO's social and environmental screening and categorization process. Where it is determined that a project may present certain risks and/ or impacts and requirements of the relevant standard (s) are triggered.

Requirements

A. Stakeholder engagement

6. FAO is committed to ensuring meaningful, effective and informed participation of stakeholders in the formulation and implementation of FAO programmes and projects.

“Stakeholder” refers to project affected communities and national and local authorities, and where appropriate, other stakeholders⁴.

7. FAO would consult with project-affected representative communities and/or groups and civil society representatives. Stakeholder engagement, including indigenous people, disadvantaged and vulnerable groups⁵ (as explained in ESS 9), and is required in designing, implementing and monitoring individual projects and sub-projects.
8. Stakeholder engagement as an on-going process that involves in varying degrees identification of stakeholders, disclosure and establishment of a mechanism by which people can make comments on project proposals and performance or raise grievances.
9. The need for and nature of any specific consultation will be determined on the basis of the stakeholder identification. For example, where Indigenous Peoples are present in a proposed project area or have a collective interest, FAO will undertake special consideration as stipulated in ESS 9.
10. FAO will maintain adequate documented evidence of stakeholder engagement.

B. Screening to identifying specific environmental and social risks at the project level

11. Screening is the process of identifying and classifying E&S risks associated with individual projects.
12. For each project, at project identification stage, FAO Lead Technical Officers (LTO) will screen for the risks/ negative impacts of the proposed project based on the available information and using the E&SS Checklist (Annex 1).
13. FAO Environmental and Social Screening Checklist (Annex 1) questions are intended to guide the LTO in classifying the project as either ‘Low’, ‘Moderate’ or ‘High’ risk based on FAO Environmental and Social standards.
14. The LTO is responsible for completing the initial Risk Classification Certification Form (See Annex 2).

⁴ Those not affected by the project but have an interest. These could include civil societies, private sector, non-governmental organizations

⁵ Disadvantaged or vulnerable groups refers to those individuals or groups who, because of their age, gender, ethnicity, religion, disability, economic situation (e.g. smallholders) may be more likely to be adversely affected by project impacts and/or more limited than others to benefit from its rewards.

C. Risk Classifications

15. Based on the project activities and on the nature and significance of potential environmental and social impacts, three categories for field projects will be given: low, moderate, and high.⁶

Low Risk:

- a. The project has no or minimal potential negative environmental and/or social impacts, either upstream or downstream.
- b. The project will not be controversial in terms of the interests of key stakeholders.
- c. In the case of minimal impacts, the risk remains low because there are widely known and readily available good practices that will be used to address those impacts, and a track record that implementers of the project (e.g., farmers, fishermen) know how to apply and do engage in these good practices.

Moderate Risk:

- a. Projects with identified potential adverse environmental and /or social impacts.
- b. Potential impacts are not unprecedented in the project area.
- c. Potential impacts are limited to the project's footprint.
- d. Potential impacts are neither irreversible nor cumulative.
- e. Potential adverse impacts can be addressed by the use of recognized good management or pollution abatement practices, and there is a demonstrated record of their successful use in the project area (upstream and downstream).

High Risk:

- a. Project entails potentially significant, irreversible and/or cumulative negative environmental and social risks and/or impacts.
- b. Potential adverse impacts are unprecedented in the project area (e.g., local communities and directly affected people are not aware of the risks and potentially adverse impacts, and are not familiar with the mitigation hierarchy options).
- c. Potential adverse impacts extend beyond the project footprint (e.g., a larger area-of-influence).
- d. Project risks are controversial in the views of some key stakeholders.

⁶ Low, moderate and high correspond to the previous categories of C, B and A referred to in the former EIA Guidelines.

16. The level of risk may not always be immediately apparent or may change during project preparation when projects sites are being identified. Projects therefore need to be systematically screened during identification and preparation and systematically monitored during implementation in order to identify indirect, cumulative and associated impacts, as relevant. For example, a forestry project may initially appear low risk but may well have tenure, livelihood, indigenous people and/or gender implications. A project may be identified low risk and then it could turn high risk as a result of unforeseen events.
17. Although FAO expects the majority of their projects to be low risk, all projects must be screened and due diligence be undertaken during proceeding project stages.
18. The classification system provides an opportunity to address potential environmental and social risks, while, at the same time, ensure the sustainability of project outcomes and development objectives. As an example, a potentially high-risk project may be modified to lower the risk classification (e.g. a slaughterhouse that employs best practices in waste management, or increasing the minimum flow from a dam to satisfy downstream ecological requirements and water use/consumption demands).

D. Environmental and Social Analysis/Environmental and Social Impact Assessment

19. Where projects or sub-projects are classified as moderate or high risk, FAO will require Environmental and Social Analysis (ESA, for moderate risk) and a full Environmental and Social Impact Assessment (ESIA, for high risk) carried out by an independent external expert.
20. FAO takes into account relevant national law and system when conducting the environmental and social analysis and impact assessment. For all high risk projects, FAO procedures require a site visit by an independent, qualified environmental and social assessment expert or a team of experts, depending on the key issues considered to pose high risk. If the project is also considered particularly sensitive or potentially controversial, FAO requires a small, independent advisory panel of experts to serve as peer review on those topics considered of particular high risk. The panel will advise the FAO team on the conduct and findings of the Environmental and Social Impact Assessment during project preparation and subsequent implementation of the project's Environmental and Social Commitment Plan (ESCP).
21. The project Lead Technical Officer (LTO) will arrange for review of the findings of the Environmental and Social Impact Assessment and proposed mitigation measures with ESM Unit, Budget Holder, Project Task Force and concerned technical department. Following this review and particularly the advice of the ESM Unit, the Chairperson of the Project Task Force will recommend the final decision as to whether or not FAO will be able to support the project.

22. FAO will verify⁷, before approval, that the subproject/project is structured to meet the relevant environmental and social requirements as set out in national law and the FAO ESS.

E. Environmental and Social Commitment Plan (ESCP)

23. For FAO moderate and high risk projects an Environmental and Social Commitment Plan (ESCP) will be prepared during project development to set out the measures and actions required for the project to manage and effectively mitigate environmental and social risks and achieve compliance with ESS over a specified timeframe.
24. The ESCP sets out the project commitments and lists actions that the project will take and a timeframe for these actions to achieve compliance with the standards and manage the identified risks and impacts throughout the entire life of the project.
25. The ESCP will incorporate the mitigation recommendations of the ESA or the ESIA, as well as the results of the stakeholder engagement process. It will summarize concrete measures and actions required to avoid, minimize, reduce or otherwise mitigate the potential environmental and social risks and impacts of the project.
26. FAO will require the diligent implementation of identified mitigation measures and a review of the status of implementation as reflected in the monitoring and reporting plan.
27. The LTO, in close consultation with the PTF, prepares the ESCP, which is certified by the E&S Management Unit and reported to the PPRC. The PTF Chair ensures that the ESCP, the Project Funding Agreement and the Project Agreement are completed and attached to the Checklist for Quality Assurance Review.

F. Implementation, Monitoring and Reporting

28. FAO will monitor and evaluate its overall performance against the objectives and requirements of the Environmental and Social Standards within its project Quality Assurance System.
29. During implementation and monitoring, the E&S risk management process will focus on monitoring the project against the ESCP to track progress and establish relevant operational controls to verify compliance. Monitoring will be adjusted according to experience and actions required, as well as by feedback from stakeholders.
30. Monitoring of activities should involve direct participation of affected stakeholders, where possible and in particular for projects with potentially adverse risks and impacts.
31. Monitoring reports as set out in the ESCP will be produced. Such reports will provide an accurate and objective record of project implementation, including compliance with the ESCP and improvement in project quality.

⁷ Through its Environment and Social Unit, Lead Technical Department, outside experts, or existing environmental institutions.

32. A schematic outline of the full integration of FAO ESS and FAO project cycle is provided in Diagram 1. The contents will vary significantly depending on the specific characteristics of each sector and associated risks.

G. Capacity Development for Environmental and Social Standards

33. FAO has established the Environmental and Social Technical Network to enhance staff capacity to identify and evaluate environmental and social risks and to promote improved environmental and social performance of its projects and programmes.

34. FAO recommends screening to be undertaken by staff who has undertaken the Environmental and Social Risk Management training module⁸.

35. Before designation of a Lead Technical Officer (LTO), Chief Technical Advisor (CTA) or project co-ordinator involved in a moderate or high risk project, FAO will require certification that the identified persons have completed the Environmental and Social Risk Management training Module⁹ and that are on the roster.

H. Disclosure

36. Disclosure of relevant project information helps stakeholders to effectively participate. FAO will disclose information in a timely manner, before appraisal formally begins, that is accessible and culturally appropriate, placing due attention to the specific needs of community groups which may be affected by project implementation (such as literacy, gender, differences in language or accessibility of technical information or connectivity).

37. In the case of high risk and some moderate risk projects, national or local legislation may specify disclosure requirements.

38. For moderate risk projects FAO releases the applicable information as early as possible, and no later than 30 days prior to project approval. The 30 day period commences only when all relevant information requested from the project has been provided and is available to the public.

39. For all high-risk projects, FAO releases the draft ESIA as early as possible, and no later than 60 days prior to project approval. The 60 day period commences only when all the relevant information requested from the project has been provided and is available to the public.

40. FAO will undertake disclosure for all moderate and high-risk projects (see Annex 7).

41. Requirements in projects under Emergency preparedness and response are covered in the FAO in Emergencies Guidance Note on Accountability to Affected Populations¹⁰ (AAP).

⁸ FAO has developed an e-learning on Environmental and Social risk Management to support the implementation of the guidelines by building the capacity of staff on the risk management process in FAO. .

⁹ To include step-by-step guidance for screening and managing environmental and social risks in each phase of the project cycle.

¹⁰ *FAO in Emergencies Guidance Note; Accountability to affected populations*. AAP is applicable to all of FAO's programmes, whether humanitarian or development. It is highlighted in humanitarian situations due to the

I. Grievance Review Mechanism

43. FAO will facilitate the resolution of concerns of beneficiaries of FAO programmes regarding alleged or potential violations of FAO's social and environmental commitments. For this purpose, concerns may be communicated in accordance with the eligibility criteria of the Guidelines for Compliance Reviews Following Complaints Related to the Organization's Environmental and Social Standards, which applies to all FAO programmes and projects¹¹.
44. Concerns must be addressed at the closest appropriate level, i.e. at the programme management/technical level, and if necessary at the Regional Office level. If a concern or grievance cannot be resolved through consultations and measures at the project management level, a complaint requesting a Compliance Review may be filed with the Office of the Inspector-General (OIG) in accordance with the Guidelines for Compliance Reviews.

(i) Programme management/technical level

45. All projects, programmes and country offices will be required to publicize the mechanism for the receipt and handling of grievances at the local level. A focal point to receive and process complaints will be established at the country office level.
46. Programme and project managers will have the responsibility to address concerns brought to the attention of the focal point regarding environmental and social standards laid down in FAO ESS.
47. Each country office will be responsible for establishing mechanisms by which beneficiaries may communicate their concerns on ESS with the relevant focal point. This may include, but is not limited to, an email address, telephone number(s), contact person or physical address. The focal point will be responsible for keeping a log of all grievances filed regarding their programme or project.

(ii) Regional office level

48. Should the complainant not receive an acknowledgement of receipt within seven working days, they should forward their matter to the following addresses dependent on their region: Africa FAO-RAF@fao.org; Asia and Pacific FAO-RAP@fao.org; Europe and Central Asia FAO-RO-Europe@fao.org; Latin America and the Caribbean FAO-RLC@fao.org; Near East and North Africa FAO-RNE@fao.org.
49. The Environmental and Social Risk Management Unit will be responsible for providing technical assistance to the programme, country and regional offices to the concerns and complaints raised by beneficiaries regarding compliance with the ESS.

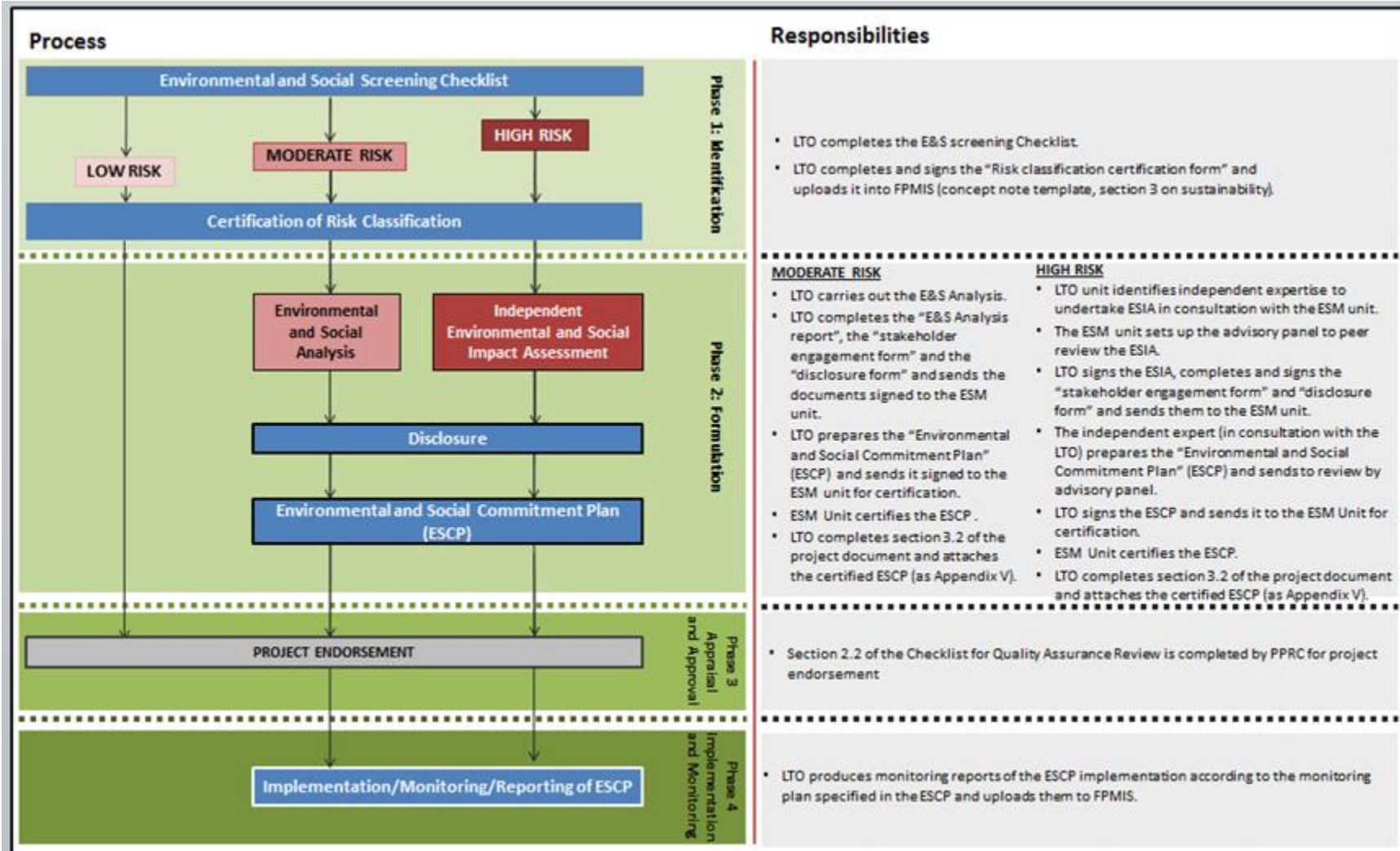
(iii) Office of the Inspector-General (OIG)

exceptional power imbalance between aid providers and recipients, and the urgent needs and increased vulnerability found within crisis-affected communities.

¹¹ Guidelines for Compliance Reviews Following Complaints Related to the Organization's Environmental and Social Standards.

50. In those cases where a concern is not resolved through consultation with the programme/project management, country office or regional office as set out above, beneficiaries may file a complaint with the FAO Office of the Inspector-General (OIG), which will conduct an independent review. Contacts and details for filing complaints can be found in <http://www.fao.org/aud/>. Email: Investigations-hotline@fao.org

Diagram 1: Environmental and Social risk management in the FAO project cycle and responsibilities



III. Environmental and Social Safeguard Standards

Environmental and Social Standard 1 (ESS 1)

Natural Resources Management

Introduction

1. ESS 1 recognizes that competition over natural resources, such as land, water, biodiversity, productive landscapes, inland water bodies and oceans is intensifying. Also degradation of natural resources and loss of ecosystem services are escalating as a result of the direct pressures and drivers of change.
2. ESS 1 is based on FAO's vision for sustainable production systems for the agriculture (crops, livestock, forestry and fisheries) sector that requires integration of social, economic and environmental considerations across the sector.
3. ESS 1 focuses on the abiotic environment, meaning the non-living parts of the natural resources and services on which the project is directly dependant (e.g. soils, land, water, security of tenure and climate).
4. ESS 1 is closely supported and should be read and applied in close proximity with the biotic sector specific Environmental and Social standards (ESS 2, 3, 4, 5, 6). The consideration of all biotic and abiotic related standards aims at ensuring that projects promote the conservation and sustainable management of natural resources as a whole.

Objectives

- Promote direct action to enhance resource use efficiency.
- Focus on ways to ensure the transition to sustainable practices.

Scope of application

5. The applicability of this ESS is established during the environmental and social risk screening and is applied to all FAO projects.
6. The actions necessary to meet the requirements of this standard are managed through incorporating environmental risk management measures into project design and ensuring and monitoring their application throughout project implementation.

Requirements

General

7. During the life-cycle project developers and implementers will consider and apply technically and financially feasible resource efficiency principles and techniques that are best suited to avoid, or where avoidance is not possible, minimize adverse impacts.

8. Principles and techniques will be tailored to the hazards and risks associated with the nature of the project and consistent with FAO sustainability principles under the precautionary approach¹².
9. Resources management must systematically address the gender dimensions, especially on roles to achieve sustainable natural resources management as stipulated in ESS7 and 8.

A. Management of soil and land resources

10. Sustainable soil management is an essential element of sustainable agriculture and provides a valuable lever for sustainable intensification, climate regulation and a pathway for safeguarding ecosystem services and biodiversity.
11. The revised World Soil Charter (endorsed by the 24th Session of the Committee on Agriculture) lists 9 guiding principles that guide all actions to ensure that soils are managed sustainably and that the functions of degraded soils are rehabilitated or restored.¹³ FAO will integrate these principles into its projects, as appropriate, to ensure sustainable soil management and to restore degraded soils.
12. Guidelines for the assessment and documentation of sustainable land management techniques and approaches have been developed.¹⁴ Various guidelines and principles are also available for social and environmental management at a wider scale through watershed management, participatory negotiated territorial development, integrated landscape management, forest and landscape restoration, coastal area management and so forth.

B. Management of Water Resources and Small Dams

15. Water is a key component in food production and for achieving food security, but as its development and use for agriculture also has potentially important environmental and social impacts, FAO will endeavor to ensure efficient use of the resource and avoid or bring to an acceptable minimum project's adverse impacts, including on people, wildlife, the environment, and the resources base itself.
16. FAO will incorporate the five key FAO principles of sustainability, i.e. i) improving the productivity; ii) conserving and protecting natural resources; iii) protecting and improving rural livelihoods and social well-being; iv) enhancing resilience; and v) ensuring that responsible and effective governance mechanisms are in place, in its work involving the management of water resources.

Water Use and irrigation

¹² Principle 15 of the Rio Declaration on Environment and Development (1992) - lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent serious threats of environment degradation.

¹³ World Soil Charter:

http://www.fao.org/fileadmin/user_upload/GSP/docs/plenary_assembly_II/WSC_EndorsedPA.pdf

¹⁴ WOCAT guidelines: <http://www.wocat.net>

17. The agriculture sector is the biggest user of water on a global scale and in most developing countries. It is also vulnerable to shortages and consequences of competition from other sectors due to its lower priority in public policy in many cases.
18. For projects aiming at developing more than 20 hectares of irrigation or withdrawing more than 1000 m³/day, in addition to the implementation of appropriate efficiency principles and options to enhance productivity, the following points will be systematically considered: technically feasible water conservation measures, alternative water supplies, resource contamination mitigation or/and avoidance, potential impact on water users downstream, water use offsets and demand management options to maintain total demand for water resources within the available supply.
19. The ICID check-list (http://www.icid.org/res_drg_envimp.html) will be used and appropriate action will be mainstreamed within the project to mitigate identified potential negative impacts.
20. For projects aiming at developing more than 100 hectares of irrigation or with a water demand of more than 5000 m³/day, a full environmental and social impact assessment will be carried out by an independent expert. As a part of the assessment, the potential cumulative impacts of the project upon communities, other users, the environment, and the resources base itself will be included, any significant adverse impacts will be identified and appropriate mitigation measures will be indicated for incorporation into the project before moving forward.
21. For projects aiming at improving existing irrigation schemes (without expansion), the ICID check-list (http://www.icid.org/res_drg_envimp.html) will be used and appropriate action will be mainstreamed within the project to mitigate potential negative impacts. In particular, projects aiming at improving water use efficiency will carry out thorough water accounting in order to avoid possible negative impacts such as waterlogging, salinity or reduction of water availability downstream.
22. Quality of irrigation water will be tested in the areas known or suspected to have issues including but not limited to salinity, sodicity, heavy metals, arsenic, and biological contaminants; and appropriate action will be taken within the project to mitigate adverse impact on farmers, consumers and the environment. In particular, projects dealing with waste water will use the WHO/FAO/UNEP Guidelines on Safe Usage of Waste Water in Agriculture (http://www.fao.org/nr/water/docs/volume2_eng.pdf).

Small dams and water storage

23. Small water storage structures are frequent in FAO projects to allow for off-season storage of vital water supplies in areas where it is not possible to rely upon stream flows throughout the year. These structures may have potentially adverse socio-environmental impacts such as disturbing natural environmental flow of the river and biodiversity, decreasing downstream water availability and unintentional reallocation of water use from one user group to another, and in some cases, displacement of people and flooding of property, including, flooding of culturally important sites. They can, also lead to/trigger outbreak of water related diseases.

24. FAO does not get involved in the construction or financing of dams above 15 m in height, and most of the small dams constructed in FAO projects are below 5 m in height.
25. For dams above 5m in height, a full ESIA will be carried out by an independent expert. As part of the assessment, the potential cumulative impacts of the project upon communities, other users, the environment, and the resource base itself will be included, any significant adverse impacts will be identified and appropriate mitigation measures will be indicated for incorporation into the project before moving forward.
26. FAO will undertake periodic safety inspections and monitor as per the stipulated plans after completion of construction.

Discharge/pollution

27. FAO activities will avoid direct discharge of wastewater into freshwater courses and surface runoff originating from production units or processing areas. National regulations on water pollution should be respected and careful assessments should be made for moderate and large size projects.

C. Tenure

28. Most agriculture and natural resource management projects involve some changes in land use or the building of new infrastructure. Tenure, by defining access and security of rights to land and other natural resources, affects how farmers or other users decide to use the natural resource, who has the right and the incentives to invest in improvements and, sometimes, who will benefit from improvements in productivity, or who may lose from changes in use and access to the natural resources.
29. FAO projects will have to address the tenure and administration dimensions of the changes that they may provoke, including issues of security of tenure and access to natural resources, compensation, administration or land governance. This should be done in accordance with the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)*¹⁵.
30. The VGGT are the standard for use in all FAO's work on tenure and all units at HQ and decentralized offices are expected to honour this commitment and to apply the VGGT in their work programmes.

D. Climate

Climate Change Adaptation and Mitigation

31. Ensuring food security and sustainable agriculture (including forestry and fisheries) in the face of climate change is a priority at FAO. This consideration has also led to the development of FAO-Adapt¹⁶ and Climate-smart agriculture¹⁷ among others towards

¹⁵ Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) <http://www.fao.org/docrep/016/i2801e/i2801e.pdf>

¹⁶ FAO-Adapt: <http://www.fao.org/climatechange/fao-adapt/en/>

¹⁷ Climate Smart Agriculture: <http://www.fao.org/climatechange/climatesmart/en/>

mainstreaming climate change solutions into all FAO development activities at national, regional and global levels.

32. FAO via FAO-Adapt mainstreams climate change adaptation into all FAO development activities at national, regional and global levels. This includes linking climate change adaptation and disaster risk reduction in national development and investment plans.
33. FAO supports member countries to identify and assess their GHG emissions and mitigation options from agriculture, forestry and other land uses, through solutions that also reinforce system resilience and food security goals¹⁸. The main statistical data available for analysis by member countries has been developed within FAOSTAT, including emissions from 1961-present for agriculture¹⁹, 1990-2010 for forestry and land use²⁰, and with projections to 2030 and 2050.
34. With a growing body of climate knowledge, assessment and risks, FAO as part of the social and environmental screening has commenced pilot screening and assessment for climate change related risks and impacts, adaptive capacity and mitigation potential, in areas with adequacy of relevant climatic information.
35. Climate change adaptation options in one sector must not pose threats to other sectors or to the supporting ecosystem.
36. Climate change risk assessment examines opportunities for facilitating joint climate change adaptation and reduction of GHG emissions.
37. FAO seeks to ensure that alternatives are considered to reduce project-related GHG emissions, in a manner appropriate to the nature and scale of the project operations and impacts. Alternative options may include but are not limited to adoption of renewable or low-carbon energy sources, more efficient input use, and sustainable agricultural, forestry and livestock management.
38. For projects that are expected to produce significant quantities of greenhouse gases, FAO will ensure that emissions are tracked and reported in accordance with the guidelines and provisions of UNFCCC and consistently with FAOSTAT GHG statistical data and methodologies.

¹⁸ <http://www.fao.org/climatechange/micca/ghg/en/>

¹⁹ http://faostat3.fao.org/browse/G1/*/E

²⁰ http://faostat3.fao.org/browse/G2/*/E

Environmental and Social Standard 2 (ESS 2)

ESS 2 Biodiversity, Ecosystems and Natural Habitats²¹

Introduction

1. ESS 2 recognizes that agriculture production systems impact on biodiversity and the ecosystem functions they provide and that maintaining these are fundamental to sustainable development.
2. ESS 2 recognises that biological diversity encompasses the variety and variability of animals, plants and micro-organisms at the genetic, species and ecosystem levels that sustain the structure, functions and processes of production systems.²²
3. FAO requires that biodiversity and ecosystem services are maintained or enhanced and is committed to integrating their sustainable management into its crops, forestry, livestock, fisheries and aquaculture practices.

Objectives

- Avoid agricultural, livestock, fisheries, aquaculture and forestry practices that could have adverse impacts on biodiversity, ecosystems, ecosystem services or critical habitats²³.
- Sustainably manage the ecosystems in order to maintain the services and benefits they provide.
- Ensure that exchange of genetic resources conforms to access and benefit sharing measures in force in the country (ies) involved.

Scope of Application

4. The application of this Standard is established during the environmental and social screening.
5. Based on the risks and impacts identification process, the requirements are applied to projects (i) located in modified, natural and critical habitats; and (ii) that potentially impact on ecosystem functions over which the project has direct or indirect effects.

²¹ More information available at: <http://www.fao.org/biodiversity/en/>; <http://www.fao.org/genetic-resources/en/>; <http://bch.cbd.int/protocol>

²² The Commission on Genetic Resources for Food and Agriculture is the FAO's intergovernmental process that deals with all components of biodiversity for food and agriculture (BFA) including genetic resources (BFA is sometimes referred to as agricultural biodiversity or agro-biodiversity). The Commission undertakes global assessments and develops strategies and policies. These Global Plans of Action provide the policy framework for sustainable conservation and use (which is a specificity of the agriculture sector). <http://www.fao.org/nr/cgrfa/en/>

²³ Specific biodiversity elements related to these specific areas of FAO work captured under E&SS 2,3,4 and 5

6. Ecosystems functions and services in ESS 2 are those services to which the project operations are likely to have an impact.

Requirements

General

7. As project activities and local land use choices interact with and impact upon biodiversity, natural habitats and protected areas, landscape approaches must be adopted to ensure that off-site and upstream - downstream impacts are planned, managed and monitored within acceptable environmental and social standards.
8. As far as possible, FAO will give preference to siting of project investments, particularly physical infrastructure, on lands that have already been converted to other uses.
9. FAO will avoid financing or executing projects that involve significant conversion or degradation of critical habitats, critical forest areas, natural areas of cultural or religious value, areas that are legally protected, officially proposed for protection, or of high conservation or biodiversity value.
10. FAO will apply a precautionary approach to the use, development and management of natural habitats, the ecosystem services of such habitats, and living natural resources.

A. Protected Areas, buffer zones or natural habitats

9. FAO discourages financing or execution of projects related to infrastructure or other types of physical investments involving land use, water space in or around protected areas or natural habitats.
10. In rare cases, only if viable alternatives are not available, FAO may undertake projects or activities, with appropriate conservation and mitigation measures, near buffer zones of protected areas or in legally designated protected areas, forests, biodiversity areas or buffer zones, which may result in physical relocation or economic displacement of affected peoples. A Resettlement Action Plan and/or Livelihoods Action Plan needs to be developed, implemented and monitored in full consultation and agreement with the affected persons and/or communities in line with the procedures established for high-risk projects and ESS 6 (Involuntary Resettlement and Displacement).

B. Biodiversity Conservation

11. Any project that would result in a decrease in the genetic base used for food and agriculture production as well as a negative impact on ecosystem functions this biodiversity provides – both in the project footprint and the wider area-of-influence of the project - may bring additional risks.²⁴

²⁴ More information on biodiversity for food and agriculture will be available in the report on The State of the World's Biodiversity for Food and Agriculture, due in 2017, and its possible follow up under the Commission.

12. Forest, rangelands, wetlands, riverine, lacustrine, aquatic, marine and other ecosystem restoration projects should reduce further deterioration, maintain or enhance biodiversity and ecosystem functionality, and be environmentally appropriate, socially beneficial and economically viable.
13. Biodiversity offsets may be considered only after appropriate avoidance, minimization, and restoration measures have been applied. In the cases of critical habitats, biodiversity offsets are to be considered only in exceptional circumstances, and in such circumstances a net gain is required. This has to be undertaken under a full environmental impact assessment with an independent expert with knowledge in offset design and implementation.

C. Use of Alien Species or non-native species

14. FAO requires that under no circumstances will alien species known to be invasive be introduced into a new environment unless it is subjected to a risk assessment to determine the potential for invasive behaviour in accordance to FAO codes of practice and information sources for the responsible use and control of introduced species whenever it exists. Guidance for assessing these potential or known risks are provided for organisms that could affect plants²⁵ (including plants themselves) and for organisms that could affect aquaculture and fisheries²⁶.
15. Where an alien species exists in the country or region of proposed project, FAO will exercise diligence through its biosecurity protocols in not spreading them into areas in which they have not established.
16. As practical, FAO would take measures to manage such species in the habitats over which it has management control.

D. Access and benefit-sharing for genetic resources

17. Many countries have legislative, administrative or policy measures in place regulating access and benefit-sharing for genetic resources (ABS).
18. Under these “ABS” measures, access to genetic resources for research and development on their genetic and/or biochemical composition is usually subject to prior informed consent (PIC) of the country of origin and mutually agreed terms (MAT) regarding the fair and equitable sharing of benefits. In addition, the “prior informed consent or approval and involvement” of indigenous and local communities may be required where genetic resources or associated traditional of indigenous and local communities are accessed/ used for research and development as per ESS 9.

²⁵ See International Standards for Phytosanitary Measures (ISPM), specifically ISPM 11 (*Pest risk analysis for quarantine pests*), <https://www.ippc.int/core-activities/standards-setting/ispm5>

²⁶ See Bartley, D. et al. Responsible use and control of introduced species in fisheries and aquaculture. CD Rom FAO, Rome. Genetic Resource Management in Aquaculture. Technical Guidelines for Responsible Fisheries no 5. Supplement 3. FAO, Rome.

19. At the global level, mainly two key instruments regulate access and benefit-sharing. The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity and the FAO International Treaty on Plant Genetic Resources for Food and Agriculture which, under its Multilateral System of Access and Benefit-Sharing (MLS-ABS), facilitates access to specific plant genetic resources under Standard Material Transfer Agreement (SMTA). The Treaty also provides for farmers' rights.
20. FAO, in adhering to best practices, must ensure that its actions conform with the ABS measures applicable to the utilization of genetic resources utilized. In addition, where material covered by a material transfer agreement is utilized, FAO will ensure that the utilization conforms to the terms and conditions set out in relevant material transfer agreements and that benefits are shared accordingly, including with indigenous and local communities.

E. Living Natural Resources

21. FAO is engaged in the primary production of living natural resources, including crops, animal husbandry, forestry, aquaculture and fisheries and subject these to detailed requirements as specified in ESS 3 and 4.
22. In the absence of relevant and credible standards for a particular living natural resource FAO will actively engage and support the development of a standard (national, sub-regional, regional or international) that contributes to the definition and demonstration of sustainable practices.

Environmental and Social Standard 3 (ESS 3)

ESS 3 Plant Genetic Resources for Food and Agriculture

Introduction

1. ESS 3 defines Plant Genetic Resources for Food and Agriculture (PGRFA) as the entire diversity of the plants used, or with the potentials to be used, in agriculture for the production of food, fodder, and fiber.
2. Plant Genetic Resources for Food and Agriculture (PGRFA) include the accessions of germplasm holdings (*ex-situ* collections), wild species found in nature (*in situ*) that may include crop wild relatives (CWRs); landraces or traditional varieties maintained on-farm; breeding materials in crop improvement programs; and improved varieties registered and/or released for cultivation.
3. ESS 3 recognises the International Plant Protection Convention (IPPC) as the framework that provides tools to protect plant resources from pests and diseases (including weeds).
4. ESS 3 recognises the two key instruments that regulate access and benefit-sharing, IPR and farmers' rights relating to PGRFA as the International Treaty on Plant Genetic Resources for Food and Agriculture and the Convention on Biological Diversity (CBD) through its Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization.
5. ESS 3 recognises that the application of the Cartagena Protocol on Biosafety to the CBD results in safeguards that ensure that the handling, transport and use of living modified organisms (LMOs) resulting from modern biotechnology do not have adverse effects on biological diversity and/or pose risks to human health.

Objectives

- Prevent actions resulting in loss of PGRFA diversity by promoting their effective conservation (*in situ* and *ex situ*);
- Safeguard against actions resulting in unintended environmental and social consequences;
- Promote sustainable crop improvements and production and enhanced productivity;
- Ensure that the transfer of PGRFA conforms with the measures relating to access and benefit sharing, IPR and farmers' rights which are in force in the country(ies) involved.

Scope of application

3. The applicability of this ESS is established during the environmental and social screening.
4. ESS 3 recognizes PGRFA encompass both the whole plants and their propagules, i.e. botanical seeds and planting materials.
5. ESS 3 covers any activities that require seeds and planting materials to be used in projects, developed or transferred even if the propagules were not supplied through the particular action through conventional or modern biotechnologies.

Requirements

General

6. FAO's actions in support of crop improvement are ecosystem-based and strive at improved productivity²⁷, and contribute to the implementation of the Second Global Plan of Action for PGRFA²⁸.
7. Any action that would narrow the diversity of PGRFA or otherwise exact negative impacts on ecosystem functions which biodiversity provides – both in the action's immediate footprint and in its wider area-of-influence - may be cause for additional risks.

A. Introduction of new crops and varieties

8. FAO's actions should not lead to the introduction of new pests and diseases. The appropriate phytosanitary protocols for import and export of PGRFA, including quarantine measures, carrying out the prescribed tests for designated pests and pathogens and the appropriate certification, as prescribed by the IPPC²⁹ must be followed.
9. FAO's actions should not erode genetic diversity. FAO will thus avoid or minimize:
 - a. Introduction of new crop varieties on a large scale, which can 'displace' other crops and varieties with the immediate consequence of diminished diversity of crops and varieties grown by farmers – with implications for nutrition – and ultimately a disruption of the intricate interactions between host plants and associated pests and diseases possibly also affecting the resilience of the system.
 - b. Introduction of crop varieties arising from genetic modification which could, through geneflow, lead to the transfer of the transformation events into other varieties or closely related species.

²⁷ Producing more yields with fewer inputs and generally promotes the optimal use of agrochemicals and other external inputs that could have deleterious environmental footprints.

²⁸ The Second Global Plan of Action for Plant Genetic Resources for Food and Agriculture. The global policy instruments agreed by countries for the conservation and sustainable use of PGRFA.

²⁹ List of Standards adopted under the IPPC is available at:

https://www.ippc.int/sites/default/files/documents/20140910/ispm_list_2014-09-10_en-banner_201409101016--257.01%20KB.pdf

- c. Introduction of exotic crops and varieties, which may result in the unwitting introduction of new, possibly virulent, pests and diseases to which the local crops have no resistance.
 - d. Large-scale adoptions and cultivations of new crops and/or their varieties e.g. massive monocrops.
10. Raw-materials used in plant breeding should generate a combination of high yielding, hardy, input use-efficient and nutritious varieties that constitute the bulwark against food insecurity and malnutrition.

B. Provision of seeds and planting materials

11. Exchange of seeds and planting materials cover those destined for:
- a. Conservation, i.e. for inclusion in national, regional and/or international genebanks;
 - b. Use, typically involving advanced breeding lines that are introduced for trialing as potential parents in breeding programmes or for release as new varieties; and
 - c. Seed systems, usually seeds and planting materials distributed as part of:
 - i. emergency assistance to kick-start crop production after natural disasters and civil strife; and
 - ii. development mode assistance to establish reliable mechanism for accessing high quality seeds and planting materials
12. Where the transfer of seeds or planting material occurs, the following have to be ensured:
- a. The transfer of PGRFA, including across national boundaries, are in line with agreed international norms for access and benefit sharing, especially as stipulated by the International Treaty on Plant Genetic Resources for Food and Agriculture and the Nagoya Protocol of the CBD;
 - b. Only disease and pest-free seeds and planting materials are used and/or transferred according to agreed norms, especially as stipulated by the IPPC³⁰;
 - c. Intellectual property rights, especially of the plant breeders who develop new crop varieties, are respected according to the prevailing national legislations, regional agreements and international instruments such as UPOV; and that
 - d. Farmers' rights to PGRFA and over associated traditional knowledge are respected in the access to PGRFA and the sharing of the benefits accruing from their use.

³⁰ List of Standards adopted under the IPPC is available at:
https://www.ippc.int/sites/default/files/documents/20140910/ispm_list_2014-09-10_en-banner_201409101016--257.01%20KB.pdf

13. Project must adhere to Genebank Standards for Plant Genetic Resources for Food and Agriculture³¹.

C. Modern biotechnologies and the deployment of their products in crop production

14. FAO appreciates that the injudicious deployment of the products of biotechnology, e.g. living modified organisms of genetically modified organisms, can result in unintended consequences that could impact negatively on the ecosystem and possibly human health.
15. Advances in science and technology, including various applications of biotechnology e.g. recombinant DNA techniques, can be used to add value to PGRFA and enhance their utility for humankind.
16. Staff must adhere to the Cartagena Protocol on Biosafety to ensure the safe handling, transport and use of Living Modified Organisms (LMOs) resulting from modern biotechnology that may have adverse effects on biological diversity, taking also into account risks to human health.
17. FAO has developed a comprehensive capacity building toolkit to aid the adherence to biosafety requirements in the handling of Genetically Modified Organisms (GMOs) or Living Modified Organisms (LMOs)³².

D. Planted Forests

18. FAO recognizes that planted forest development can result in changes to ecosystem functions and the provision of some ecosystem services, such as those related to air, water, soils and landscapes, thus specific planning, management, utilization and monitoring mechanisms must be adopted to encourage positive and avoid or minimize negative impacts.
19. FAO projects engaged in planted forests will use the Voluntary Guidelines on Planted Forests³³ as a basis for managing E&S risks.
20. All FAO planted forests must recognize and support the implementation of existing national forest programmes or equivalent strategies.
21. The observance of principles 9, 10, 11 and 12 of the Voluntary Guidelines on Planted Forests suffice for indigenous forests but must be read in full compliance with ESS 9- Indigenous People and Cultural Heritage.

³¹ Genebank Standards for Plant Genetic Resources for Food and Agriculture
<http://www.fao.org/docrep/019/i3704e/i3704e.pdf>

³² Food and Agriculture Organization of the United Nations. 2011. Biosafety Resource Book. Rome,
<http://www.fao.org/docrep/014/i1905e/i1905e00.htm>

³³ Responsible management of planted forests. Voluntary guidelines
<http://www.fao.org/docrep/009/j9256e/j9256e00.htm>

22. Planners and managers must incorporate maintenance and conservation of biological diversity as fundamental in their planning, management, utilization and monitoring of planted forest development.
23. In order to reduce the environmental risk, incidence and impact of abiotic and biotic damaging agents and to maintain and improve planted forest health and productivity, FAO will work together with stakeholders to develop and derive appropriate and consistent response options in planted forests.

Environmental and Social Standard 4 (ESS 4)

ESS 4 Animal - Livestock and Aquatic - Genetic Resources for Food and Agriculture

Introduction

1. ESS 4 defines Animal Genetic Resources for Food and Agriculture (AnGR) as those animal species, such as livestock, poultry, and pigs, that are used, or may be used, for the production of food and agriculture, and the populations within each of them.
2. ESS 4 recognizes AnGR populations within each species can be classified as wild and feral populations, landraces and primary populations, standardized breeds, selected lines, varieties, strains and any preserved genetic material; all of which are currently categorized as *Breeds*.
3. ESS 4 also includes Aquatic Genetic Resources for Food and Agriculture (AqGRFA) that is defined as the entire diversity of the aquatic species (plant, animal, and micro-organisms) used, or with the potentials to be used, in aquaculture and fisheries for the production of food, feed, industrial uses, pharmaceuticals, recreation and other uses.
4. ESS 4 *recognizes* Aquatic genetic resources relate to both farmed aquatic species in aquaculture and wild aquatic populations (ecosystems and the services provided by these) in natural and modified ecosystems. The wild relatives of all farmed aquatic species still exist in nature and great care must be taken to ensure that wild populations and their genetic diversity are maintained. This concept is enshrined in the FAO Code of Conduct for Responsible Fisheries.³⁴

Objectives

- Promote sustainable management of animal and aquatic genetic resources;
- Prevent loss of valuable livestock and aquatic genetic diversity;
- Safeguard against actions resulting in unintended environmental and social consequences.

Scope of application

5. The application of ESS 4 is established during the environmental and social screening.
6. ESS 4 recognizes that animal and aquatic genetic resources refer not only to the whole organism, but also to germplasm (e.g. gametes, eggs, embryos or seeds) and other genetic material (e.g. DNA samples).
7. AqGRFA include the accessions of live and frozen gene-banks (ex-situ collections), wild species found in nature (in situ), stocks and varieties maintained at aquaculture facilities

³⁴ Available at <http://www.fao.org/docrep/005/v9878e/v9878e00.htm>

in both marine and inland environments; breeding materials in improvement programs; and improved varieties registered and/or released for cultivation.

8. The application of the following requirements as described in ESS 3 equally apply to ESS 4: - exchange of genetic materials and application of modern biotechnologies and the deployment of their products and access and benefit sharing.

Requirements

General

9. FAO's actions in support of livestock are ecosystem-based and strive at improved productivity³⁵, efficiency and maintenance of genetic resources.
10. Fisheries and aquaculture activities must follow the FAO Code of Conduct for Responsible Fisheries³⁶, the Ecosystem Approach to Fisheries (EAF)³⁷, the Ecosystem Approach to Aquaculture (EAA)³⁸ and the specific guidelines to support their implementation.³⁹

Livestock Genetic resources for food and agriculture

A. Introduction of breeds into new production environments

1. When FAO's actions include the first introduction of an exotic breed into a given country or production system, genetic impact assessments should be conducted prior to granting permission for the import of new exotic livestock breeds.
2. This applies equally to the introduction of locally adapted breeds from another country, if the new production environment is substantially different, so that adaptation cannot be assumed.
3. FAO's actions should not erode genetic diversity. FAO will thus avoid or minimize;
 - a. Introduction of exotic breeds on a large scale, which can "displace" locally adapted breeds with the immediate consequence of diminished diversity of breeds held by livestock keepers – with implications for livelihoods nutrition – and ultimately a disruption of the intricate interactions between local livestock and the production environment, including associated pests and diseases and ultimately on the overall resilience of the production system.

³⁵ Producing greater yields with fewer inputs and generally promotes the optimal use of external inputs that could have deleterious environmental footprints

³⁶ Available at <http://www.fao.org/docrep/005/v9878e/v9878e00.htm>

³⁷ <http://www.fao.org/docrep/005/Y4470E/Y4470E00.HTM>

³⁸ <http://www.fao.org/docrep/013/i1750e/i1750e00.htm>

³⁹ <http://www.fao.org/fishery/code/publications/guidelines/en>

- b. Introduction of exotic breeds which may result in the unwitting introduction of new diseases or an increase in the prevalence of diseases or other health problems associated with a lack of capacity in management of the introduced breeds.
 - c. Introduction of exotic breeds may also present economic challenges for farmers, if input supply required for those breeds to perform cannot be supplied, or diseases or other factors reduce performance.
11. The choice of exotic AnGR for introduction should be well informed, considering the production system(s) to which the breed is currently adapted and the systems into which the breed will be introduced, with the goal of generating a combination of high yield, hardiness, and input use-efficiency.
 12. As a rule, introduction should not be undertaken unless production is expected to increase by at least 30%, relative to currently available locally adapted breeds.
 13. Projects involving introduction of exotic animal genetic resources must include capacity building for the proper husbandry of the breed, including animal identification and performance record keeping that will allow monitoring of the breed's productivity, health and economic sustainability over several production cycles.
 14. FAO's actions should not lead to the introduction of new pests and diseases. The appropriate animal health protocols for import and export of AnGR, including quarantine measures, carrying out the prescribed tests for designated pests and pathogens and the appropriate certification, as prescribed by the Terrestrial Code⁴⁰ of the World Organization for Animal Health (OIE) must be followed.

B. Change in the production system of locally adapted breeds

15. Where significant changes to the production system of locally adapted breeds is expected to occur, the following have to be ensured:
 - a. The current and new production environment of the breed is adequately described and characterized, according to procedures described in FAO guidelines;⁴¹
 - b. Provides the livestock keepers involved with sufficient capacity to ensure proper management of the breeds in the new production environment;

Aquatic Genetic resources

C. Introduction of new species

16. FAO's actions should not lead to the introduction of new pests and diseases. The appropriate health protocols for import and export of AqGRFA, including quarantine

⁴⁰ <http://www.oie.int/international-standard-setting/terrestrial-code/>

⁴¹ <http://www.fao.org/docrep/015/i2686e/i2686e00.htm>.

measures, carrying out the prescribed tests for designated pests and pathogens and any appropriate certification.⁴²

17. FAO's actions should not erode genetic diversity. FAO will thus avoid or minimize;
 - a. Introduction of new species or stock which can 'displace' or adversely impact natural or important aquatic biodiversity, e.g. through competition, predation or geneflow.
 - b. Introduction of organisms which may result in the unwitting introduction of new, possibly virulent, pests and diseases.
18. Introduction of AqGR, either in aquaculture or fisheries should generate a combination of high yielding, hardy, efficient and nutritious organisms that promote food security and nutrition.

D. Collection of wild genetic resources for farming systems

19. FAO's actions regarding capture based aquaculture (CBA)⁴³ or collection of wild broodstock should not endanger natural populations and AqGR.
20. Risk assessment and proper management of natural populations must be considered as appropriate.

E. Modification of habitat

21. Aquatic ecosystems, both inland and marine, are a key determinant of aquatic genetic diversity and the maintenance of genetic differences among populations and species.
22. Alteration of habitat can disrupt ecosystem services and long-standing gene pools of organisms and thereby adversely impact food and agriculture. Alterations that could adversely impact ecosystems, biodiversity and agriculture genetic resources can include:
 - Dam construction without adequate fish pass mechanisms and water management plans to address environmental flows needed for aquatic biodiversity;
 - Draining of wetlands;
 - Water abstraction for irrigation;
 - Deforestation;
 - Establishment of livestock, aquaculture and other agriculture that would result in significant pollution of the aquatic habitat.
 - Human settlements to the expense of terrestrial or coastal habitats.
 - Roads, highways, ports; large scale infrastructure in general that cause major disruption to natural pathways or connected landscapes

⁴² <http://www.oie.int/international-standard-setting/aquatic-manual/>

⁴³ Capture of larvae from the wild for grow out and fattening in aquaculture containments
<http://www.fao.org/docrep/015/ba0059e/ba0059e00.htm>

- Large scale aquaculture activities (e.g. coastal shrimp ponds, large scale intensive cage culture systems) that cause significant disruption and impact to coastal and benthic habitats and ecosystems
 - Fishing vessels whose operations are likely to cause significant impacts on aquatic habitats and on biodiversity.
23. Water management and pollution control mechanisms must be put in place to address impacts from other sectors on aquatic ecosystems.

Environmental and Social Standard 5 (ESS 5)

ESS 5 Pest and Pesticides Management

Introduction

1. ESS 5 defines pesticides as any substance, or mixture of substances of chemical or biological ingredients intended for repelling, destroying or controlling any pest or regulating plant growth. A pest is defined as any species, strain or biotype of plant, animal or pathogenic agent injurious to plants and plant products, materials or environments and includes vectors of parasites or pathogens of human and animal disease and animals causing public health nuisance.
2. ESS 5 recognizes that pesticides can contribute to effective crop and food protection during production and in storage. Pesticides are also used in forestry, livestock production and aquaculture to control pests and diseases. At the same time pesticides are designed to be toxic to living organisms, are intentionally dispersed in the environment and are applied to food crops.
3. ESS 5 recognizes that pesticide use poses risks to users, others nearby, consumers of food and to the environment. In LMICs these risks are often elevated by overuse, misuse and lack of effective regulatory control.
4. ESS 5 follows the guidance on the life-cycle management of pesticides as provided by the International Code of Conduct on Pesticide Management⁴⁴ and its supporting technical guidelines that are drawn up by a FAO\WHO expert panel and expand on specific articles.

Objectives

- Promote Integrated Pest Management (IPM), reduce reliance on pesticides and avoid adverse impacts from pesticide use on the health and safety of farming communities, consumers and the environment.

Scope of application

5. The applicability of ESS 5 is determined during the environmental and social screening and applies to any FAO supported activity that provides or facilitates the use or the disposal of pesticides in any quantities.
6. Include the application of subsidies, voucher schemes or incentives for the provision of pesticides as well as direct provision of pesticides, and the indirect provision as treatments on seeds and other planting materials.

⁴⁴ The International Code of Conduct on Pesticide Management, FAO/WHO 2014.

http://www.fao.org/fileadmin/templates/agphome/documents/Pests_Pesticides/Code/CODE_2014Sep_ENG.pdf

7. Applies to FAO activities that in an indirect manner may increase pesticides use, such as establishment of irrigation schemes, crop intensification, etc. ESS 5 should also be triggered by any activities that require pesticides to be used or handled in projects, even if the pesticides were not supplied through the project.

Requirements

General

8. FAO promotes IPM as a pillar of sustainable agriculture. IPM means the careful consideration of all available pest control techniques and subsequent integration of appropriate measures that discourage the development of pest populations and keep pesticides and other interventions to levels that are economically justified and reduce or minimize risks to human and animal health and/or the environment. IPM emphasizes the growth of a healthy crop with the least possible disruption to agro-ecosystems and encourages natural pest control mechanisms.

A. Pest Management Plan

9. If provision or use of large volumes of pesticides is foreseen, a Pest Management Plan (PMP) needs to be prepared to demonstrate how IPM will be promoted to reduce reliance on pesticides, and what measures are taken to minimize risks of pesticide use. Such a PMP needs to be an integral part of the ESCP.

B. Selection of pesticides

10. If after having considered available IPM approaches, pesticide use is deemed to be justified, then careful and informed consideration should be given to the selection of pesticide products. Factors to be taken into account include hazards and risks to users, selectiveness and risk to non-target species, persistence in the environment, efficacy and likelihood of development or presence of resistance by the target organism. Minimum environmental and social analysis is needed.
11. FAO does not maintain a list of permitted or non-permitted pesticides because many locally specific conditions govern which pesticides may be used. However, in line with the provisions of the FAO/WHO International Code of Conduct on Pesticide Management and relevant multilateral environmental agreements that include pesticides, the following list of criteria will need to be met in order for a pesticide to be considered for use in an FAO project:
 - a. The product should be registered in the country of use, or specifically permitted by the relevant national authority if no registration exists. Use of any pesticide should comply with all the registration requirements including the crop and pest combination for which it is intended.
 - b. Users should be able to manage the product within margins of acceptable risk. FAO will not supply pesticides that meet the criteria that define Highly Hazardous

Pesticides (HHPs)⁴⁵. Pesticides that fall in WHO Hazard Class 2 or GHS Acute Toxicity Category 3 can only be provided if less hazardous alternatives are not available and it can be demonstrated that users adhere to the necessary precautionary measures⁴⁶.

- c. Preference should be given to products that are less hazardous, more selective and less persistent, and to application methods that are less hazardous, better targeted and requiring less pesticides.
- d. Any international procurement of pesticides must abide with the provisions of the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.

<http://www.pic.int/Implementation/Pesticides>

C. Supply of pesticides by FAO

12. FAO apply the following requirements to all pesticides that are being supplied directly by FAO and to pesticides supplied by others within the framework of FAO projects.

⁴⁵ The criteria for HHPs have been listed by WHO and FAO as follows:

- Pesticide formulations that meet the criteria of classes Ia or Ib of the WHO Recommended Classification of Pesticides by Hazard www.who.int/ipcs/publications/pesticides_hazard/en/index.html ; or
- Pesticide active ingredients and their formulations that meet the criteria of carcinogenicity Categories 1A and 1B of the Globally Harmonized System on Classification and Labelling of Chemicals (GHS); or
- Pesticide active ingredients and their formulations that meet the criteria of mutagenicity Categories 1A and 1B of the Globally Harmonized System on Classification and Labelling of Chemicals (GHS); or
- Pesticide active ingredients and their formulations that meet the criteria of reproductive toxicity Categories 1A and 1B of the Globally Harmonized System on Classification and Labelling of Chemicals (GHS); or
- Pesticide active ingredients listed by the Stockholm Convention (www.chm.pops.int) in its Annexes A and B, and those meeting all the criteria in paragraph 1 of annex D of the Convention; or
- Pesticide active ingredients and formulations listed by the Rotterdam Convention (www.pic.int) in its Annex III; or
- Pesticides listed under the Montreal Protocol www.ozone.unep.org/Ratification_status/montreal_protocol.shtml; or
- Pesticide active ingredients and formulations that have shown a high incidence of severe or irreversible adverse effects on human health or the environment.

⁴⁶ The hazard classification concerns the formulated product. Formulations with a low concentration of active ingredient are less hazardous than formulations with a high concentration of the same active ingredient. The WHO Recommended Classification of Pesticides by Hazard and Guidelines to Classification (http://www.who.int/ipcs/publications/pesticides_hazard/en/) classifies technical products based on acute oral and dermal toxicity. It includes a conversion table that allows determination of the hazard class for the pesticide formulation under consideration. Towards 2008, this list will be replaced by the Globally Harmonized System of Classification and Labelling of Chemicals, which in addition to acute toxicity also takes into consideration chronic health risks and environmental risks (http://www.unece.org/trans/danger/publi/ghs/ghs_welcome_e.html) The term "pesticide formulation" means the combination of various ingredients designed to render the product useful and effective for the purpose claimed; the form of pesticide as purchased by users. The term "active ingredient" means the biologically active part of the pesticide.

- a. Conduct a thorough risk assessment, which should lead to adequate measures to reduce health and environmental risks to acceptable levels.
 - b. Quantities to be provided should be based on an accurate assessment of actual needs. Pesticides should not be provided as fixed components of input packages of projects, credit schemes or emergency assistance.
 - c. Provided pesticides should be packaged and labelled in accordance with FAO standards. Labels should be in the national language. The remaining shelf-life should be at sufficient to permit all pesticides to be used before expiry and within the scope of the project (i.e. no expired pesticides will be left behind after the project).
 - d. Appropriate application equipment⁴⁷ and personal protective equipment that offers adequate protection from the specific pesticides to be used. If it is not available, it needs to be provided by the project.
 - e. Users of the pesticides must have been trained to ensure they are capable of handling the supplied pesticides in a proper and responsible manner.
 - f. Proper storage of pesticides in accordance with FAO guidelines should be ensured for all supplies.
 - g. Empty pesticide containers should be triple rinsed, punctured and disposed of in an environmentally sound manner in compliance with FAO guidance.⁴⁸
13. If pesticides are to be purchased for seed treatment (seed storage chemical or seed treatment), the following additional conditions must be met:
- a. The treatment of seeds must be done in an appropriately equipped facility that ensures full containment of the pesticides.
 - b. Users of seed treatment equipment should be provided with suitable application equipment and instructed on calibration, use and cleaning of the equipment.
 - c. Treated seeds must be dyed using an unusual and unpalatable colour to discourage consumption.
 - d. All packages containing treated seeds must be clearly marked "Not for human or animal consumption" and with the skull and crossbones symbol for poison.
 - e. Those handling treated seeds during distribution or use in the field should be informed that the seeds are treated with pesticides which can have toxic effects on their health, the health of others and on the environment. They should be instructed to wear gloves, dust masks and clothes that fully cover their body. Gloves and dust masks must be provided if these are not available.

⁴⁷ <http://www.fao.org/agriculture/crops/thematic-sitemap/theme/pests/code/list-guide-new/en/>

⁴⁸ *Guidelines on management options for empty pesticide containers.* FAO/WHO, Rome/Geneva.

2008. http://www.fao.org/fileadmin/templates/agphome/documents/Pests_Pesticides/Code/Containers08.pdf

- f. Packaging from treated seeds should not be reused for any purpose.

D. Disposal

- 14. Projects dealing with the disposal of obsolete pesticides, pesticide contaminated soil and materials should follow the guidance in the FAO Environmental Management Toolkit for obsolete pesticides⁴⁹.
- 15. Such disposal projects reduce risk by eliminating hazardous waste problems, but also create risk through the handling and movement of hazardous waste. Suitable risk evaluation, management and mitigation measures as provided by the Toolkit must be applied in all such activities.

E. Responsibility

- 16. Whenever pesticides are provided by FAO it should be established in advance which institution, and which person(s) within that institution, will be responsible and liable for the proper storage, transport, distribution and use of the products concerned in compliance with the requirements of ESS 5.
- 17. Procurement of pesticides by FAO is subject to an internal clearance procedure as provided by the ESS Manual. The same applies to the contents of Pest Management Plans.

⁴⁹ <http://www.fao.org/agriculture/crops/obsolete-pesticides/resources0/en/>

Environmental and Social Standard 6 (ESS 6)

ESS 6 Involuntary Resettlement and Displacement

Introduction

1. ESS 6 recognizes that involuntary resettlement refers to both physical relocation and economic displacement.
2. ESS 6 with reference to the physical relocation of people adheres to the Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) where the General Principles lay down, inter alia, that states should “safeguard legitimate tenure rights against threats and infringements. They should protect tenure right holders against the arbitrary loss of their tenure rights, including forced evictions...”
3. Objectives
 - Prohibit forced eviction.
 - Avoid, and when avoidance is not possible, minimize adverse social and economic impacts from restrictions on land or resource use or from land and resource acquisition
 - Improve or at least restore living conditions of persons who are physically or economically displaced, through improving and restoring their productive assets and security of tenure.

Scope of Application

4. The applicability of this performance standard is established during the screening and categorization of environmental and social risks.
5. It applies to all FAO activities that may involve physical displacement or economic displacement (i.e. loss of assets or access to assets that lead to a loss of income or means of livelihoods), whether full or partial, permanent or temporary, as a result of land or resource restrictions.
6. For displacement and resettlement that may impact indigenous people, ESS 9 Indigenous Peoples and Cultural Heritage shall also apply.

Requirements

A. Prohibit forced evictions

7. FAO prohibits forced evictions which include acts involving the coerced or involuntary displacement of individuals, groups, or communities from homes and/or lands and common property resources that were occupied or depended upon, thus eliminating or limiting the ability of an individual, group or community to reside or work in a particular dwelling, residence, or location without the provision of and access to, appropriate forms of legal and other protection.⁵⁰

B. Avoid and mitigate physical and economic displacement

8. FAO will seek to avoid physical and economic displacement in its projects, and, when avoidance is not possible, mitigate displacement impacts and risks. In exceptional circumstances where displacement may occur, it would be negotiated with the affected individual, group or community. Alternative project designs will be explored, measures elaborated to mitigate impacts, and a Resettlement Action Plan or Livelihood Action Plan prepared. The action plans will be developed in full consultation with, and the agreement of, the affected communities and in accordance with international best practice. They would aim, inter alia, to improve and at least restore living conditions of persons who are physically or economically displaced through improving and restoring their productive assets and security of tenure. Physical and economic displacement includes: (i) involuntary restrictions on land use and access to natural resources that causes a community or groups within a community to lose access to resource usage where they have traditional or recognizable usage rights; (ii) restrictions on access to land or use of other resources, including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, freshwater, medicinal plants, hunting and gathering grounds and grazing and cropping areas, physical, cultural and spiritual sites.
9. Projects that may result physical or economic displacement will be classified as high risk and subject to an environmental and social impact assessment (ESIA).

C. Develop plans for physical or economic displacement

10. In the exceptional circumstances when physical or economic displacement is not avoidable, FAO will integrate a Resettlement Action Plan, in the case of physical displacement, or Livelihoods Action Plan, in the case of economic displacement, into the project documentation. Project stakeholders and affected persons, and local Civil Society Organizations (CSOs), as appropriate, will be informed of their rights, consulted

⁵⁰ Forced evictions are prohibited by the UN Basic Principles and Guidelines on Development-based Evictions and Displacement, which were prepared by the UN Special Rapporteur on Adequate Housing in 2007, and acknowledged by the Human Rights Council in 2007, available at: <http://www.ohchr.org/EN/Issues/Housing/Pages/ForcedEvictions.aspx>. The UN Human Rights Commission describes forced eviction as a gross violation of human rights.

throughout the planning and implementation process, and provided with technically and economically feasible alternatives and assistance.

11. The Resettlement Action Plan and/or Livelihoods Restoration Plan must be developed and agreed with the affected communities prior to carrying out project activities that may result in economic or physical displacement. The action plan will be developed transparently and in accordance with international best practice in full consultation with the affected individuals and communities. Affected individuals, groups and communities will be involved throughout the planning, implementation and monitoring of the action plans. All plans will: (i) identify the persons who will be displaced by the project and expected project impacts; (ii) establish eligibility criteria and entitlements for all categories of affected persons; (iii) identify how the needs and priorities of potentially affected individuals and communities will be met and any mitigation measures; (iv) ensure that fair and just compensation is provided, prior to displacement, for any losses of personal, real or other property or goods, including rights or interests in property recognized by applicable law; (v) establish an adequate budget and timeframe for displacement activities; (vi) ensure that support is provided for communities to return to pre-displacement locations or status when possible; (vii) provide particular attention to the needs of the poor and marginalized and avoid discriminatory activities, including against vulnerable and marginalized groups and individuals; (viii) provide to displaced individuals and communities secure access to necessary services, shelter, food, water, energy, and sanitation; and (ix) clarify tenure rights and provide secure tenure consistent with applicable law; and (x) allow for independent monitoring of displacement and resettlement activities.
12. The draft Resettlement Action Plan and/or Livelihoods Action Plan which would address involuntary restrictions on access to protected areas, land use, resource use or other restrictions will be disclosed in a timely manner before appraisal formally begins, in a place accessible to key stakeholders, including project affected groups and CSOs, as appropriate, in a form and language understandable to them.
13. The action plans will be carried out, monitored and supervised throughout project implementation.

Environmental and Social Standard 7 (ESS 7)

ESS 7 Decent Work

Introduction

1. ESS 7 recognizes that promoting decent work and full and productive employment is essential to achieving food security and reducing poverty.
2. ESS 7 is anchored in FAO's vision for sustainable food and agriculture, which explicitly prioritizes decent work.
3. ESS 7 defines "Decent Work" as defined by ILO as "productive work for women and men in conditions of freedom, equity, security and human dignity."

Objectives

- Promote direct action to foster decent rural employment⁵¹.
- Promote fair treatment, non-discrimination and equal opportunity for all workers⁵².
- Protect and support workers, particularly disadvantaged and vulnerable categories of workers⁵³.
- Promote the application of international labour standards in the rural economy, including the prevention and elimination of child labour in agriculture.

Scope of application

4. The applicability of ESS 7 is established during the environmental and social screening and is applied to all FAO projects that potentially have either positive or negative employment effects.
5. ESS 7 covers any activity, occupation, work, business or service performed by women and men, adults and youth. It applies to direct beneficiaries of FAO projects (including those administered by sub-contracted organizations).

⁵¹ Decent rural employment is the practical application of the concept of decent work to the realities of the agricultural sector, and rural areas more generally. As such, it refers to any activity, occupation, work, business or service performed by women and men, adults and youth, in rural areas that: (i) respects the core labour standards as defined in ILO Conventions; (ii) provides an adequate living income; (iii) entails an adequate degree of employment security and stability; (iv) adopts minimum occupational safety and health (OSH) measures adapted to address sector-specific risks and hazards; (v) avoids excessive working hours and allows sufficient time for rest; and (vi) promotes access to adapted technical and vocational training. http://www.fao.org/fileadmin/user_upload/fao_ilo/pdf/DRE_Applied_Definition.pdf

⁵² Workers include waged and salaried workers as well as self-employed workers (including contributing family workers).

⁵³ Disadvantaged and vulnerable categories of workers most often include groups such as children, youth, women, the elderly, migrant workers, casual/seasonal workers, and workers in the informal rural economy, including subsistence family producers and others working in small-scale agriculture.

6. The relevant requirements of ESS 7 and how they will be addressed in the project are determined and managed through mitigating the significant E&S project risks, and applied and monitored during project implementation.

Requirements

General

7. During the life-cycle project developers and implementers will consider and apply principles, practices and techniques that are best suited to avoiding the violation of, and promoting the application of core international labour standards⁵⁴, other international labour standards relevant to the agri-food sector⁵⁵ and national employment and labour laws.
8. During the life-cycle project developers and implementers will prioritize the creation of more and better employment opportunities, especially for more disadvantaged and vulnerable workers.
9. Where avoidance of negative effects on the quantity and/or quality of employment opportunities – for example, employment destruction in specific areas or sectors, increase in workloads, increase in health and safety risks – is not possible, project developers and implementers will minimize adverse impacts and develop specific mitigation strategies.

A. Creation of more and better employment opportunities, especially for youth and women

10. FAO project formulators and implementers will optimize the potential of agricultural and value chain development, including natural resources management, to create more and better employment opportunities for the poor, especially in rural areas.
11. To do so, FAO projects involving the use of agricultural technologies, practices, transformation processes and business models should give due consideration to the importance of using technologies, practices and models that generate more and better employment opportunities, both directly and indirectly.
12. FAO projects involving sub-contracting should promote, to the extent possible, sub-contracting to local entrepreneurs – particularly to rural women and youth – to maximize employment creation.
13. FAO project formulators and implementers should optimize the employment effects of projects' activities on rural youth and women in particular, and make direct efforts to engage and empower them. Specific targets for youth and women should be established in all projects.

⁵⁴ Core labour standards are listed in the ILO Declaration on Fundamental Principles and Rights at Work adopted by the International Labour Conference in 1998, and are further defined in ILO's Conventions. <http://www.ilo.org/declaration/lang--en/index.htm>

⁵⁵ For a full list of ILO Conventions, see: <http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12000:0::NO::>

14. FAO projects involving capacity development and support to the enabling environment (e.g. policy and regulatory frameworks) for agricultural and rural development, should always explicitly consider employment-related capacities.
15. FAO projects with a high risk of sectoral restructuring (e.g. shifts to intensive production technologies that carry a significant risk of destroying existing jobs and/or threatening existing livelihoods) should systematically include an ex-ante assessment of these potential impacts, and define a corresponding mitigation strategy.

B. Non-discrimination and equal opportunity

16. Many forms of discrimination at work persist. All FAO projects will respect the core labour standard of the elimination of discrimination in respect of employment and occupation.
17. All employment relationships established will be based on the principle of equal opportunity and fair treatment, and will not discriminate with respect to any aspects.
18. Project formulators and implementers will ensure that all projects do not increase existing discrimination at work and, on the contrary, empower and prioritize disadvantaged categories of workers, including small-scale agricultural producers.

C. Occupational Safety and Health (OSH)

19. All FAO projects that may pose serious OSH risks should undertake a dedicated assessment of these risks and appropriate means of mitigating them⁵⁶.
20. All FAO projects that involve direct interactions with workers (including agricultural producers) through concrete activities in the field should ensure workers' safety and health by adopting minimum OSH measures and contributing to improve capacities and mechanisms in place for OSH in informal agriculture and related occupations.

D. Child labour prevention and reduction

21. Child labour is defined as work that is inappropriate for a child's age, affects children's education, or is likely to harm their health, safety or morals. Child labour refers to working children below the nationally-defined minimum employment age, or children of any age engaging in hazardous work.⁵⁷

⁵⁶ Major OSH risks in agriculture include: dangerous machinery and tools; hazardous chemicals; toxic or allergenic agents; carcinogenic substances or agents; parasitic diseases; transmissible animal diseases; confined spaces; ergonomic hazards; extreme temperatures; and contact with dangerous and poisonous animals, reptiles and insects.

⁵⁷ Hazardous work is work that is likely to harm the health, safety or morals of a child. This work is dangerous or occurs under unhealthy conditions that could result in a child being killed, or injured and/or made ill as a consequence of poor health and safety standards and working arrangements. Some injuries or ill health may result in permanent disability. Countries that have ratified ILO Convention No.182 are obligated to develop National lists of hazardous child labour under Article 4.

22. FAO projects will avoid engaging children in child labour⁵⁸, and will therefore ensure that no children engage in project-related work that could negatively affect their health and personal development or interfere with their compulsory education.
23. FAO projects will guarantee that children under the age of 18 who are involved in the project's activities will not be employed under hazardous working conditions. If work of persons under the age of 18 is foreseen, the project will include provisions for appropriate risk assessments and regular monitoring of health, working conditions, and hours of work as well as for improvement in occupational safety and health.
24. When operating in a sector or area with a high risk of child labour, project developers and implementers will include some measures to contribute to address the root causes of child labour (economic, social, political, institutional, and cultural).

E. Forced labour

25. FAO projects will ensure that no forced labour is employed, which consists of any work or service not voluntarily performed that is exacted from an individual under threat of force or penalty. This covers any kind of involuntary or compulsory labour, such as indentured labour, bonded labour, or similar labour-contracting arrangements.

F. Workers' and producers' organizations

26. Freedom of association and the right to collective bargaining is a core labour standard and FAO should both promote it, and denounce any violation of it.
27. Promotion here refers to the active support of opportunities for rural workers to join groups, producers' associations or rural workers' organizations. In particular, producers' organizations, contract farming groups, out-growers' associations and other informal groups represent important vehicles to enable rural workers to form representative organizations.
28. When supporting producers' and workers' organizations, FAO's projects should in particular look at empowering rural youth and women to join such organizations or organize in specific groups.

⁵⁸ The Minimum Age Convention, 1973 (No. 138), sets the general minimum age for admission to employment or work at 15 years. The Worst Forms of Child Labour Convention, 1999 (No. 182), defines worst forms of child labour, which include hazardous work. The UN Convention on the Rights of the Child (CRC), Article 32, 1990, states that it is "the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development".

Environmental and Social Standard 8 (ESS 8)

ESS 8 Gender Equality

Introduction

1. ESS 8 recognises gender equality is a major factor of sustainability for interventions in the agriculture and rural development sector.
2. ESS 8 is anchored in the FAO Policy on Gender Equality⁵⁹, which sets an organization-wide accountability framework for the delivery of its minimum standards for gender mainstreaming and women-specific targeted interventions.
3. ESS 8 is embedded in the UN Common Country Programming Principles under the gender equality, human rights-based approach, and environmental sustainability and is closely related to ESS 7 and 9.

Objectives

- Provide equal access to and control over productive resources, services and markets.
- Strengthen women and men’s participation in decision-making in rural institutions and policy processes.
- Ensure that all stakeholders benefit equally from development interventions and that inequality is not reinforced or perpetuated.

Scope of application

4. ESS 8 applies to all projects supported by FAO and the scope of applicability is determined during the environmental and social screening.

Requirements

General

5. FAO programmes and projects will be gender-responsive in their design and implementation. FAO will seek to identify and address the different needs, constraints, contributions and priorities of women, men, girls and boys.

⁵⁹ FAO Policy on Gender Equality <http://www.fao.org/docrep/017/i3205e/i3205e.pdf>

A. Combating discriminatory practices

6. FAO will ensure that its programmes and projects do not discriminate against women or girls or reinforce gender-based discrimination and/ or inequalities.
7. FAO programmes and projects will be based on the principle of equal opportunity and fair treatment, and will empower and prioritize vulnerable women and men.
8. FAO will identify measures to avoid, minimize, and/or mitigate adverse gender-related impacts.

B. Equal opportunities for men and women to participate in and benefit

9. FAO will conduct a gender-sensitive stakeholder analysis to ensure that women's and men's different interests, roles and responsibilities are assessed in project planning and implementation.
10. FAO will conduct a gender analysis to respond to women and men's specific needs and priorities, to identify potential risks, benefits and impacts, to overcome their constraints to access productive inputs, resources and services, and to participate in decision-making.
11. FAO projects will provide equal opportunities for women and men, and assess the gender sensitivity of planned interventions. FAO will attribute a gender marker which indicates the extent to which a proposed project contributes to gender equality.
12. FAO projects need to track progress on gender results and measure changes over time. To achieve this, FAO will seek to collect sex-disaggregated data and formulate gender-sensitive indicators for project's results framework.

Environmental and Social Standard 9 (ESS 9)

ESS 9 Indigenous Peoples and Cultural Heritage

1. ESS 9 recognizes indigenous peoples' traditions and knowledge present opportunities for many of the challenges that humankind will face in the coming decades. This is of particular significance in relation to indigenous food systems in the face of increasing food demand and traditional knowledge with respect to adapting to climate change vulnerabilities and impacts. Indigenous peoples are estimated to comprise about 5% of the world's population, yet 15% of the global poor. An agenda that pursues global food security, sustainable natural resources management and poverty alleviation is incomplete unless it addresses indigenous peoples' needs. For this reason, FAO approved in 2010 its Policy on Indigenous and Tribal Peoples⁶⁰ which is based on international legal agreements, such as the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted by the General Assembly in 2007, and ILO Convention 169. The FAO Policy on Indigenous Peoples underpins ESS 9 and provides the corporate guidance to respect, include and promote indigenous peoples' issues in FAO's work. The core principles of the policy are: self-determination: respect for indigenous knowledge, cultures and traditional practices that contribute to sustainable and equitable development; and Free, Prior and Informed Consent (FPIC). ESS 9 furthermore recognizes the importance of tangible and intangible cultural heritage for current and future generations.

Objectives

- Ensure that the UN Declaration on the Rights of Indigenous Peoples is respected in all FAO's projects and programmes;
- Promote the right to self-determination and development with identity of indigenous peoples (right to decide the kind of development that takes place among their people and on their lands and territories, in accordance with their own priorities and conceptions of well-being);
- Guarantee the application of the principle of Free, Prior and Informed Consent (FPIC) of indigenous peoples affected by the project⁶¹.
- Recognize, respect and preserve the rights, lands, natural resources, territories, livelihoods, knowledge, social fabric, traditions, governance systems of Indigenous Peoples.

⁶⁰ FAO Policy on indigenous and tribal peoples

http://www.fao.org/fileadmin/user_upload/newsroom/docs/FAO_policy.pdf

⁶¹ It is important to note that FPIC will determine whether the project will be implemented as design; amended or not implemented at all. FPIC gives the indigenous communities the ultimate word with respect to activities impacting their livelihoods.

- Protect cultural heritage and avoid its alteration, damage or removal.

Scope of Application

1. The applicability of this standard is established during the environmental and social screening.
2. ESS 9 applies to all projects, which may affect indigenous peoples' rights, lands, natural resources, territories, livelihoods, knowledge, social fabric, traditions, governance systems, and culture or heritage (tangible and intangible).

Requirements

A. Identification of indigenous peoples

3. In accordance with international consensus and as per the FAO Policy on Indigenous Peoples, FAO considers the following criteria to identify indigenous peoples: priority in time with respect to occupation and use of a specific territory; the voluntary perpetuation of cultural distinctiveness (e.g. languages, laws and institutions); self-identification; an experience of subjugation, marginalization, dispossession, exclusion or discrimination (whether or not these conditions persist)⁶².

B. Rights over land, territories and natural resources

4. Indigenous peoples are entitled to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those that they have otherwise acquired⁶³.

C. Prior Assessment of the Impact on Indigenous Peoples

5. All projects that may impact indigenous peoples must carry out an assessment and verify:
 - a. whether indigenous peoples inhabit the proposed project area(s) and, if so, include disaggregated data by indigenous group and geographical location; and
 - b. whether project activities may impact (even indirectly) indigenous peoples living outside the project area.

D. Free, Prior and Informed Consent (FPIC)⁶⁴

6. FAO requires that, before adopting and implementing projects and programmes that may affect⁶⁵ indigenous peoples, a process of Free, Prior and Informed Consent is followed and consent given by the indigenous community.

⁶² FAO Policy on indigenous and tribal peoples

http://www.fao.org/fileadmin/user_upload/newsroom/docs/FAO_policy.pdf

⁶³ Article 26(1) of the UNDRIP

⁶⁴ Please refer to annex 8 "Framework for Operationalizing Free, Prior and Informed Consent".

⁶⁵ The FPIC process needs to be undertaken whenever the project may affect indigenous peoples' rights, lands, natural resources, territories, livelihoods, knowledge, social fabric, traditions, governance systems, and culture or heritage (tangible and intangible).

7. Complete information must be disclosed to the indigenous community (-ies) involved; in a timely manner, with sufficient time for the community to carry out internal deliberations; in accordance with indigenous peoples traditions and customs; in their local language; and in an environment and in ways to which the indigenous peoples can relate⁶⁶.
8. This process will aim at:
 - ensuring a positive engagement of indigenous peoples in the project;
 - avoiding adverse impacts, or when avoidance is not feasible, minimizing, mitigating, or compensating for such effects, as per the indigenous peoples agreement;
 - tailoring benefits in a culturally appropriate way.
9. In all cases, consent must be obtained from the indigenous leaders before undertaking any project activities affecting indigenous peoples rights, lands, natural resources, territories, livelihoods, knowledge, social fabric, traditions, governance systems, and culture or heritage (tangible and intangible).

E. Indigenous Peoples' Plan

10. In those circumstances when a proposed project may be considered high risk an Indigenous Peoples' Plan (IPP) will be prepared following the results of the Free, Prior and Informed Consent Process (FPIC). This plan will be developed in full consultation with the affected communities and in accordance with FAO's Policy on Indigenous and Tribal Peoples. The IPP will be discussed and approved by the indigenous community and approved by the FAO unit responsible for indigenous peoples. Once approved, the IPP will be integrated into the design and implementation of the project and form part of the project documentation.
11. The IPP will:
 - promote continued consultations during project implementation, grievance procedures, and monitoring and evaluation arrangements;
 - avoid, minimize, mitigate or compensate for any adverse effects;
 - ensure that indigenous peoples receive culturally appropriate benefits.
12. The IPP will include:
 - measures to ensure that affected populations receive appropriate benefits;
 - measures to mitigate the impacts that may result from the high risk activities, as identified during the Free Prior and Informed Consent process;
 - measures to include representatives of the affected indigenous communities in the Project Steering Committee and decision making processes during implementation;
 - budgetary allocations from within the project budget to ensure the adequate implementation of the plan

⁶⁶ Refer to Annex 8 on Free, Prior and Informed Consent for more detailed information about the FPIC process and possible outcomes.

13. Table 1 below summarizes the trigger questions which identify the risk level and the circumstances under which an IPP would need to be developed. An IPP should be prepared for moderate and high risk projects.

Table 1: Summary table of risks based on answers to trigger questions

TRIGGER QUESTIONS	RISK LEVEL (based on answers)		
	LOW	MODERATE	HIGH
1. Are there any indigenous communities in the project area?	NO	YES	YES
2. Are project activities likely to have adverse effects on indigenous peoples' rights, lands, natural resources, territories, livelihoods, knowledge, social fabric, traditions, governance systems, and culture or heritage (tangible and intangible)?	NO	YES	YES
3. Are indigenous communities outside the project area likely to be affected by the project?	NO	YES	YES

F. Characterization of Risk Level:

LOW: At project assessment there are no indigenous peoples in the project area and there are no apparent risks associated with project activities.

MODERATE: There are indigenous peoples in the project area and/or project activities could affect indigenous peoples outside the project area. The project activities will impact without major disruption indigenous peoples' rights, lands, natural resources, territories, livelihoods, knowledge, social fabric, traditions and governance systems. Project activities should be designed to address and mitigate any potential impacts.

HIGH: There are indigenous peoples in the project area or outside the project area who are adversely affected by the proposed project activities. In these cases, an Indigenous Peoples Plan will be prepared in full consultation with the affected communities and with advice from the Project Task Force. The IPP will have to be approved by the indigenous community, as well as by the FAO unit responsible for indigenous people.

14. The risk level of a project will be determined by: (i) the results of the project assessment undertaken by the FAO technical units and independent external experts as part of an environmental and social assessment; and (ii) the outcome of the Free Prior and Informed Consent process determined by the indigenous community (ies).

G. Actions linked to risk level

Low Risk: No need for FPIC

Moderate Risk: FPIC compulsory and agreement by the community on the proposed activities.

High Risk: When the project is identified as high risk, an Indigenous Peoples' Plan will be prepared and then approved by the indigenous community and the FAO unit responsible for indigenous people.

H. Cultural Heritage

15. FAO recognizes the importance of cultural heritage and seeks to ensure cultural heritage is protected whether or not it has been legally protected or previously disturbed.
16. FAO will avoid projects that may have adverse impacts on or limit access to culture or heritage, both physical and non-physical or intangible.
17. Physical defined as movable or immovable objects, sites, structures, groups of structures, natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic or other cultural significance⁶⁷.
18. Non-physical or intangible defined as “the practices, representations, expressions, knowledge and skills as well as the instruments, objects, artifacts and cultural spaces associated therewith that communities, groups, and in some cases individuals, recognize as part of their spiritual and/or cultural heritage.”⁶⁸
19. To preserve cultural resources (when existing in the project area) and to avoid their destruction or damage, due diligence must be undertaken which include but are not limited to:
 - verifying the provisions of the normative framework, which is usually under the oversight of a national institution responsible for protection of historical and archaeological sites/intangible cultural heritage;
 - Through collaboration and communication with indigenous peoples' own governance institutions/leadership, verifying the probability of the existence of sites/ intangible cultural heritage that are significant to indigenous peoples.
20. In cases where there is a high chance of physical cultural resources, the bidding documents and contract for the civil works have to refer to the need to include recover “chance findings” in line with the national procedures and rules.

⁶⁷ Physical cultural resources may be located in urban or rural settings, and may be above ground, underground, or underwater

⁶⁸ Convention for the Safeguarding of the Intangible Cultural heritage, Article 2.1. See also Lenzerini, F. “ Intangible Cultural heritage: the Living Culture of Peoples (2011), Journal of International Law, 22(1): 101-120

21. For projects with potential adverse impacts, qualified and experienced external independent experts will assess the project potential impacts on cultural heritage and propose project alternatives and/or a mitigation plan which would be incorporated into the project document.

I. Monitoring and Reporting

22. Participatory and transparent participatory monitoring arrangements under the principle of FPIC will be put in place wherein indigenous peoples will jointly monitor project implementation with FAO.

Annex 1: Project Environmental and Social (E&S) Screening Checklist

For each question only 1 of 4 boxes must be checked: Not Applicable (N/A), No, Yes or Unknown.

Would the project, if implemented?	Not Applicable	No	Yes	Unknown
I. FAO VISION/STRATEGIC OBJECTIVES				
Be in line with FAO's vision?				
Be supportive of FAO's strategic objectives?				
II. FAO KEY PRINCIPLES FOR SUSTAINABILITY IN FOOD AND AGRICULTURE				
Improve efficiency in the use of resources?				
Conserve, protect and enhance natural resources?				
Protect and improve rural livelihoods and social well-being?				
Enhance resilience of people, communities and ecosystems?				
Include responsible and effective governance mechanisms?				
ESS 1 NATURAL RESOURCES MANAGEMENT				
❖ Management of water resources and small dams				
Include an irrigation scheme that is more than 20 hectares or withdraws more than 1000 m ³ /day of water?				
Include an irrigation scheme that is more than 100 hectares or withdraws more than 5000 m ³ /day of water?				
Include an existing irrigation scheme?				
Include an area known or expected to have water quality problems?				
Include usage of non-conventional sources of water (i.e. wastewater)?				
Include a dam that is more than 5 m. in height?				
Include a dam that is more than 15 m. in height?				
Include measures that build resilience to climate change?				
❖ Tenure				
Negatively affect the legitimate tenure rights of individuals, communities or others ⁶⁹ ?				

⁶⁹ In accordance with Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) <http://www.fao.org/docrep/016/i2801e/i2801e.pdf>

ESS 2 BIODIVERSITY, ECOSYSTEMS AND NATURAL HABITATS				
Make reasonable and feasible effort to avoid practices that could have a negative impact on biodiversity, including agricultural biodiversity and genetic resources?				
Have biosafety provisions in place?				
Respect access and benefit-sharing measures in force?				
Safeguard the relationships between biological and cultural diversity?				
❖ Protected areas, buffer zones and natural habitats				
Be located such that it poses no risk or impact to protected areas, critical habitats and ecosystem functions?				
ESS 3 PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE				
❖ Planted forests				
Have a credible forest certification scheme, national forest programmes or equivalent or use the Voluntary Guidelines on Planted Forests (or an equivalent for indigenous forests)?				
ESS 4 ANIMAL - LIVESTOCK AND AQUATIC- GENETIC RESOURCES FOR FOOD AND AGRICULTURE				
Involve the procurement or provision of pesticides?				
❖ Aquatic genetic resources				
Adhere (Aligned) to the FAO Code of Conduct for Responsible Fisheries (CCRF) and its related negotiated instruments?				
Be aligned, where applicable, with FAO's strategic policies established in the FAO Technical Guidelines for Responsible Fisheries (including aquaculture)?				
❖ Livestock genetic resources				
Be aligned with the Livestock Sector Strategy including the animal disease, public health and land degradation provisions?				
ESS 5 PEST AND PESTICIDES MANAGEMENT				
Involve the procurement or provision of pesticides?				
Result in increased use of pesticides through expansion or intensification of production systems?				
Require the disposal of pesticides or pesticide contaminated materials?				
ESS 6 INVOLUNTARY RESETTLEMENT AND DISPLACEMENT				
Avoid the physical and economic displacement of people?				
ESS 7 DECENT WORK				
Adhere to FAO's guidance on decent rural employment, promoting more and better employment				

opportunities and working conditions in rural areas and avoiding practices that could increase workers' vulnerability?				
Respect the fundamental principles and rights at work and support the effective implementation of other international labour standards, in particular those that are relevant to the agri-food sector?				
ESS 8 GENDER EQUALITY				
Have the needs, priorities and constraints of both women and men been taken into consideration?				
Promote women's and men's equitable access to and control over productive resources and services?				
Foster their equal participation in institutions and decision-making processes?				
ESS 9 INDIGENOUS PEOPLES AND CULTURAL HERITAGE				
Are there any indigenous communities in the project area?				
Are project activities likely to have adverse effects on indigenous peoples' rights, lands, natural resources, territories, livelihoods, knowledge, social fabric, traditions, governance systems, and culture or heritage (tangible and intangible)?				
Are indigenous communities outside the project area likely to be affected by the project?				
Designed to be sensitive to cultural heritage issues?				

Annex 2: Risk Classification Certification Form

After completing the E&S screening checklist, the LTO completes and certifies this certification form.

Project symbol: _____
Project title: _____

A. RISK CLASSIFICATION

Low
 Moderate
 High

1. Record key risk impacts from the E&S Screening Checklist

A. _____ C. _____
 B. _____ D. _____

2. Has the project site and surrounding area been visited by the compiler of this form?

Yes
 No

B. STAKEHOLDER CONSULTATION/ ENGAGEMENT

Identification of stakeholder(s)	Date	Participants	Location

1. Summarize key risks and impacts identified from the stakeholder engagement

A. _____ C. _____
 B. _____ D. _____

2. Have any of the stakeholders raised concerns about the project?

The LTO confirms the information above
Date _____
Signature _____

Annex 3: Environmental and Social Analysis for Moderate Risk Projects⁷⁰

Outline

Executive summary

- a. Project description
- b. Significant risks/impacts
- c. Stakeholder engagement
- d. Mitigation

Introduction

- a. Project overview and justification
- b. E&S process

1. Project description

- 1.1 Project location and siting
- 1.2 Description of project activities
- 1.3 Identification of stakeholders/beneficiaries

2. E&S baseline

- 2.1 Current state of the environment and current socio-economic conditions in the project site area
- 2.2 Potential future changes foreseen as a result of the planned activities

3. Impact assessment

- 3.1 Key E&S risks/impacts
- 3.2 Rank E&S risks/impacts by significance
- 3.3 Alternatives to project to avoid/minimize impacts

4. Mitigation

- 4.1 Identify applicable recognized good management and/or pollution abatement practices
- 4.2 Demonstrate record of the prior successful use of identified good management and/or pollution abatement practices in the project area or other justification
- 4.3 Indicators to monitor mitigation effectiveness
- 4.4 Review of applicable legislation
- 4.5 FAO ESS 1 to 9

5. Stakeholder consultation/engagement

- 5.1 Stakeholder consultation/engagement
- 5.2 Consultations on E&S mitigation
- 5.3 Grievance mechanism

6. Recommendations

- 6.1 Proceed/do not proceed with project
- 6.2 Recommendations

The LTO confirms the information above

Date _____

Signature _____

⁷⁰ The contents of the E&S Analysis (ESA) will significantly vary depending on the specific characteristics of each project. This outline presents a proposal of key elements for the E&S analysis. If host country requirements apply, these should also guide the content of the analysis.

Annex 4: Environmental and Social Impact Assessment for High Risk Projects⁷¹

Outline

Executive summary

- a. Project description
- b. Significant risks/issues
- c. Stakeholder engagement
- d. Mitigation

Introduction

- a. Project overview and justification
- b. ESIA process

1. Project description

- 1.1 Project location and siting
- 1.2 Description of project activities with associated infrastructure
- 1.3 Identification of stakeholders/beneficiaries
- 1.4 Supply chains

2. E&S baseline

- 2.1 Current state of the environment and current socio-economic conditions in the project site area
- 2.2 Potential future changes foreseen as a result of the planned activities

3. Impact assessment

- 3.1 Significant E&S impacts
- 3.2 Ranking of risks/impacts by significance
- 3.3 Alternatives to project to avoid/minimize impacts
- 3.4 Unintended outcome: impacts beyond the project's area of influence

4. Mitigation

- 4.1 Discussion of mitigation hierarchy opportunities
- 4.2 Indicators to monitor mitigation effectiveness
- 4.3 Review of applicable legislation
- 4.4 Particular attention to FAO ESS 1 to 9

5. Stakeholder consultation

- 5.1 Scoping consultation
- 5.2 Consultations on significant risks/impacts
- 5.3 Mitigation consultations
- 5.4 Grievance mechanism

6. Recommendations

- 6.1 Proceed/do not proceed with project
- 6.2 Recommendations

The LTO confirms the information above

Date _____

Signature _____

⁷¹ The contents of the ESIA will significantly vary depending on the specific characteristics of each project. This provides schematic outline of the key elements. For example, if the project involves indigenous people, an Indigenous People Plan with triggers and a generic content is provided separately.

Annex 5: Environmental and Social Commitments Plan (ESCP)

Outline

Part I

1. Mitigation action plan

- 1.1 Mitigation measures from the E&S analysis/ESIA
- 1.2 Justification of mitigation hierarchy⁷²

Part II

2. Mitigation implementation

- 2.1 Recipients institutional/organizational structure to implement mitigation
- 2.2 Roles and responsibilities
- 2.3 Budget
- 2.4 Time frames specified for each mitigation action

3. Monitoring and reporting

- 3.1 Mitigation indicators to be monitored
- 3.2 Time frame agreed
- 3.3 Report on findings template
- 3.4 Reporting time frame

4. Adaptive management

- 4.1 Where project changes occur, unforeseen circumstances arise, or monitoring determines a need to change mitigation plan, it is changed in accordance with an agreed adaptive management process.

The LTO confirms the information above

Date _____

Signature _____

The E&S Management Unit

Certifies the ESCP as above

Does not certify the ESCP as above. More clarifications required.

Date _____

Signature _____

⁷² Management of E&S risks adheres to a mitigation hierarchy:

- a. Avoidance of the E&S risks is the priority;
- b. Where avoidance is not feasible, minimize/reduce risks to acceptable levels; and
- c. Where residual impacts remain, compensate for/offset them whenever technically and financially feasible.

Annex 6: Stakeholder Engagement/Consultation⁷³

Project symbol _____

Project risk classification _____

Table 1: Stakeholder consultations

Identification of stakeholder(s)	Date	Participants	Location

Add page if necessary

Table 2: Table: Project Stakeholders, Roles and Responsibilities

Main Stakeholder Institution/Group	Relevant Roles and Responsibilities

1. Summarize key risks and impacts identified from the stakeholder engagement/ consultation

A. _____

C. _____

B. _____

D. _____

2. Have the applicable documents adequately addressed the key risks and impacts in #1?

No

Yes

3. What tools or approaches have been used, e.g. focus groups, rapid rural appraisals, etc?

4. Has there been a free, prior and informed consent (FPIC) agreement on the process and the decision made? (i.e. an indigenous peoples' plan)

5. Do the directly-affected communities feel that their concerns are responded to in a timely and appropriate manner?

6. Have any of the stakeholders raised any concerns about the project?

⁷³ This is a key supporting document for completing ESA/ESIA

Annex 7: Disclosure⁷⁴

Project symbol _____

Project risk classification _____

Disclosure of relevant project information helps stakeholders understand the risks, impacts and opportunities of a project

1. The applicable information was released:

A. Date: _____

B. Location (s): _____

C. Language: _____

2. Has there been any response to the applicable information that warrants changes to the proposal mitigation?

No

Yes

If yes, specify changes:

The LTO confirms the information above

Date _____

Signature _____

⁷⁴ This is a key supporting document for completing ESA/ESIA

Annex 8: Framework for Operationalizing Free, Prior and Informed Consent (FPIC)

The concept of Free, Prior and Informed Consent (FPIC)

Deeply rooted in the Human Rights Based Approach, the concept of Free, Prior and Informed Consent has been developed over years since the approval of the ILO Convention 169 and later with the endorsement of UNDRIP in 2007. FPIC is a mechanism whereby indigenous peoples are able to conduct their own independent collective decision making on matters affecting their rights; access; lands; territories; resources; health; collective identity; culture and spirituality; livelihoods; social cohesion and well-being.

The concept keeps evolving and adapting to different scenarios and applications. While there is an international consensus in the need to follow FPIC in activities affecting indigenous peoples, different institutions are developing their training materials and capacity to implement it. In recent years, a growing number of corporations, financial institutions, UN agencies and other organizations are incorporating FPIC into their policies and programmes.

Free, Prior and Informed Consent is essential for FAO projects in the context of Indigenous Peoples. FPIC serves as a safeguard to ensure that potential impacts on indigenous peoples will be considered in the decision making process of those programmes or projects affecting them. To achieve this, FPIC should be seen as a mechanism, as a process, where not only the qualitative parts are extremely important but also considering that there is a series of key elements that are interconnected:

Free: Independent process of decision making

Prior: Right for indigenous peoples to undertake their own decision making process regarding any project that concerns them before its implementation

Informed: Right to be provided and to have sufficient information on matters for decision-making

Consent: Collective and independent decision of impacted communities after undergoing their own process of decision making.

There are some key characteristics of a good FPIC process:

- a) it should be regarded as a process that can yield 3 different possible outcomes: The consent from the indigenous communities on the proposed activities; consent from the indigenous community consulted upon certain amendments or changes; and not consent. This refers to the word consent, which could be given or not by the community. The process is not a guarantee for the consent by the community.

- b) FPIC is not a bureaucratic requisite that involves ticking a box to comply with the appraisal phase of a project.
- c) When assessing any given FPIC, it is as important the process and how it was handled, qualitative aspects and the time devoted to FPIC.
- d) Rushing goes against FPIC. Almost invariably, the more vulnerable a community is, the more time needed for internal consultations, deliberations and final consent or not. This refers to the concept of “Prior”, which implies sufficient time for discussing and deciding.
- e) FPIC should be carried out with the traditional leaders who may coincide or not with the local authorities appointed by the Government.
- f) The process starts with the disclosure of information in means that are understandable by the traditional leader, the community and in local languages and culturally adequate means. For instance oral messages in oral cultures. Information is key to FPIC
- g) The quality of the FPIC process involves sharing the information about the project impact, in ways that are understandable and honest. Negative impacts should not be disguised or hidden. The environment in which an honest and frank discussion is carried out, should not be the FAO office or the project offices. The community consulted and its leaders should feel free to talk and not intimidated by exogenous environments, attitudes, languages or artefacts. This refers to the Free concept that embeds FPIC
- h) FPIC involves more than one meeting, often a series of them, starting with an initial informative one, followed by updates and final gathering to learn about the consent or not.

Low quality FPIC processes or rushed FPIC processes will not be considered as valid, with the subsequent difficulties in appraising and approving programmes and projects affecting indigenous peoples.

Introduction

The following is a framework to guide the practical measures that FAO personnel should take to operationalize the principle of Free Prior and Informed Consent (FPIC) in proposed projects or other activities (hereinafter, “projects”) that may directly or indirectly affect indigenous peoples. The proper implementation of FPIC is time consuming; project plans should take into account that many stages of FPIC can take several weeks to several months or more to complete. In using the framework it is important to observe the caveat that **the details and sequence of the operational measures should be tailored to correspond to the specific context of the particular indigenous peoples and their lands, territories and natural resources.**

This will help to ensure the procedural and substantive success of the project’s environmental and social assessment, its management as a whole, its cultural viability and its sustainability.

In order to abide by international standards the project should apply FPIC. The LTO of a project must apply FPIC in either of these scenarios for proposed FAO projects:

- The project will take place in an area that is inhabited or otherwise used by indigenous peoples, and project activities may affect them;
- The project will take place in an area that is not inhabited or otherwise used by indigenous peoples, but project activities may affect them (e.g., the project will generate an externality that indirectly or cumulatively affects indigenous peoples outside the immediate project area, perhaps within the same watershed/downstream from the project).

Having a basis in the human rights-based approach to development, FPIC is both a methodology and an outcome. It prioritizes *how* sustainable development outcomes can be best achieved, particularly for *development with identity*. It provides a practical means for collaboration with indigenous peoples to reach collective community consent on whether or not to accept the project, and to determine what constitutes “good practices” for the success of the project. The core elements of a common understanding of FPIC include⁷⁵:

1. The absence of intimidation, manipulation or similar duress of indigenous peoples in the FPIC process;
2. Consultation and the seeking of consent well in advance of any project activities, and with due respect for the time required by indigenous peoples to conduct their customary decision making processes for the scoping and all subsequent phases of a project;
3. The dissemination of information in understandable languages and accessible formats (written and oral) about all aspects of a proposed project, including:
 - Its purpose and duration;
 - The geographical areas it will affect
 - A preliminary assessment of its likely environmental, social, cultural and economic impacts, including potential risks;
 - Fair, equitable and culturally appropriate benefits sharing;
 - The personnel from various sectors (including indigenous peoples, intergovernmental agencies, research institutions and others) who are likely to participate in the project, and:
 - Procedures that the project may entail
4. A consent process preceded by full and effective consultation, both of which:
 - Are conducted in good faith;
 - Use an appropriate communication system;
 - Allow indigenous peoples to participate broadly and through their own, freely chosen representatives and customary or other institutions;
 - Ensure gender balance;
 - Take into account the viewpoints of children and youth, and;
 - Include the option of withholding consent

⁷⁵ International workshop on methodologies regarding free, prior and informed consent and indigenous peoples, E/C.19/2005/3.

5. The establishment of specific mechanisms and procedures to ensure:
 - The indigenous peoples' equal access to human, financial and other material resources to enable them to fully and effectively participate in the FPIC process;
 - Oversight, independent review, and redress of the FPIC process, noting that the determination of failure to respect elements of FPIC could lead to the revocation of given consent.

Steps to operationalize FPIC

Bearing in mind that the details and sequence of the steps to operationalize FPIC are context specific according to the particular indigenous peoples and their lands, territories and natural resources, the operational steps that FAO personnel should take to put FPIC into action include:

1. Preparation for the FPIC process through capacity building of the project team/personnel and contractors for optimal, culturally appropriate interaction and collaboration with indigenous peoples (note: during the FPIC process, this might include the creation of a team that includes individuals chosen by the affected indigenous peoples);
2. Develop a detailed communication strategy, plan and schedule for the dissemination of information, incorporating the indigenous peoples' own mechanisms for communication, using the language(s) that the indigenous peoples prefer, the formats that take into account diverse literacy levels (e.g., radio broadcasts, theater or role play techniques, and audio-visual materials), and in locations that they can easily access for full and effective consultation throughout all stages of the project;
3. Meet with the individuals whom the affected peoples freely identify as their traditional authorities or leaders, from their representative institutions, to confirm cultural protocols as well as appropriate timeframes, languages, formats, mechanisms and procedures for the entire FPIC process (Note: geographic areas of overlapping use by two or more indigenous peoples requires all affected communities to be equally consulted for their consent);
4. Give the affected peoples time to get expert advice on legal, environmental, social and economic aspects of the project;
5. Establish mechanisms and procedures to provide the indigenous peoples with equal access to human, financial and other material resources to enable them to fully and effectively participate in the FPIC process;
6. Conduct a participatory mapping (analysis) of land use and customary rights. The mapping should produce information, including disaggregated data, on:

- The demographic, social, cultural, political and economic characteristics of the distinct indigenous peoples that will be directly or indirectly affected by the project (e.g., how they are organized, who they identify as their traditional/customary political leader and/or governance institution(s), what their own communication systems are for participation in public decision making processes, etc.);
- The land and territories traditionally and currently owned, occupied or otherwise used by the indigenous peoples;
- Their natural and cultural resources/properties on which they depend for their livelihoods and/or their well-being

7. Conduct timely (early) and legitimate consultations, well prior to project design. The consultation should provide information and opportunities for the indigenous peoples to communicate and confirm the kind of capacity development they would need for their full and effective participation in all stages of the project. It should also enable the indigenous peoples to express their viewpoints/concerns on all aspects of the project, and enable the project personnel to consider and address the viewpoints/concerns;

8. Enable indigenous peoples' full and effective participation in project scoping, design, implementation, monitoring, mitigation, evaluation, and determination of the need for further review and management of the project;

9. Ensure early and on-going public dissemination of project information (e.g., in local newspapers, through local radio broadcasts and at customary meeting locations, throughout the district, province, etc.), including the project's environmental and social assessment document(s), environmental and social management plan(s), and evaluation document(s);

10. Verify that the indigenous peoples have properly understood the information provided;

11. Document the consultation process, in writing and through audio-visual recording if appropriate to cultural protocols;

12. Disclose the documentation of the consultation process in a timely manner and for full understanding, using the language(s) they prefer, formats that take into account diverse literacy levels (e.g., radio broadcasts, theater or role play techniques, and audio-visual materials), and in locations that they can easily access;

13. Ensure that the consent provided is *explicit*, and is recorded and affirmed in a format/formats preferred by the community (Note: this could include a Letter of Agreement, MOU or a contract, and could be accompanied by a traditional ceremony or other cultural practice) ;

14. In the participatory monitoring and evaluation of the project, include indicators that the indigenous peoples determine to be relevant for assessing their health and well-being, and that of their lands, territories, natural resources, and tangible and intangible cultural resources;

15. If the community agrees to consider the project, engage with them in an iterative negotiation process within a time frame that is long enough for them to complete their customary decision making processes, including for decisions about what kind of participation they will have in the project (e.g., adding value to it by contributing their specialized knowledge or ingenuity to its formulation and implementation). The negotiation should include discussion of land and resource agreements, governance arrangements, legal and financial arrangements, employment and contracting opportunities, culturally appropriate benefits sharing, protections and mitigations, processes and mechanisms for monitoring, grievances and dispute resolutions, and compensation, among other items of priority within the specific context of the indigenous peoples and the project.

Free Prior Informed Consent Checklist

	YES	NO	UNKNOWN	n/a
1) Does the project staff have the knowledge and competence to work with indigenous peoples in a culturally appropriate manner?/ Has the project staff been trained on how to interact with IPs?				
2) Has a detailed communication strategy for the dissemination of information been developed taking into account indigenous peoples' own mechanisms, language and locations?				
3) Have the individuals identified as legitimate leaders of the indigenous communities involved been met and consulted?				
4) Have the involved communities had sufficient time to get expert advice on the project?				
5) Have adequate mechanism and procedures for effective participation in the FPIC process been established?				
6) Has a Participatory mapping analysis with relevant information been carried out?				
7) Have timely consultations (well prior to project design) been carried out?				
8) Have the indigenous communities' involved been enabled to participate fully and effectively in project scoping, design, implementation, M&E, mitigation and determination of the need for further review and management of the project?				
9) Has project information (including environmental and social assessment document, environmental social management plan, evaluation) been disseminated early and through appropriate means?				
10) Has the proper understanding of the information provided to the indigenous communities				

involved been verified?				
11) Is the consultation process documented?				
12) Has the documentation of the consultation process been disclosed in a timely matter and using appropriate languages, formats and locations?				
13) Has the consent been provided explicitly and recorded and affirmed in the format preferred by the community?				
14) Do the participatory monitoring and evaluation of the project include indicators that indigenous peoples determine to be relevant?				
15) Has the community been engaged in an adequate negotiation process on land and resources agreements, governance arrangements, legal and financial arrangements, employment and contracting opportunities, culturally appropriate benefits sharing, processes and mechanisms for monitoring, grievances and dispute resolutions, among other items?				