



Food and Agriculture  
Organization of the  
United Nations

# FRAMEWORK FOR ENVIRONMENTAL AND SOCIAL MANAGEMENT





# **Framework for Environmental and Social Management**

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS  
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# Abbreviations and acronyms

<b>AAP</b>	Accountability to affected populations
<b>CBD</b>	Convention on Biological Diversity
<b>CITES</b>	Convention on International Trade in Endangered Species in Wild Fauna and Flora
<b>ESIA</b>	Environmental and social impact assessment
<b>ESMF</b>	Environmental and social management framework
<b>ESMP</b>	Environmental and social management plan
<b>ESOP</b>	Environmental and social operational pillars
<b>ESS</b>	Environmental and social standard
<b>FAO</b>	Food and Agriculture Organization of the United Nations
<b>FAOSTAT</b>	FAO corporate statistical database
<b>FESM</b>	Framework for environmental and social management
<b>FPIC</b>	Free, prior and informed consent
<b>GBV</b>	Gender-based violence
<b>GHS</b>	Globally Harmonized System
<b>GIAHS</b>	Globally Important Agricultural Heritage Systems
<b>IFAD</b>	International Fund for Agricultural Development
<b>ILO</b>	International Labour Organization
<b>IPCC</b>	Intergovernmental Panel on Climate Change
<b>IPM</b>	Integrated pest management
<b>IPP</b>	Indigenous Peoples' plan
<b>ISMF</b>	Integrated soil fertility management
<b>ITPGRFA</b>	International Treaty on Plant Genetic Resources for Food and Agriculture
<b>IUCN</b>	International Union for Conservation of Nature
<b>IWRM</b>	Integrated water resources management
<b>OIG</b>	Office of the Inspector General
<b>PSEA</b>	Prevention of sexual exploitation and abuse
<b>SDGs</b>	Sustainable Development Goals
<b>SMTA</b>	Standard Material Transfer Agreement
<b>UN</b>	United Nations
<b>UN EMG</b>	UN Environment Management Group
<b>UNDP</b>	United Nations Development Programme
<b>UNEP</b>	United Nations Environment Programme
<b>UNSDCF</b>	UN Sustainable Development Cooperation Framework
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>VGGT</b>	Voluntary guidelines on the responsible governance of tenure of land, fisheries and forests in the context of national food security
<b>WFP</b>	World Food Programme
<b>WHO</b>	World Health Organization

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# Introduction

1. Agriculture and food systems<sup>1</sup> are facing unprecedented challenges: demand for food is increasing as the global population expands; competition over dwindling natural resources is becoming more intense; biodiversity is being lost and soils are becoming degraded; and new pests and diseases are emerging. Currently over 690 million people are undernourished (FAO, IFAD, UNICEF, WFP, & WHO, 2020). The increase in hunger is attributed to various factors including climate variability and extreme weather, as well as conflicts and economic downturns and slowdowns (FAO, 2021a). FAO estimates that the COVID-19 pandemic may have added between 83 and 132 million people to the total number of undernourished in the world in 2020 (FAO, IFAD, UNICEF, WFP, & WHO, 2020).
2. The United Nations' Agenda 2030 for Sustainable Development and its Sustainable Development Goals (SDGs) call for major transformations in agrifood systems to end hunger, achieve food security<sup>2</sup> and improve nutrition by 2030. The FAO vision for resilient and sustainable food and agriculture systems is:

of a world in which food is nutritious and accessible for everyone and natural resources are sustainably managed in a way that maintain ecosystem functions and eradicates food insecurity and poverty to support current as well as future human needs, also within the context of the expected climatic changes, population growth and urbanization (FAO, 2014, p.12).

3. The agricultural transformation that has taken place over the past 60 years has been key to reducing poverty. However, over 736 million people are still living in extreme poverty (World Bank, 2018a) and around 80 percent of extreme poor live in rural areas and depend on agriculture (Casteneda *et al.*, 2018). The world is far from achieving SDG 1 – End Poverty, and SDG 2 – Zero Hunger.
4. The strategic narrative guiding the FAO Strategic Framework 2022–2031 (FAO, 2021b), which supports the 2030 Agenda and the Sustainable Development Goals (SDGs), is the transformation to more efficient, inclusive, resilient and sustainable agrifood systems that lead to better production, better nutrition, a better environment, and a better life, and leave no one behind. **Better production** will involve ensuring that consumption and production patterns are sustainable, and will be achieved by making food and agriculture supply chains more efficient and inclusive at the local, regional and global levels, and building resilient and sustainable food systems in a changing climate and environment. **Better nutrition** will contribute to the goal of ending hunger, food insecurity and malnutrition in all its forms, through promoting nutritious food and increasing access to healthy diets. Achieving a **better environment** will involve protecting and restoring terrestrial and marine ecosystems and promoting their sustainable use, and combating climate change through more efficient and circular food systems. Inclusive economic growth that reduces inequalities, for example, between urban and rural areas, high- and low-income countries, and women and men defines the **better life**.

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<sup>1</sup> Food systems “encompass the entire range of actors and their interlinked value-adding activities involved in the production, aggregation, processing, distribution, consumption and disposal of food products that originate from crop and livestock production, forestry, fisheries and aquaculture, as well as the broader economic, societal and natural environments in which these diverse production systems are embedded” (FAO, 2018, p.1)

<sup>2</sup> Food security encompasses four dimensions: food availability, food access, food utilization, and the stability of food access and availability. “Food security exists when all people, at all times, have physical, social, and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life” (Rome Declaration on World Food Security, 1996).

5. Agrifood systems depend largely on the services provided by ecosystems. To be resilient and sustainable, agrifood systems must minimize the negative impacts on the environment and local communities. At the same time, production must be optimized by protecting, conserving, restoring and regenerating natural resources and using these resources efficiently. A balance must be struck between protecting agricultural ecosystems and meeting society's growing need for food and other agricultural products. This can be done by developing decent and resilient livelihoods in rural, urban and peri-urban and rural settings, and promoting healthy diets. In FAO's vision, farmers, pastoralists, fishers, forest dwellers, Indigenous Peoples, and all those who work in the food and agricultural sector have the opportunity to actively participate in, and benefit from, economic development, enjoy decent employment conditions, earn sufficient incomes from their livelihoods and have access to food and other necessities that are fairly and affordably priced. In this vision, women and men and their communities live in security, have control over their livelihoods and equitable access to renewable natural resources, knowledge and finances.
6. FAO is at the forefront of work towards developing inclusive, resilient and sustainable agrifood systems. The Organization works to protect renewable natural resources and ensure they are used in a sustainable and risk-sensitive way to meet society's growing needs for food and other agricultural products, and create decent and resilient livelihoods. FAO is committed to mainstreaming sustainability in its programming. In facilitating the transition towards resilient and sustainable agrifood systems, FAO develops methodologies, guidelines, indicators, gender-responsive and nutrition-sensitive policies, investment plans, programmes and governance mechanisms for sustainable agrifood systems that encompass crops and livestock production, forestry, fisheries and aquaculture. The Organization has also developed and implements an environmental and social risk management system to strengthen the inclusiveness, resilience, sustainability and accountability of its programming.
7. With the endorsement of the Principles for Responsible Investment in Agrifood systems (CFS, 2014) by the Committee on World Food Security, inter-governmental organizations like FAO, as well as regional organizations, were recognized as having "a key role to play in promoting responsible investment in agrifood systems that contribute to food security and nutrition" (p. 23) and were encouraged to integrate the Principles into their own policies. The Principles endorsed by the CFS are reflected in the FAO environmental and social risk management system, particularly Principle 1 – Contribute to food security and nutrition; Principle 2 – Contribute to sustainable and inclusive economic development and the eradication of poverty; Principle 3 – Foster gender equality and women's empowerment; Principle 5 – Respect tenure of land, fisheries and forests, and access to water; Principle 6 – Conserve and sustainably manage natural resources, increase resilience, and reduce disaster risks; Principle 7 – Respect cultural heritage and traditional knowledge, and support diversity and innovation; and Principle 8 – Promote safe and healthy agrifood systems.
8. In 2015, FAO adopted the *Environmental and Social Management Guidelines (ESMG)* (FAO, 2015a) and the *Compliance Reviews Following Complaints Related to the Organization's Environmental and Social Standards Guidelines* (FAO, 2015b). These two sets of guidelines are important elements in the FAO approach to achieve inclusive, resilient and sustainable development. They present the information and tools that FAO headquarters and decentralized offices require to identify and manage environmental and social risks in the Organization's strategies, policies, programmes and projects.
9. In 2019, the United Nations General Assembly adopted the United Nations Sustainable Development Cooperation Framework (UNSDCF) (UNSDG, 2019). The UNSDCF guiding principles include: leave no one behind; human rights-based approach; gender equality and women's empowerment; sustainability; resilience; and accountability. The UNSDCF calls for a greater alignment and coherence in environmental and social programming standards among

United Nations agencies. In light of the adoption of the UNSDCF, between 2019–2021, FAO undertook a process to revise the 2015 ESMG. The revisions make use of the benchmarks of the ‘Model Approach’ that was proposed by the United Nations Environment Management Group (UN EMG) in the document, *Moving towards a Common Approach to Environmental and Social Standards for UN Programming* (UN EMG, 2019). The revision process took into account new United Nations and FAO normative work; best international practices from multilateral development banks and multilateral donors; and lessons that had been learned in implementing the ESMG.

10. This document, the Framework for Environmental and Social Management (FESM), is the outcome of the revision of the 2015 Environmental and Social Management Guidelines (ESMG). It was prepared through a participatory consultation process. Some of the recommendations of the ESMG have been maintained. However, the FESM establishes broader environmental and social performance requirements for FAO programming.<sup>3</sup> Many of these requirements are based on the text of the UN EMG Model Approach, which was drafted by an interagency group that included FAO, International Labour Organization (ILO), United Nations Environment Programme (UNEP), United Nations High Commissioner for Refugees (UNHCR), United Nations Children’s Fund (UNICEF), United Nations Industrial Development Organization (UNIDO), United Nations Office for Project Services (UNOPS), UN-Habitat, and World Food Programme (WFP). This consultative drafting process, which was co-chaired by United Nations Development Programme (UNDP) and International Fund for Agricultural Development (IFAD), served to establish recognized areas of commonality among these organizations in their environmental and social management requirements, and these shared approaches are reflected and reinforced in the FESM.
11. The FESM seeks to strengthen the application of the human rights-based approach and other UNSDCF guiding principles in FAO programming. The goal is to ensure that people and the environment are protected from any potential adverse impacts of FAO programmes and projects. It is also intended to ensure that all stakeholders<sup>4</sup> have ample opportunities to actively participate in the activities of these programmes and projects, and have access to effective channels to voice their concerns about them. The FESM introduces an innovative process of climate change and disaster risk screening to identify potential risks, mitigation and resilience measures. It also includes new and updated requirements to conserve and restore renewable natural resources and biodiversity; protect animal welfare; foster resilient livelihoods; manage wastes and non-pesticide hazardous materials; promote resource efficiency; protect community health and promote decent jobs; strengthen requirements for dealing with gender-based violence including the prevention of sexual exploitation and abuse (PSEA); respect Indigenous Peoples living in voluntary isolation; and enhance accountability, conflict resolution and grievance mechanisms.

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<sup>3</sup> In the FESM, ‘FAO programming’ is understood as supported activities with defined results and resources over which FAO has significant organizational influence. ‘Projects’ are typically the entry points where environmental and social safeguard policies and procedures are applied in the FAO project cycle. However, the same programming standards are applicable when designing and implementing FAO umbrella programmes and country programming frameworks. Country programming frameworks are a tool for FAO country-level strategic prioritization and overall medium-term country-level programming. They also constitute FAO input into the national development frameworks and planning cycles, as well as into the UNSDCF.

<sup>4</sup> ‘Stakeholders’ refers to individuals, groups, or organizations representing them who are affected or are likely to be affected by the project and programme activities or to those who may have an interest in these activities. Government partners, civil society actors and organizations, local government actors, private sector actors, employers’ organizations, trade unions, representatives of women and youth groups and organizations, Indigenous Peoples, local communities and other stakeholders are crucial stakeholders in FAO programmes and projects.

12. The standards contained within the ESMG have been revised and reclassified. The FESM reflects the Organization's commitment to sustainability with a new set of guiding principles, two operational pillars and nine environmental and social standards. Together they delineate the mandatory requirements related to the identification, assessment and management of multiple environmental and social risks and impacts associated with programmes and projects supported and implemented by FAO.

## Guiding principles

13. The FESM includes key elements of a human rights-based approach and applies a risk-informed approach for addressing environmental and social risks and impacts in programming. In this regard, the FESM goes beyond a 'do no harm' approach. It seeks to support the realization of the right to sufficient, adequate and nutritious safe food, and strengthen programming outcomes that contribute to the realization of the FAO vision for sustainable agrifood systems.
14. The requirements of the FESM apply to programmes and projects executed directly by FAO or by FAO's Implementing Partners, regardless of the funding source.
15. These also apply to technical assistance provided by FAO staff or supported by FAO.
16. The guiding principles are:
17. **Leave no one behind:** The central principle of the 2030 Agenda for Sustainable Development, leave no one behind, requires prioritizing and designing interventions that explicitly address the needs and rights of people who are marginalized, vulnerable or disadvantaged.<sup>5</sup> The FAO framework on rural extreme poverty (FAO, 2019a) recognizes that people, from all social and economic backgrounds have an innate capacity and desire to improve their lives, and require social policies and economic opportunities to fulfil their ambitions. The FAO framework on rural extreme poverty also recognizes that the most vulnerable should be empowered, both individually and within their communities, to participate in decisions that affect them. Equality between socio-economic groups, and particularly between women and men, in terms of rights, responsibilities and entitlements, is fundamental for eradicating hunger and extreme poverty. It is critical to address inequalities by promoting fairness in both process and outcomes. FAO interventions should not only aim at achieving immediate food security and nutrition, but also help the most vulnerable populations to chart resilient and sustainable pathways out of poverty. As part of its mandate, FAO is supporting countries to end hunger and poverty, and build resilience to multiple risks, including resilience to the impacts of climate change. The Organization does this by promoting multi-sectoral, pro-poor, gender-responsive, conflict-sensitive and risk-informed humanitarian and development policies and practices. With a view to leaving no one behind and overcoming inequalities, these policies and practices will foster inclusive, resilient and sustainable production, diversify livelihoods, and create decent rural employment.

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<sup>5</sup> Marginalized, vulnerable or disadvantaged 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" (FAO, 2015a, p. 12). Marginalized, vulnerable or disadvantaged groups selection will depend on the country and project context, but often includes the following categories: subsistence and small-scale producers, landless farmers, forest-dependent communities, fishers and fishing communities, nomadic and semi-nomadic pastoralists, migrants working in agrifood systems, rural households dependent on remittances, return migrants and internally displaced persons, refugees, marginalized ethnic minorities, Indigenous Peoples' groups, women, youth and children, people with disabilities and older persons.

18. All activities supported and implemented by FAO shall require that in cases where adverse impacts are unavoidable, these impacts do not fall disproportionately on women and girls, persons in vulnerable positions and situations, and marginalized groups and individuals. All FAO activities shall also avoid prejudice and discrimination in the provision of access to development resources and benefits.
19. **Human rights-based approach:** The FESM adopts a human rights-based approach that ensures that all phases of programming are based on the human rights standards contained in, and the principles derived from, the Universal Declaration of Human Rights and other international human rights instruments. In adhering to this approach all phases of FAO programming will aim at developing both the capacities of rights-holders to claim their rights and the capacities of duty-bearers to fulfil their obligations. FAO shall support the realization of Indigenous Peoples' rights as articulated in the 2007 United Nations Declaration of Indigenous Peoples Rights, the 1989 International Labour Organization (ILO) Indigenous and Tribal Peoples Convention (No. 169), ILO 138 (minimum age) and ILO 182 (Worst Forms of Child Labour), ILO 29 (Forced Labour) given commitment to Decent Work and avoidance of exploitation and the FAO Policy on Indigenous and Tribal Peoples (FAO, 2010) and ensure that the resilience and the safety nets of Indigenous Peoples are not compromised. FAO shall refrain from supporting activities that may contribute to violations of a Member State's human rights obligations, including obligations pertaining to the rights of persons belonging to national or ethnic, religious and linguistic minorities. FAO shall enforce a zero-tolerance approach to sexual exploitation, abuse and harassment. FAO has adopted the PANTHER principles (i.e. participation, accountability, non-discrimination, transparency, human dignity, empowerment, rule of law) when applying a human rights-based approach in the development of strategies related to food security and nutrition.
20. **Principle of free, prior and informed consent:** Free, prior and informed consent (FPIC) is a self-standing Indigenous Peoples right that was initially developed in some Conventions, developed in 1989 in the ILO Convention 169 and later enshrined as FPIC in the 2007 UN Declaration on the Rights of Indigenous Peoples adopted by the UN General Assembly. Fundamental to ensure self-determined development, FPIC is being implemented at FAO as an Indigenous Peoples' right and also as a best practice for rural dwellers, forest peoples, fishers, farmers and local communities. FPIC allows Indigenous Peoples to give or withhold consent at any stage throughout a programme or project that may impact them or their territories.
21. **Prevention of sexual exploitation, abuse and harassment:** FAO shall enforce a zero-tolerance approach to sexual exploitation, abuse and harassment and seek to identify and address any risk of potential exposure of affected people to gender-based violence (GBV) and other abuse that may occur in connection with any of its supported activities. This includes a zero-tolerance policy for sexual exploitation and abuse involving FAO personnel as well as personnel of the FAO implementing partners and responsible parties. FAO requires that appropriate prevention and response measures be adopted to prevent and to respond effectively to GBV, including designing activities to prevent and address potential exposure of project-affected people to GBV risks; screening of personnel; provision of training on prevention and response to GBV; effective reporting and response protocols; referrals for safe and confidential survivor assistance; and prompt investigation of allegations of GBV related to project activities.
22. **Sustainability and resilience:** The 2030 Agenda calls for ensuring the lasting protection of the planet and its natural and cultural resources; supporting inclusive and sustained economic growth; ending poverty in all its dimensions; and enhancing human well-being. Resilience is an important element of sustainability and a key principle guiding the design of integrated and cost-effective approaches for reducing risks and preventing disasters and crises. FAO has developed a common vision and an integrated approach to sustainability in agrifood systems,

from production to consumption, that encompasses crops and livestock production, forestry, fisheries and aquaculture, and food value chains (FAO, 2014). This approach considers social, economic and environmental factors to ensure the effectiveness of actions on the ground. The approach is underpinned by knowledge based on the best available science, and adaptation at community and country levels to ensure that activities are locally relevant and applicable. The FAO approach to resilience is informed and closely aligned with the United Nations Common Guidance on Helping Build Resilient Societies (United Nations, 2020). Increasing the resilience of agriculture and food-based livelihoods against multiple threats and crises is an FAO corporate priority. FAO combines the strengths of risk-informed humanitarian and development interventions with its contributions to peace. In this way, the Organization assists countries to more effectively prevent, anticipate, withstand, adapt and transform the multiple threats and crises that affect agrifood systems. This includes adverse impact on ecosystem services, food security and nutrition.

23. **Accountability:** FAO programming strengthens the United Nations development system's accountability for the collective support it provides to countries in achieving the 2030 Agenda. FAO does this by (a) aligning its programmes and projects with national priorities and national accountability mechanisms; (b) strengthening national and local mechanisms, institutions and processes to monitor and report on SDG implementation; (c) building upon and extending greater transparency, and improved measurement and reporting on results; (d) enabling active and inclusive stakeholder engagement and participation in decision-making, including providing access to effective complaints and grievance processes; (e) supporting the development and use of quality, accessible, timely and reliable disaggregated data for development results; (f) increasing consultation and inclusion in the design, implementation and uptake of accessible grievance mechanisms.
24. FAO defines accountability to affected populations as "an active commitment by humanitarian actors and organizations to use power responsibly by taking account of, giving account to and being held to account by the people they seek to assist" (FAO, 2013, p.3). Accountability to affected populations applies to all FAO programmes and projects, and follows a people-centered approach that is sensitive to the varying needs of different community groups, and recognizes the importance of ensuring that women, men, girls and boys have equal access to assistance and benefit from it equally (FAO, 2013). However, accountability to affected populations is particularly critical in humanitarian situations because of the extraordinary power imbalance between aid providers and recipients, and the urgency of the needs and the heightened vulnerability of the affected communities (FAO, 2013). It is estimated that 60 percent of the world's hungry people – about half a billion people – live in countries affected by conflict (FAO, IFAD, UNICEF, WFP and WHO, 2017). Accountability mechanisms (e.g. grievance mechanisms), ensure that development and humanitarian actors are held to the principles they proclaim, and that interventions do not result in inadvertent harm to people and the environment. Accountability mechanisms support a human rights-based approach that is transparent, inclusive and participative, and contribute to ensuring that no one is left behind. They are also an acknowledgement that unanticipated impacts and conflicts may arise even when programmes and projects are well planned, sensitive to risks and conflicts, and carried out with the best intentions. Accountability mechanisms need to be in place to receive and respond to grievances from people affected by FAO programmes and projects, and prevent and respond to patterns of exploitation and abuse. Increasing the participation of affected populations in the identification, design and delivery of programme and projects; obtaining their feedback; providing access to grievance mechanisms; and including them in lesson learning are all examples of actions that support full accountability to affected populations and beneficiaries. By fostering accountability to affected populations, FAO can implement programmes and projects that are of higher quality and have a greater and more sustainable impact.

# Environmental and social risk management

25. The FESM is designed to help manage and improve FAO's environmental and social performance through a risk- and outcome-based approach. By providing a set of tools, the FESM seeks to ensure that the requirements related to the sustainable use of natural resources and the protection of the environment and livelihoods are integrated into the definition, preparation and implementation of FAO programming.
26. More specifically, the FESM aims to:
  - identify, evaluate and manage the environmental and social risks and impacts of FAO programming;
  - set minimum requirements on how social and environmental factors must be integrated into programming;
  - adopt the following risk mitigation hierarchy:
    - a. anticipate and avoid adverse environmental and social impacts;
    - b. where avoidance is not feasible, minimize or mitigate risks and impacts to acceptable levels;
    - c. where significant residual impacts remain, compensate for or offset them whenever technically and financially feasible; and
  - promote inclusive, resilient and sustainable agrifood systems.
27. The FESM establishes two environmental and social operational pillars (ESOP) which set the principles and mechanisms to effectively screen and manage risks and potential impacts:
  - ESOP 1 – Screening, assessment and management of environmental, climate and social risks and impacts; and
  - ESOP 2 – Stakeholder engagement, information disclosure, and grievance, conflict resolution and accountability mechanisms.
28. ESOP 1 establishes the criteria for the risk screening and risk categorization processes along with the procedures and management conditions for each risk category. ESOP 2 sets out the principles for ensuring meaningful, effective and informed participation of all stakeholders in the formulation and implementation of FAO programmes and projects as well as the grievance, conflict-resolution and accountability mechanisms to prevent and mitigate adverse impacts.
29. The FESM establishes nine Environmental and Social Standards (ESS) to prevent, minimize, reduce or mitigate the adverse environmental and social risks and potential impacts of programmes and projects. Where it is determined that a programme or project may present specific risks and/or impacts, the requirements of the relevant standards are triggered.
30. Programmes and projects are required to meet the requirements set by the nine Environmental and Social Standards:
  - ESS 1 – Biodiversity conservation and the sustainable management of natural resources;
  - ESS 2 – Resource efficiency and pollution prevention and management;
  - ESS 3 – Climate change and disaster risk reduction;

- ESS 4 – Decent work;
  - ESS 5 – Community health, safety and security;
  - ESS 6 – Gender equality and prevention of gender-based violence;
  - ESS 7 – Land tenure, displacement, and resettlement;
  - ESS 8 – Indigenous Peoples; and
  - ESS 9 – Cultural heritage.
31. The ESS and ESOPs shall be applied in conjunction and comply with applicable legislation of the host country with regard to environmental and social assessments, human rights, social and gender equity matters, including legislation that meets the host country's obligations under international laws. If FAO standards and procedures are more stringent than national laws and regulations, FAO programmes and projects shall adhere to the FESM requirements.
  32. When projects are jointly financed with other bilateral or multilateral funding partners, FAO may agree to apply these parties' environmental and social standards, requirements, processes, rules and policies, provided that they are equivalent to FAO's and will enable the project to achieve objectives consistent with FAO's ESS.
  33. FAO and its implementing partners will require all contractors and primary suppliers engaged in the programme or project to operate in a manner consistent with FAO's ESS.

## Environmental and Social Operational Pillars

### ESOP 1: Screening, assessment, management of environmental and social risks and impacts

34. The identification, assessment and management of environmental and social risks and impacts are key tools for achieving sound environmental and social performance of FAO programming. Screening, assessment, and management refers to a process of identifying, predicting, evaluating, and avoiding significant adverse environmental and socio-economic impacts associated with programming activities. Where the avoidance of adverse impacts is not possible, screening, assessment, and management serves to mitigate these impacts. The prior identification of potential risks and impacts allows for informed decision-making, which can help avoid and reduce potentially adverse consequences and maximize potential benefits.

### Objectives

- Identify, evaluate and manage the environmental and social risks, impacts and opportunities of the programme or project in a manner consistent with the ESS.
- By evaluating trade-offs, anticipate and avoid adverse impacts to people and the environment, and, where avoidance is not possible, minimize and mitigate these impacts according to the mitigation hierarchy.
- Reduce or eliminate potential adverse impacts on all men, women and children, and ensure that specific socio-economic groups and individuals are not disadvantaged in the sharing of the development benefits and opportunities that result from the programme or project.



## Scope of application

ESOP 1 applies to all programmes and projects supported by FAO.

## Requirements

### 1. Screening process

35. Screening is the process of identifying and classifying environmental and social risks associated with individual programmes and projects. FAO shall screen and categorize the proposed activities of programmes and project within a distinct planning phase to: (a) identify potential environmental and social risks and impacts caused by the project, including the risks referred to in the guiding principles and for each ESS as well as the potential risks to the project, based on factors that could jeopardize the attainment of project objectives, and (b) determine the nature and level of the environmental and social review and assessment, and, provisionally, the management measures necessary for addressing the identified risks and impacts.<sup>6</sup>
36. As early as possible in the screening process, marginalized, vulnerable or disadvantaged groups that are, or may be, affected by the activities of the programme or project shall be identified. Once this has been done, the associated risks and impacts shall be assessed to ensure that differentiated mitigation measures are incorporated to ensure that risks and impacts do not fall disproportionately on specific groups, and that these groups do not face discrimination or prejudice in accessing and sharing the benefits and resources derived from the activities of the programme or project.
37. The screening process results in the assignment of a risk category based on the significance of the programme or project's potential environmental and social risks, including risks related to associated activities.<sup>7</sup> This categorization includes risks of direct, indirect, cumulative and transboundary impacts. Screening and categorization shall occur as early as possible in programming and well in advance of the approval of supported activities, and shall be updated accordingly during the programme or project cycle.
38. The applicability of FAO's ESS to associated funding and/or activities will be assessed on a case-by-case basis. Associated activities should be carefully considered due to the possibility of significant reputational risk. Where possible, cost-effective ways should be identified to apply FAO's ESS beyond programmes or projects directly implemented, executed or financed by FAO.
39. There are instances where FAO cannot proceed with a programme or project. For a complete list of excluded activities see Annex 1.

### 2. Risk categorization

40. Based on the activities of the programme or project, and the nature, significance and likelihood of the potential direct, indirect, cumulative or transboundary environmental and social risks and impacts that have been identified during the screening process, programmes and projects are classified as high, moderate or low risk.

<sup>6</sup>Some supported activities (e.g. emergency response and humanitarian action) may require immediate response and initial screening may be delayed downstream in the project cycle. Initial social and environmental risk management measures would be addressed through management controls, standard operating procedures, procurement and partnership agreements, and other measures.

<sup>7</sup>Associated activities are activities (or facilities) that are not funded directly by a programme or project but are directly related as they are carried out or planned to be carried out contemporaneously with the programme or project and are necessary for the viability of the supported activities and would not be implemented if the programme or project did not exist.

### - High risk

41. The programme or project is likely to have potentially significant adverse environmental and social impacts that are irreversible, cumulative or unprecedented and/or raise significant concerns among potentially affected communities and individuals. High-risk programmes or projects may present significant risks and impacts that extend beyond the defined activities and area, and may contribute to cumulative impacts. High-risk programmes or projects have most or all of the following features:
- the impacts are long term, permanent and/or irreversible, and impossible to avoid entirely due to the nature of the project;
  - the geographical area or size of the human population, including the proportion relative to the project location and population, likely to be impacted is medium to very large;
  - the impacts will be significant and cumulative;
  - the impacts will be significant and transboundary;
  - there is a high probability of serious adverse effects to human health, livelihoods and/or the environment;
  - the area likely to be impacted includes sensitive and valuable ecosystems and habitats (e.g. legally protected or internationally recognized areas of high biodiversity value; areas with Indigenous Peoples or minority groups; areas of significant cultural heritage; and densely populated urban areas);
  - some of the serious adverse risks and impacts of the programme cannot be mitigated or require complex and/or unproven mitigation measures, compensatory measures or technology, or sophisticated social analysis and follow-up actions;
  - there are concerns that the adverse social impacts of the programme or project, and the associated measures to mitigate these impacts, may give rise to significant social conflict or harm, or present significant risks to human health and security; and
  - there are a number of factors outside the control of the programme or project that are both likely to occur and could have significant environmental or social impacts that affect the outcomes of the programme or project.

### - Moderate risk

42. The programme or project is likely to have adverse environmental and social risks and impacts that are limited in scale, not unprecedented, and confined to the programme or project area. Moderate-risk programmes or projects may encompass a broad range of supported activities that have varying degrees of limited environmental and social risks and impacts. Medium-risk programmes and projects are likely to have the following features:
- the impacts are predictable and expected to be temporary and/or reversible;
  - the impacts are low in magnitude, affecting a low number of people;
  - the impacts are site-specific, with no likelihood the impacts will extend beyond the actual footprint of the programme or project; and
  - there is low probability of serious adverse effects to human health, livelihoods and/or the environment.

### - Low risk

43. The programme or project has no or minimal potential negative environmental and social impacts. It will not be controversial in terms of the interests of key stakeholders. In case of negligible impacts, the risk remains low because there are widely known and readily available good practices that can be used to address these impacts, and the beneficiaries of the programme or project (e.g. farmers, fishers) have a proven track record of applying these good practices.

### 3. Assessment

44. The preparation of an environmental and social assessment follows the screening and categorization process. The assessment shall be proportionate to the potential risks and impacts that have been identified through the screening process, and the country context (e.g. crisis, fragile, conflict-affected, low-income) in which the programme and project activities are to be carried out. The assessment will cover, in an integrated way, all the direct, indirect, cumulative and transboundary environmental and social risks and impacts throughout the life cycle of the programme or project. This will include the specific risks and impacts identified in the application of the ESS.
45. The environmental and social assessment of the programme or project shall be undertaken as early as possible.<sup>8</sup> Under no condition, shall programme or project activities that may cause adverse impacts proceed until the environmental and social assessment has been completed and the necessary mitigation measures have been adopted. All FAO programmes and projects shall follow the risk mitigation hierarchy (see section, Environmental and social risk management) to ensure that any environmental and social risks and potential adverse impacts are anticipated. In the case of emergency response and humanitarian action, separate management controls and procedures to avoid, minimize, and mitigate adverse impacts and future risks shall be applied.
46. The environmental and social assessment process shall consider the following categories of data and information:
- the nature, magnitude and likelihood of the risks, from rapid- and slow-onset hazards to chronic emergencies, and relative potential impacts on the activities of the programme or project;
  - the impacts on physical, climatic, biological, socio-economic and cultural resources, including the direct, indirect, and cumulative impacts of the programme or project and its associated activities within its area of influence;
  - the potential transboundary and global impacts, including air pollutants and other emissions, as they relate to programme and project activities; and
  - social and environmental baseline data, and poverty, gender and vulnerability analysis at an appropriate level of detail, recognizing that variability of conditions over time (e.g. seasonal variations and the movement of people) may require additional data collection.

<sup>8</sup> Parties to the United Nations Economic Commission for Europe (UNECE) Espoo Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment must adhere to the legal obligations set out in these instruments for identifying, assessing and managing the environmental and health impacts of programmes and projects.

47. Risk mitigation measures shall:

- Apply a risk-based approach for addressing significant environmental and socio-economic challenges.
- Apply the risk mitigation hierarchy.
- Develop appropriate social and environmental management measures and plans proportional to the nature and magnitude of the identified potential risks and impacts.
- Consider all technically and financially feasible alternatives to reduce serious potential environmental and social risks and impacts, including the scenario of not proceeding with programme or project activities. Cost-benefit analysis may be required to weigh fully the potential overall costs of social and environmental impacts against anticipated project benefits.
- Apply adaptive management techniques whereby lessons are learned from past management actions, including lessons that have been learned in other areas and from other programmes and projects, and are proactively applied to predict and improve management as the programme or project progresses.
- Apply voluntary codes, standards and guidelines, where possible and relevant.
- Follow the principle whereby the cost of mitigating the environmental and social risks and impacts is borne by the persons or groups responsible for these risks and impacts, where applicable.
- Consider institutional frameworks and compliance with national laws and regulations and obligations under international human rights law, international labour standards, and environmental treaties and agreements (i.e. applicable law). Where national law and international law set different standards, respect the most stringent standard.
- Undertake early and meaningful engagement with stakeholders, including the most vulnerable, throughout the life cycle of the programme or project. This engagement must be predicated on the timely disclosure of all relevant information in accessible form and assurances that stakeholders' views will be considered, including in the identification and management of environmental and social risks and impacts.
- Establish feedback loops to confirm stakeholder understanding and buy-in.
- Allocate sufficient budgetary and other resources to undertake assessments and develop risk mitigation measures proportional to the nature and magnitude of the potential risks and impacts of programme and project activities.
- Where the environmental and social assessment identifies potential adverse risks and impacts to persons with disabilities and individuals and groups at heightened risk, ensure that differentiated measures are implemented to tackle their specific needs and concerns as they are defined by the groups themselves, and ensure equal access to the benefits and opportunities that result from the programme or project.
- Identify potential environmental and social risks and impacts associated with contractors and primary suppliers affiliated with the programme or project. Due diligence should be undertaken to ascertain the performance and reputation of contractors and primary suppliers. The magnitude of risks and potential impacts will determine the measures needed to them.

### Assessment requirements for high-risk projects

48. For high-risk programmes or projects, an independent expert external to FAO shall carry out a full environmental and social impact assessment (ESIA). Theme-specific analyzes will likely be necessary (e.g. climate impacts and risk assessment, health impact assessment, conflict risk analyzes, biodiversity assessment and etc.) and shall be incorporated in the ESIA. In addition, the process may involve the preparation of a resettlement action plan (RAP), a biodiversity management plan, an Indigenous Peoples plan (IPP), a free prior and informed consent (FPIC) implementation plan and other plans, as needed.
49. Risk and impact management and mitigation measures shall be reflected in an environmental and social management plan (ESMP) that is developed and included in the ESIA. An ESMP should include risk mitigation measures addressing the potentially adverse impacts, as well as timelines and budgetary allocations. The ESMP may also include or accompany other required management plans (e.g. RAPs or IPPs) where relevant. The particular needs and circumstances of women and men, particularly marginalized, vulnerable and disadvantaged groups, shall be addressed in any ESMP or equivalent management plan. Third party (e.g. independent experts, local communities) monitoring, feedback and/or independent audits shall be used, where appropriate, to monitor project implementation and/or assess if environmental and social risks and impacts mitigation objectives are being or have been achieved.

### Assessment requirements for moderate-risk projects

50. For moderate-risk programmes or projects, FAO will require a limited social and environmental assessment and review. The ESIA will describe the potential environmental and social risks and impacts, and the appropriate mitigation measures. The ESIA will focus on the application of recognized good practices that will ensure the relevance of the interventions. Once the potential environmental and social risks and impacts of programme or project activities are identified, measures to mitigate, monitor and manage the impacts need to be established. Measures to manage and mitigate risks and impacts shall be reflected in an ESMP and included in the assessment.

### Assessment requirements for low-risk projects

51. Low-risk programmes or projects do not require further environmental and social assessment or management measures beyond the application of the FESM guiding principles and the ESOPs.

### Special project types

52. Where programmes and projects consist of a series of activities for which details are not yet fully identified at the time of risk certification and approval, an environmental and social management framework (ESMF) will be required to ensure that once the activities of the programme or project have been specified they will be assessed and implemented in conformity with the framework.
53. Conflict-sensitive projects and interventions should follow recommendations outlined in the Programme Clinic: Designing conflict-sensitive interventions (FAO, 2019b) and the Guide to context analysis: Informing FAO decision-making (FAO, 2019c).
54. For emergency response and humanitarian action interventions, the timelines and sequencing of the assessment and management measures will be adjusted to prioritize rapid response activities. As the crisis situation transitions to early recovery and development, the rest of

the ESS should be fully integrated in the programme or project cycle. During an emergency, environmental and social assessments are instrumental for preventing secondary emergencies, addressing acute risks to human life and health, and making positive contributions to the recovery and resilience of affected communities and their livelihood systems. In many instances, the initial disaster can have a direct adverse impact on the natural environment, often with negative consequences for the livelihoods of affected populations. Moreover, existing environmental issues (e.g. over-extraction of natural resources) might affect the way humanitarian assistance is delivered. It is important to also evaluate how the humanitarian intervention itself may cause or contribute to negative socio-economic and environmental impacts. Such an analysis is particularly important during multi-year crises where long-term humanitarian assistance might be required. As the crises and modalities of humanitarian response change over time, socio-environmental impacts may need to be reassessed. When programming is focused on emergency and crisis response and recovery action, FAO will undertake efforts to integrate the ESS into crisis response training, preparedness and prevention protocols, debiasing checklists or similar tools, and operating procedures.

#### **4. Monitoring and reporting**

55. FAO will ensure that resources for managing environmental and social risks are clearly identified during the project design stage and are proportionate to the level of risk.
56. FAO will monitor and evaluate the overall performance of each programme and project against the objectives and requirements of the ESS within its project quality assurance system. The extent and mode of monitoring will be proportionate to the risk categorization of the programme or project; its environmental and social risks and impacts; and compliance requirements. For some programmes and projects, monitoring systems with gender- and age-sensitive indicators should be considered to account for differential risks and impacts on men, women and children.
57. FAO will ensure adequate institutional arrangements, systems, resources and personnel are in place to carry out monitoring and reporting. During implementation and monitoring, the environmental and social risk management process will focus on monitoring the programme or project against the ESMP to track progress and establish operational controls to verify compliance. Monitoring will be adjusted according to experience and actions required, and the feedback from stakeholders. Monitoring arrangements will ensure an adequate representation of women and the groups most at risk from the social and environmental impacts.
58. Monitoring of activities should involve direct participation of project beneficiaries and other stakeholders, especially for high-risk projects. Where appropriate, the programme or project will engage other third parties (e.g. independent experts, local communities or non-governmental organizations) to complement or verify its own monitoring activities. The role of subnational entities should also be considered in monitoring activities. Monitoring will be adjusted according to performance, the actions requested by regulatory authorities, feedback from stakeholders, and the evolving approaches within the programme or project and within FAO as a whole. Programmes and projects will provide regular reports to stakeholders of the monitoring results in accordance with the stakeholder engagement plan. Based on monitoring results, the project will amend ESMPs or other ESS instruments and management tools, and monitor and report on any necessary corrective and preventive actions.

## ESOP 2: Stakeholder engagement, information disclosure, and grievance, conflict resolution and accountability mechanisms

59. Meaningful and effective stakeholder engagement is fundamental to achieve the SDGs and adhere to the principle of 'leaving no one behind'. It is essential for combatting inequality and ensuring equity and non-discrimination in all areas of FAO programming. Meaningful engagement with stakeholders, which includes access to timely and user-centred information and victim-centred grievance mechanisms is a key aspect of a human rights-based approach to programming.
60. FAO is committed to ensuring meaningful, effective and informed participation of all stakeholders in the formulation and implementation of FAO programmes and projects. Special attention should be given to ensure an adequate representation of women and population groups that are most at risk of social and environmental impacts (e.g. marginalized, vulnerable and disadvantaged groups, Indigenous Peoples and local communities). Similarly special attention should be given to the participation and inclusion of such groups within the formulation and design of victim-centred feedback and complaint and/or grievance mechanisms to assure access, uptake and accountability.

### Objectives

- Promote meaningful and effective participation of the parties involved in and affected by programme and project activities, as well as other stakeholders, throughout the programme or project cycle.
- Ensure stakeholders have timely access to appropriate and understandable information on programme and project activities, the opportunity to react and best adapt these activities to their needs, and information on potential environmental and social risks and impacts.
- Ensure the involved and affected parties have access to effective remedy through fair, transparent, and inclusive processes and mechanisms for redressing grievances.
- Ensure stakeholder engagement is conducted in an inclusive and gender-responsive manner that includes different generations and pays special attention to any marginalized, vulnerable and disadvantaged groups.

### Scope of application

ESOP 2 applies to all programmes and projects supported by FAO.

### Requirements

#### 1. Stakeholder engagement

61. Stakeholder engagement is an ongoing process that involves to varying degrees: (a) stakeholder identification and analysis (e.g. the disaggregation of data by sex, age, and other relevant socio-demographic variables); (b) the planning of stakeholder engagement over the entire programming or project cycle from planning to monitoring; (c) the timely disclosure of relevant, accessible information on the programming activities; (d) consultation and meaningful participation of women and men and representatives of all stakeholders; (e) mechanisms to resolve disputes and address potential grievances; (f) reporting to stakeholders; and (g) the inclusion of both women and men stakeholders in monitoring and evaluation.

62. Stakeholders are to be identified and involved as early as possible in the programme or project cycle and power relations among them are to be assessed. Stakeholder engagement must be sustained throughout the programming or project cycle.
63. Stakeholder engagement shall include the following activities:
- Conduct stakeholder identification and analysis of different stakeholder groups and the power relations among them as early as possible. This will include the identification and management of environmental and social risks and impacts.
  - Develop stakeholder engagement plans proportionate to the nature and scale of project activities and potential environmental and social risks and impacts. The form and content of stakeholder engagement plans will depend on various factors, including the nature, scale, location, and duration of the activities of the programme or project; the diverse interests of stakeholders; the scale of potential positive and adverse impacts on people and the environment; and the likelihood of grievances. Stakeholder engagement plans should be disclosed early to seek views and allow for modification according to the needs, the cultural norms, and other concerns of the stakeholders. For smaller-scale programmes and projects with few if any adverse impacts or initial stakeholder concerns, it may consist of a description of the approach for stakeholder engagement activities. For more complex programmes and projects, comprehensive plans that map out detailed engagement activities across multiple phases of the programme or project cycle may be required.
  - Conduct meaningful effective consultations and collaboration in a culturally appropriate manner. Meaningful effective consultations should be free of external manipulation, coercion, discrimination and intimidation, and respond to the different needs and interests of all groups in an age- and gender-inclusive manner. Engagement processes should be tailored to the language and accessibility preferences of each group, including persons with disabilities. Consultations and collaboration should also be based on prior and timely disclosure of relevant, accessible and understandable information; be free of charge; and provide appropriate time frames for stakeholders to review the information and provide comments.
  - Keep records of stakeholder consultations, respecting the confidentiality and privacy of personal information to protect stakeholders from potential harm.
  - Adjust stakeholder engagement activities during implementation of the programme or project and include stakeholders in monitoring and evaluation of outcomes.
64. Programme and project activities may at times be undertaken in especially challenging environments, such as areas that are experiencing conflict or humanitarian crises, or where human rights violations are rampant. Where direct consultations with certain stakeholder groups are impossible, other avenues should be explored. Care should be taken to ensure that the representatives and third parties genuinely represent the stakeholders concerned and reflect the different views and perceptions of both women and men. In challenging environments, the risks stakeholders face in participating in supported activities should be closely monitored.

## 2. Information disclosure

65. Disclosure of programme and project information helps stakeholders to participate effectively in project consultations. Before appraisal formally begins, FAO will disclose in a timely manner information on the environmental and social risks of programme and project activities that is relevant, understandable, accessible and considered culturally appropriate by the



stakeholders. Due attention will be accorded to the specific needs (e.g. literacy, gender, disabilities, differences in language, accessibility of technical information or connectivity) of both women and men in the community groups affected by project implementation.

66. FAO will disclose information related to environmental and social risks and impacts for all moderate and high-risk projects, and may disclose such information for low-risk projects if warranted. For high-risk programmes and projects and some moderate-risk projects, national or local legislation may specify disclosure requirements that should be complied with.
67. For a moderate-risk programme or project, FAO will release the applicable information as early as possible, but no later than 30 days before it becomes operationally active. For a high-risk programme or project, FAO will release the applicable information as early as possible, but no later than 60 days before it becomes operationally active. The 30-day or 60-day period commences only when all the relevant information has been provided and is available to the public.
68. Requirements for programmes and projects under emergency preparedness and response differ and will be described in a separate guidance note.

### 3. Grievance mechanisms and conflict resolution processes

69. Stakeholders involved in or affected by activities supported by FAO have a right to express their opinions, whether positive or negative, to the Organization with regard to the actions that affect them. Addressing grievances early and effectively mitigates, manages and resolves problems, and prevents them from becoming worse. The existence of a grievance mechanism is crucial to ensure that affected parties have access to fair, transparent, inclusive and no-cost processes and mechanisms to redress grievances and resolve conflict. The design of FAO grievance mechanisms should meet the effectiveness criteria for non-judicial grievance mechanisms outlined in the Guiding Principles on Business and Human Rights, which were adopted by the United Nations Human Rights Council in 2011 (OHCHR, 2011), and when appropriate should be implemented in collaboration with the involved and affected communities.
70. FAO grievance, feedback and complaint mechanisms should be:
  - **Legitimate:** They should be trusted by the intended stakeholder groups for whose use they are intended and be accountable for the fair conduct of grievance processes.
  - **Accessible:** They should be known to all stakeholder groups for whose use they are intended and provide adequate assistance for those who may face barriers to access (such as language and mobility). They should be age- and gender-inclusive; address access barriers for different groups, including marginalized, vulnerable and disadvantaged and persons with disabilities; and deal with concerns promptly and effectively in a transparent manner that is culturally appropriate at no cost and without retribution.
  - **Predictable:** They should provide a clear and known procedure with an indicative time frame for each stage; and offer clarity on the types of processes and outcomes available and the means of monitoring their implementation.
  - **Equitable:** They should seek to ensure that women and men with grievances have equal and reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms.

- **Transparent:** They should provide entry points for communicating concerns and clarity on the mechanism's procedures, and keep the parties with grievances informed about progress by providing sufficient information about the mechanism's performance. A grievance mechanism requires that the involved and affected stakeholders know about it, trust it and are able to use it. It is important to maintain a record of responses to all grievances received and make this available where appropriate; inform the involved and affected parties on how to access the mechanism during stakeholder engagement activities; and indicate the appeals process to which complainants may be referred when resolution has not been achieved.
  - **Rights-compatible:** They should ensure that outcomes and remedies are in line with internationally recognized human rights. The mechanism should not prevent access to judicial or administrative remedies. Where feasible and suitable, utilize other existing formal or informal mechanisms as a supplement to the grievance mechanism, if needed, to ensure conformity with internationally recognized human rights.
  - **Open to continuous learning:** They should incorporate measures to identify lessons learned that can improve the mechanism, and prevent future grievances and harm.
  - **Confidential:** The safety of the complainant should be a primary consideration at all times during reporting, investigation, and thereafter. Complaint mechanisms must consider potential dangers and risks to all parties, including survivors of GBV and abuse and incorporate ways to prevent additional harm. This should include the availability of confidential complaint mechanisms and confidential data storage systems.
71. Poorly designed or implemented grievance mechanisms can risk compounding a sense of grievance by heightening the sense of disempowerment and disrespect for the process among the involved or affected people. The fact that no grievances have been reported does not indicate a complete absence of grievances. Stakeholders may not know how to raise grievances, or may have expectations that managers are not aware of.
  72. Information about the available grievance, feedback and complaint mechanisms and how it can be accessed needs to be communicated continuously through appropriate channels to stakeholders, and the effectiveness of established grievance mechanism at the local level should be tested periodically.
  73. All FAO offices (i.e. headquarters, regional, sub-regional, country and field offices) will establish dedicated channels for receiving complaints related to the Organization's compliance with the FESM or the grievance mechanisms of the programme or project. This can include for example an email address, telephone number and mailing address; at least one physical box to place notes; and where relevant, an Internet page with a messaging facility and social media portals for submitting messages. The existence of the grievance mechanism, its purpose and all possible communication channels will be publicized to stakeholders continuously as a general and permanent provision. The information provided will be communicated in local languages and facilities will be available to receive complaints and comments in those languages. Concerns must be addressed at the closest appropriate level (e.g. the project field office) and if necessary, with country and regional offices for national, regional and global programmes and projects.
  74. All concerns and/or incidents related to sexual exploitation and abuse must be addressed to the PSEA Focal Point in country and to the Office of the Inspector General (OIG) as appropriate.

75. All FAO programme and project grievance mechanisms shall receive and address complaints related to the implementation of activities in a timely and culturally appropriate manner. Once a complaint has been made, FAO shall keep the complainant abreast of the progress of the case.
76. FAO prohibits and prevents retaliation against workers and other stakeholders who seek to be informed about and participate in activities that are supported or implemented by the Organization; express their concerns about them; or gain access to the processes and mechanisms of FAO programmes and projects for redressing grievances. The Organization neither tolerates nor contributes to threats, intimidation, retaliation or physical and legal attacks against human rights defenders and stakeholders who are involved in and affected by FAO programmes and projects. Respect should always be given to requests for confidentiality with regard to the identities of complainants and disclosure of information provided to these mechanisms.

#### **4. The FAO independent accountability mechanism**

77. In addition to grievance and conflict resolution mechanisms at the programme and project level, FAO has established an independent accountability mechanism as a supplemental means to address the complaints and concerns of stakeholders involved in or affected by FAO programmes and projects, and review alleged or potential violations of FAO environmental and social safeguards.
78. The accountability mechanism is designed to be independent, transparent, accessible, responsive, free of charge and effective. It provides beneficiaries of FAO programmes and projects with a means to have their complaints resolved and keep them informed of what is being done to address their concerns throughout the compliance review process. The independent accountability mechanism seeks to identify any potential breaches of FAO policies and procedures as outlined within the requirements of the FESM.
79. The independent accountability mechanism, as specified in the Compliance Reviews Following Complaints Related to the Organization's Environmental and Social Standards Guidelines (FAO, 2015b), explain the requirements for filing a complaint and the process that OIG will utilize in reviewing alleged non-compliance with FAO environmental and social standards. To be eligible, all complainants must indicate the steps they have taken to make good faith attempts to resolve their complaints with the management of the FAO programme or project and the results of those attempts; or demonstrate a good reason (e.g. reasonable fears about their safety) for not approaching the programme or project management. If the compliance review process results in findings of non-compliance, OIG will direct recommendations to FAO management to bring the programme or project into compliance.



# ESS 1. BIODIVERSITY CONSERVATION, AND SUSTAINABLE MANAGEMENT OF NATURAL RESOURCES

## Introduction

80. FAO recognizes that inclusive, resilient and sustainable development depends on protecting and conserving biodiversity, maintaining and restoring ecosystem services, and sustainably managing and regenerating natural resources. Biodiversity and ecosystem services, which are closely interlinked, support agrifood systems in multiple ways and provide benefits for people's livelihoods and well-being.

81. The Convention on Biological Diversity (CBD) defines biodiversity as:

the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species, and of ecosystems (UN Convention on Biological Diversity, 1992).

This definition covers plant, animal, forest, aquatic, micro-organism and invertebrate genetic resources and diversity that are vital to food security, nutrition, livelihoods and the resilience and adaptability of global agricultural production systems.

82. Ecosystem services are the benefits that people derive from ecosystems. ESS 1 recognizes all four categories of ecosystem services: (a) provisioning services that include food, freshwater, wood, timber, fibres, medicinal plants and genetic resources; (b) regulating services that include surface water purification, carbon storage and sequestration, climate regulation, protection from natural hazards, (c) cultural services that include natural areas that are sacred sites and areas of importance for recreation and aesthetic enjoyment, and (d) supporting services that include soil formation, nutrient cycling and primary production.

83. The 2030 Agenda for Sustainable Development recognizes that biodiversity is one of the critical components for many economic activities, particularly those related to sustainable agriculture. Biodiversity features prominently in the 2030 Agenda for Sustainable Development and in the 21 SDGs indicators for which FAO is the custodian agency. FAO has developed a number of legally binding instruments, soft law instruments and voluntary guidelines that support the conservation and sustainable use of biodiversity. The Organization works closely with international biodiversity-related conventions and instruments, particularly the CBD.

84. ESS 1 supports the objectives of the CBD: the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources. In addition, ESS 1 elaborates a range of actions to avoid and minimize adverse impacts to terrestrial, freshwater and marine biodiversity, ecosystems and genetic resources.

## Objectives

- Protect and conserve biodiversity.
- Avoid crop and livestock production, fisheries and aquaculture, and forestry and wildlife management practices that could have serious adverse impacts on biodiversity and ecosystems, ecosystem services, natural habitats and genetic resources.
- Sustainably manage ecosystems and promote the responsible governance of natural resources to maintain the ecosystem services and benefits they provide, recognizing the crucial role that women, Indigenous Peoples and local communities play in this regard.
- Ensure the fair and equitable sharing of benefits from the sound utilization of genetic resources.
- Respect, preserve, maintain and encourage the knowledge, innovations and practices of Indigenous Peoples and local communities that support the conservation and sustainable use of biodiversity and ecosystems, and the customary use and management of biological resources.
- Ensure the sustainable use of natural resources in post-conflict and emergency contexts in order to contribute to the stabilization of the situation, the resolution of the conflict, and the prevention of a relapse into renewed conflict.

## Scope of application

85. The application of ESS 1 is established during environmental and social screening. Based on the risk and impact identification and assessment process, the requirements apply to FAO programmes and projects that could potentially have a negative impact on biodiversity either directly or indirectly. It also applies to programmes and projects that rely on biodiversity to achieve successful outcomes. Programmes and projects that potentially affect ecosystem services and/or involve the management of living natural resources (i.e. crop and livestock production, fisheries and aquaculture, forestry and wildlife management) must adhere to this standard.

## Requirements

### 1. Risk identification and assessment

86. FAO will apply an ecosystem approach for the integrated and adaptive management of terrestrial, freshwater, and marine living resources that promotes their conservation and sustainable use in an equitable way. Programmes and projects will apply the risk mitigation hierarchy to anticipate and, as a matter of priority, avoid adverse impacts on biodiversity and ecosystems. Where avoidance is not possible, they will minimize and then mitigate the potential adverse impacts to acceptable levels. As a last resort, compensation or offsets will be considered for the remaining residual impacts on biodiversity and ecosystem services. Avoidance of significant adverse impacts may at times require redesigning certain activities or not proceeding with them. When potentially adverse impacts on biodiversity or habitats are identified as part of the screening or assessment processes described under ESOP 1 – Screening, assessment, management of environmental and social risks and impacts, a precautionary approach will be applied. The impacts are further assessed in consideration of:
- the significance of the biodiversity or habitats, which includes their vulnerability and irreplaceability and, if protected, the nature of their protected status;

- the significance of the biodiversity or habitats to local communities, which includes the provision of livelihoods, ecosystem services, conservation needs, development priorities and cultural heritage; and
  - the potential threats to the biodiversity and genetic resources (e.g. habitat loss, degradation and fragmentation, invasive alien species, overexploitation, changes in hydrology, nutrient loading, pollution, and incidental take) and the current or projected impacts from climate change and other natural hazards.
87. For FAO programmes and projects, the assessment may include recognizing that periodicity (e.g. seasonal variation) and other environmental factors that vary over time may require the compilation of more robust baseline data than when conditions remain relatively constant. Where appropriate, the project development team will obtain advice from experts to assess the value of biodiversity and ecosystem services (e.g. their cultural, aesthetic, spiritual, educational, and recreational values).

## 2. Biodiversity conservation

### 2.1 Habitats

88. For the purposes of implementation of ESS 1, habitats are divided into modified, natural and critical. Critical habitats are a subset of modified or natural habitats.

#### - Modified habitats

89. Modified habitats are areas that may contain a large proportion of plant and/or animal species of non-native origin, and/or where human activity has substantially modified an area's primary ecological functions and species composition. Modified habitats may include areas managed for agriculture, forest plantations, reclaimed coastal zones, and reclaimed wetlands. ESS 1 applies to those areas of modified habitat that have significant biodiversity and agricultural biodiversity value, as determined by the assessment. FAO programmes or projects should keep the impacts on biodiversity to a minimum and carry out mitigation measures as appropriate. Programmes and projects that operate in modified habitats, or have impacts on these habitats, may only proceed after appropriate mitigation measures have been put in place.

#### - Natural habitats

90. Natural habitats are land and water areas where the biological communities are formed in large part by native plant and animal species, and where human activity has not essentially modified the area's primary ecological functions and species composition. If natural habitats are contained within areas where the programmes and projects operate, efforts will be made to avoid adverse impacts on these habitats in accordance with the risk mitigation hierarchy. If the natural habitats and their associated ecosystem services may be potential adversely affected, the programme or project will not undertake any activities unless:
- no feasible alternatives are available; and
  - appropriate mitigation measures are carried out in accordance with the risk mitigation hierarchy, so that there is no net loss and, where possible, a net long-term gain in biodiversity. In cases where there are remaining residual impacts even after best efforts have been made to avoid, minimize and mitigate them, appropriate mitigation measures that are supported by stakeholders will be taken, which may include biodiversity offsets that adhere to the principle of 'like-for-like or better' (see Section 1.3 Biodiversity offsets).

91. The procurement of natural resource commodities that may contribute to significant conversion or degradation of natural habitats will be avoided, where feasible, or limited to suppliers that can demonstrate that they are not contributing to significant conversion or degradation of natural habitats (for further details see Section 2.4 Procurement of natural resource commodities).

**- Critical habitats**

92. Critical habitats are areas with high biodiversity value that include (a) habitats of significant importance to threatened or endangered species (e.g. as critically endangered, endangered or vulnerable species identified in the International Union for Conservation of Nature (IUCN) Red List of threatened species); (b) habitats of significant importance to endemic and/or restricted-range species; (c) habitats that support globally significant concentrations of migratory species and/or congregatory species; (d) highly threatened and/or unique ecosystems; and/or (e) areas associated with ecological functions or characteristics that are required to sustain the biodiversity in the habitats described above in (a) to (d).
93. In critical habitats, the programme or project will not carry out activities with the potential to have adverse impacts on biodiversity unless:
  - There are no other feasible alternatives in the region for implementing the programme or project in habitats of lesser biodiversity value.
  - The programme or project has complied with all the due processes outlined under international obligations or national laws that are required for a country to approve activities in a critical habitat or in adjacent areas.
  - The potential adverse impacts, or likelihood of these impacts, will not result in measurable net reduction or negative change in biodiversity values in the habitat or in the provision of ecosystem services for which the critical habitat was designated.
  - There is not an expected net reduction in the population of any critically endangered, threatened, or restricted-range species, over a reasonable time period as a result of the activities of the programme or project. The time period will be established on a case-by-case basis and, if needed, through consultations with qualified experts.
  - The programme or project will not involve significant conversion or significant degradation of critical habitats. In circumstances where the project involves new or renewed forestry or agricultural plantations, it will not convert or degrade any critical habitat.
  - The mitigation strategy of the programme or project will be designed to achieve net gains in the biodiversity values for which the critical habitat was designated.
  - A long-term biodiversity monitoring and evaluation process for assessing the status of the critical habitat is integrated into the national/regional management programme.
94. Where a programme or project has satisfied the above conditions, FAO will establish an external mechanism to review the potential risks and impacts, and propose a mitigation strategy. This is especially important where uncertainty is high in areas where the potential impacts are complex and/or controversial, and no precedent exists for proposed mitigations (e.g. some types of biodiversity offsets).



## 2.2 Protected Areas

95. FAO will ensure any programme and project it implements or supports in an area that has been legally designated as a protected area will only carry out activities that are in line with the area's legal protection status and management objectives. ESS 1 uses the IUCN definition of protected area; "a clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values" (Dudley, ed., 2008, p.8). ESS 1 also applies to FAO programmes or projects that are carried out in areas that have been proposed for the legal designation of protected area, or have been regionally or internationally recognized as protected areas. It also applies to programmes and projects that have the potential to adversely affect protected areas. FAO programmes or projects will assess the potential adverse impacts of their activities on protected areas and apply the risk mitigation hierarchy to prevent or mitigate adverse impacts that could compromise the integrity, conservation objectives or the biodiversity of the designated area.
96. In addition, for programmes and projects operating in protected areas, FAO will:
- show that the proposed activities in these areas are legally permitted;
  - operate in a manner that is in line with management plans that have been recognized by the government;
  - engage in consultations with the sponsors and managers of the protected area, and involve them and other stakeholders, including Indigenous Peoples and local communities as appropriate, who are affected by the activities of the programme or project in the planning, design, implementation, monitoring, and evaluation of the activities. FAO will also ensure that women and the most vulnerable groups are adequately represented at all stages of the project or programme cycle; and
  - undertake additional activities, if appropriate, to promote and improve the conservation goals and the management of the area.
97. FAO may implement programmes or projects near buffer zones of protected areas and areas recognized for their high biodiversity value only when appropriate conservation and mitigation measures are in place.
98. For programmes and projects that may result in physical relocation or economic displacement of involved and affected communities residing in the above habitats and/or near buffer zones of protected areas and areas recognized for their high biodiversity value, FAO will follow requirements and processes established under ESS 7 – Land tenure, displacement, and resettlement.

## 2.3 Biodiversity offsets

99. Biodiversity offsets should be considered only after appropriate avoidance, minimization, and restoration measures have been applied. Biodiversity offsets are measurable conservation outcomes that are intended to compensate for adverse and unavoidable impacts of programmes or projects and achieve a situation where there is no net loss of biodiversity and preferably a net gain (IUCN, 2021). In critical habitats, a net gain in biodiversity is required. Measurable conservation outcomes for biodiversity must be demonstrated in situ (on the ground) and ex situ (off site) and on an appropriate geographic scale (e.g. local, landscape-level, national, regional). Biodiversity offsets are required to adhere to the 'like-for-like or better' principle. To be in accord with this principle, biodiversity offsets must target the same

biodiversity values that are being affected by the project ('in-kind' offset). However, in some contexts, the programme or project may have an impact on biodiversity that may not be a national nor a local priority. There may be other areas of biodiversity that have a higher priority for conservation and sustainable use, and be under greater threat or need more effective protection or management. In these cases, it may be appropriate to consider an 'out-of-kind' offset that targets biodiversity of higher priority than the biodiversity that is affected by the project (BBOP, 2009).

100. Biodiversity offsets must be carried out in alignment with best available information and current practices.

#### 2.4 Use of invasive alien species

101. FAO requires that under no circumstances will new invasive alien species be introduced into a new environment unless the introduced species is subjected to an assessment to determine potential risks. This is in line with the Guiding Principles for the Prevention, Introduction and Mitigation of Impacts of Alien Species that Threaten Ecosystems, Habitats or Species that was adopted in 2000 by the CBD. The assessment must be done in accordance with FAO codes of practice and be based on available information sources (if any exist) for the responsible use and control of introduced species. FAO and the International Plant Protection Convention (IPPC) have produced a series of International Standards for Phytosanitary Measures with Pest risk analysis for quarantine pests (FAO and IPPC, 2019) of particular importance in this area. Guidance for the forestry and the fisheries and aquaculture subsectors is available in the Guide to implementation of phytosanitary standards in forestry (FAO, 2011a) and the FAO Technical Guidelines for Responsible Fisheries (FAO, 2008), respectively. FAO recognizes that classical biological pest control can be a self-sustaining, nature-friendly solution for invasive species control if appropriate safeguarding procedures are followed. See for example the Guide to the classical biological control of insect pests in planted and natural forests (Kenis *et al.*, 2019).
102. FAO programmes and projects will carry out measures to avoid potential accidental or unintended introductions. This will also apply to the transportation of substrates and vectors (e.g. soil, ballast, and plant materials) that may harbour invasive alien species. Management measures to reduce the risks from introductions of alien, selectively bred, or genetically modified species in aquaculture projects may include the farming of sterile fish, and preventing the escape of species from pond-based and/or open-water aquaculture systems.
103. FAO will use planting material that does not contain seeds from invasive alien species and complies with local quarantine and hygiene regulations. This includes implementing machinery cleaning activities when machinery is moved between fields to remove soil and seeds that may carry invasive or alien species.
104. Where an invasive alien species exists in the country or region of a proposed programme or project, FAO will exercise due diligence through its biosecurity protocols to ensure these species do not spread into areas where they are not yet established, and take measures to manage these species in the habitats over which it has management control.

#### 2.5 Biosafety

105. FAO programmes and projects will adhere to the CBD and the Cartagena Protocol on Biosafety in the handling, transport, and use of living modified organisms resulting from modern biotechnology that may have adverse impacts on biodiversity and human health. The FAO Biosafety Resource Book (2011b) is an important training tool for guiding activities.

## **2.6 Access and benefit sharing from the utilization of genetic resources for research and development**

106. For programmes and projects that involve the utilization of genetic resources, it is important to ensure that the collection of these resources is conducted sustainably, and the benefits derived from their utilization are shared in a fair and equitable manner, consistent with applicable access and benefit sharing measures of the 2010 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.
107. The free prior informed consent (FPIC) or approval and involvement of indigenous and local communities are required where genetic resources or associated traditional knowledge of indigenous and local communities are accessed and used for research and development. In these cases, the requirements of ESS 8 – Indigenous Peoples will also apply.
108. FAO programmes and projects, in adhering to best practices, must ensure that they conform with the access and benefit sharing measures applicable to the utilized genetic resources. Depending on the national laws, access and benefit sharing provisions usually apply only if the genetic resources for food and agriculture are to be used for “for research and development on the genetic and/or biochemical composition of genetic resources, including through the application of biotechnology”. The transfer and use of genetic resources solely for production and human consumption, an activity that is included in many FAO programmes and projects, will therefore not trigger the application of access and benefit sharing provisions. FAO and CBD jointly promote the use of biological control agents for pest control under special provisions of the Nagoya Protocol and facilitate compliance. In addition, where material covered by a Standard Material Transfer Agreement (SMTA), which is a mandatory model for parties wishing to provide and receive material under the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) multilateral system of access and benefit-sharing, is utilized, projects will ensure that the utilization conforms to its terms and conditions, and that benefits are shared accordingly, including with Indigenous Peoples and local communities. FAO programmes and projects will ensure respect and consideration of intellectual property rights and food sovereignty, especially regarding native seeds, medicinal plants and indigenous traditional knowledge.

## **2.7 Customary use of biological diversity**

109. In areas where Indigenous Peoples and local communities have customary rights over lands and resources, FAO programmes and projects will protect and encourage customary use of biodiversity. They shall do so in accordance with traditional knowledge, innovations and cultural practices that are compatible with the requirements of conservation and sustainable use. In doing so, FAO will strive to ensure full and effective participation of Indigenous Peoples and local communities, whose traditional knowledge and practices are affected, supported or utilized in the Organization’s programmes and projects, and use that knowledge only with prior approval. FAO will support the integration of traditional knowledge in land management and biodiversity conservation strategies, and ensure an adequate engagement of women and marginalized, vulnerable and disadvantaged groups. FAO programmes and projects will follow procedures prescribed in ESS 8 – Indigenous Peoples to observe compliance with ESS 1.

### 3. Sustainable management of natural resources

#### 3.1 Sustainable management of living natural resources

110. FAO programmes and projects will ensure sustainable management of living natural resources (terrestrial, freshwater and marine living resources) in accordance with Article 10 (Sustainable Use of Components of Biological Diversity) of the CBD. This will include the following measures:

- Apply appropriate industry-specific best management practices and, where codified, credible certification and verification systems, and in the absence of credible standards for a particular living natural resource, actively engage and support the development of a standard (national, subregional, regional or international) that contributes to the definition and demonstration of sustainable practices.
- Adopt appropriate measures to promote animal welfare; control for potential invasiveness or the escape of production species, and minimize the impact of antimicrobial resistance.
- Support small-scale farmers, fishers, forest dwellers, pastoralists and other groups whose livelihoods depend on living natural resources to manage these resources in a sustainable manner in accordance with the Addis Ababa Principles and Guidelines for the Sustainable use of Biodiversity, which were adopted by the CBD in 2003.

#### 3.2 Plant, forest, animal, soil, and aquatic genetic resources for food and agriculture, and their conservation

111. Any programme or project that results in a decrease in the genetic resources used for food and agriculture production, and has negative impacts on the ecosystem functions this biodiversity provides, may bring additional risks that will affect men, women and children of various age and socio-economic groups in different ways. These impacts may be felt within the immediate footprint of a programme or project or within a wider area that is influenced by its activities. Forest, wildlife, rangeland, wetland, riverine, lacustrine, aquatic, coastal, marine, soil, and other ecosystem restoration programmes and projects should reduce further deterioration; maintain or enhance biodiversity and ecosystem functionality; and be environmentally appropriate, socially beneficial and economically viable.

112. FAO programmes and projects will ensure that their activities do not lead to a reduction in the populations of species that have been recognized as being vulnerable, endangered, or critically endangered, or having restricted ranges according to the IUCN Red List of threatened species, as well as species that appear on equivalent national/regional listings. FAO programmes and projects will also not reduce genetic diversity within species and ensure that the risk of illegal trade in protected species does not increase as a result of the activities of the programme or project in accordance with the Convention on International Trade in Endangered Species in Wild Fauna and Flora (CITES).

#### 3.3 Sustainable forest management

113. Sustainable forest management is defined as a “a dynamic and evolving concept, which aims to maintain and enhance the economic, social and environmental values of all types of forests, for the benefit of present and future generations” (United Nations General Assembly Resolution A/RES/62/98). Through sound policies and sustainable practices, sustainable forest management curbs forest degradation and deforestation and increases direct benefits to people and the environment. At the local level, sustainable forest management contributes to peoples’ livelihoods, income generation and employment. By contributing to carbon sequestration, and the conservation of water and soil, sustainable forest management protects the environment and enhances multiple ecosystem services.

114. The minimization of adverse environmental impacts in the planning and implementation of forest operations is one of the basic principles of sustainable forest management. At all stages in forest management (e.g. wood harvesting, silvicultural operations, harvesting of non-wood products) forest managers should safeguard the integrity of both land and forest through thoughtful planning and the implementation of forestry operations.

#### **3.4 Procurement of natural resource commodities**

115. FAO procurement guidelines set out the procedural steps and general framework for establishing criteria for sustainable procurement. The criteria include economic considerations (i.e. best value for money, price, quality, availability, functionality); environmental considerations for 'green procurement' (i.e. the impacts on the environment that the product and/or service has over its entire life cycle from cradle to grave); and social considerations (i.e. the effects of purchasing decisions on issues such as poverty eradication, international equity in the distribution of resources, labour conditions, human rights).
116. When purchasing natural resource commodities, where possible, FAO will limit procurement to primary suppliers that can demonstrate that they are not contributing to significant conversion or degradation of natural or critical habitats. If necessary, and within a reasonable period, the Organization may shift to primary suppliers that can demonstrate that they are not significantly damaging these habitats. All FAO primary suppliers must adhere to the United Nations Supplier Code of Conduct.



# ESS 2. RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT

## Introduction

117. Improving efficiency in the use of resources is one of the main principles in the FAO vision for sustainable food and agriculture. A sustainable approach increases productivity through a balanced use of resources and inputs, and harnesses the potential benefits of ecosystem services. Getting the right combination of inputs, technologies and management systems that reflect the value of natural resources and the true costs of environmental impacts and external inputs is essential for sustainability. Increased industrial activity, urban expansion, and intensive agricultural development often generate increased levels of pollution in the air, land, water and soils. These activities also consume non-renewable resources in a manner that may threaten the environment and people's health and livelihoods at the local, regional and global levels. However, there is potential to produce more food, as well as more nutritious food, in a sustainable way with fewer resources. This approach will also reduce encroachment on natural ecosystems, and reverse the trends that lead to environmental degradation, pollution, deforestation, soil depletion and desertification.
118. ESS 2 recognizes that resource efficiency and pollution prevention and management are core elements of a sustainable development agenda. For this reason, FAO programmes and projects shall meet good international practice in this regard. The mitigation of greenhouse gas emissions and adaptation to the impacts of climate change are essential to increasing efficiency in the use of resources and building resilience.

## Objectives

- Avoid and minimize the adverse impacts of pollution on human health and the environment.
- Promote more sustainable and efficient use of resources, including energy, water, land and soil, chemicals, forests and oceans, and work to ensure that women and men have equal access to these resources.
- Promote integrated pest management (IPM) to reduce reliance on pesticides, and good agricultural practices to avoid the adverse impacts of pesticide use on the health and safety of farming communities, consumers and the environment in accordance with the FAO/WHO International Code of Conduct on Pesticide Management (FAO and WHO, 2014).
- Promote integrated soil fertility management (ISFM) through integrated farming practices and agro-forestry and the use of all relevant sources of plant nutrients, particularly those that are locally available in accordance with The international Code of Conduct for the sustainable use and management of fertilizers (FAO, 2019d) to avoid adverse environmental impacts and economic losses to farmers.

- Avoid or minimize emissions of short-lived climate pollutants (e.g. black carbon, methane) and long-lived climate pollutants (carbon dioxide) as well as ozone-depleting substances.
- Avoid or minimize the generation of hazardous and non-hazardous substances and wastes, and promote a human rights-based approach to the management and disposal of hazardous substances and wastes that includes the correct disposal of agrochemicals.

## Scope of application

The application of ESS 2 is established during the environmental and social risk screening.

## Requirements

### 1. Resource efficiency

119. During the life cycle of the programme or project, developers and implementers will consider and apply principles and techniques that are technically and financially feasible to improve efficiency in the consumption of energy, water, soil, raw materials and other resources. These principles and techniques will be tailored to the hazards and risks associated with the nature of the programme or project and be consistent with FAO sustainability principles under the precautionary approach.
120. FAO programmes and projects will apply best environmental practices to improve energy and resource efficiency. This will include energy-efficient machinery and equipment (e.g. tractors, ventilation systems, drying and storage systems, cooling devices), cleaner production methods, nature-based solutions, green designs, sustainable infrastructure and procurement, as well as other options, where feasible.

### 2. Integrated water resources management

121. FAO programmes and projects will seek to avoid adverse impacts on water resources and water-related ecosystems, including mountains, coasts, oceans, forests, wetlands, rivers, aquifers and lakes. The Organization will promote the sustainable use of water resources through integrated water resources management (IWRM) approaches that provide reasonable certainty that supported activities do not adversely affect access to water supplies and/or their quality. This will include the following measures:
  - Assess the vulnerability of the project sites and water management systems to the impacts of climate change.
  - Preserve surface water and groundwater and ensure water quality and supply within the programme or project area and in adjacent areas.
  - Avoid detrimental changes in downstream water flow and quality.
  - Explore options for rewarding communities financially and non-financially for the sustainable management of watersheds, ecosystem services, good agricultural practices, and/or benefit-sharing mechanisms.
  - Ensure equitable, reliable and sustained access to, and use and control of water (water governance) by addressing gender issues at all stages of water resources management.



- Prioritize the conservation and restoration of riparian zones; the rehabilitation of existing irrigation schemes; the development of several small-scale irrigation schemes rather than one large system; the use of sprinkler or drip irrigation; the use of treated wastewater that has been properly processed and tested; and the combined use of surface water and groundwater.
- Consider the potential risk of disease transmission associated with water resources including transmission of zoonotic diseases and parasites.
- Promote responsible wastewater discharges.

### 3. Management of soil and land resources

122. Sustainable soil management is an essential element of sustainable agriculture. It also offers a valuable lever for mitigating climate change and adapting to its impacts, and opens pathways for maintaining ecosystem services and biodiversity. The Revised World Soil Charter (FAO, 2015c) lists nine guiding principles that will inform FAO actions to ensure soils are managed sustainably and degraded soils are rehabilitated or restored. FAO will integrate these principles into its programmes and projects, as appropriate, to ensure sustainable soil management and restore degraded soils.
123. The Voluntary Guidelines for Sustainable Soil Management (FAO, 2017) elaborate general technical and policy recommendations on sustainable soil management that are based on the principles outlined in the Revised World Soil Charter. FAO programmes and projects will encourage sustainable soil management practices to maintain and increase productivity in a sustainable way. Programmes and projects will provide appropriate incentives for the use of sustainable land management services and agricultural practices that maintain and enhance soil functions, and sequester soil carbon. At the same time, programmes and projects will prevent or minimize soil pollution.
124. FAO programmes and projects will utilize the Protocol for the assessment of Sustainable Soil Management (FAO and ITPS, 2020) to assess and document management practices and approaches. Other guidelines and principles are also available for managing environmental and social risks and impacts at a wider scale and relate to watershed management, participatory land resources planning, gender-sensitive negotiated territorial development, integrated landscape management, forest and landscape restoration, and coastal area management.
125. FAO programmes and projects must ensure that none of the applied management practices lead to the degradation of soil resources and the loss of ecosystem services provided by soils.

### 4. Pollution prevention

126. FAO programmes and projects will avoid the emission of pollutants from routine, non-routine, and accidental releases. If emissions cannot be avoided, the project will minimize and control their intensity and flow. Preventive measures will be established wherever possible. This will include the application of pollution prevention and control technologies that are consistent with good international practice throughout the programme and project cycle. Programmes and projects will use performance levels and measures that are specified in national law or that are in accordance with good international practice, whichever are more stringent. If less stringent measures are appropriate, FAO will fully justify the chosen alternative through the assessment process, demonstrating that the alternative is consistent with these requirements.

127. If programme or project activities will generate significant emissions in previously polluted or degraded areas, FAO will adopt measures that avoid and minimize potential negative effects, which may include finding alternative locations.
128. In addressing potential adverse impacts, programmes and projects will consider ambient conditions and assimilative capacity of the environment, land use, the proximity to ecologically sensitive areas, and the potential for cumulative impacts. If activities will generate significant emissions in already degraded or polluted areas, the programme or project will adopt measures that avoid and minimize potential negative effects, which may potentially include finding alternative locations.
129. FAO will introduce measures to avoid or control runoff of contaminated water from programme and project sites and ensure polluted wastewater is treated. Where possible, the mitigation of emissions should be integrated into these measures by selecting the most energy-efficient and climate-resilient technologies and practices.
130. FAO will introduce measures to prevent the discharge of nutrients and other contaminants (e.g. veterinary products, medicines and agrochemicals) from programme and project sites. The Organization will adopt measures to monitor the quality of groundwater or surface water near the sites to ensure that actions do not pose a risk to the environment and neighbouring populations.

## 5. Wastes

131. FAO programmes and projects will implement a waste management hierarchy that prioritizes the avoidance of the generation of waste. If this is not possible, then the generation of waste will be kept to a minimum, and wastes will be reused, recycled, and recovered in a safe manner. Addressing gender inequality by providing women with equal access to productive resources, services and technologies will also contribute significantly to improving the efficiency of the intervention and reducing wastes. Programmes and projects will develop waste management plans in cases where the generation and handling of wastes may be significant. Waste materials, including veterinary waste and plastic waste, must be treated and disposed of in an environmentally sound manner, and the emissions and residues must be controlled. Programmes and projects will utilize reputable contractors and ascertain if licensed disposal sites are being operated to acceptable standards. Where this is not the case, the wastes sent to these sites will be minimized and alternative disposal options will be considered. Chain of custody documentation for third party disposal will be obtained, and laws governing transboundary movement of wastes will be adhered to.
132. FAO programmes and projects will avoid direct discharge of wastewater and surface runoff originating from production units or processing areas into freshwater courses and marine coastal areas. They will also need to observe and ensure the quality and contaminant load of wastewater when wastewater is used for irrigation. National regulations on water pollution will be respected.
133. FAO will avoid using hazardous substances. If no other options are available and hazardous substances are used, FAO must ensure that these substances are treated with due diligence throughout the programme or project cycle, including procurement, storage, use, and disposal of waste or surplus after the programme or project has been completed.

## 6. Hazardous materials

134. FAO programmes and projects will avoid using hazardous materials. If this is not possible, FAO will minimize and control their use, and work to reduce to a minimum the release of these materials and community exposure to them. FAO programmes and projects will pursue actions to progressively replace and phase out these materials, and utilize less hazardous substitutes wherever possible. Under conditions where hazardous materials cannot be entirely phased out, FAO will develop hazardous materials management and safety measures and plans in accordance with international best practices. Projects will also ensure that emergency response plans for hazardous materials are in place.
135. As part of the environmental and social risk assessment, FAO will consider the potential impacts on human rights of exposure to hazardous materials for groups involved in or affected by the programme or project, as well as the differentiated effects and risks that this exposure will have on men, women, children and older persons. FAO will consider the special vulnerabilities faced by workers, as well as low-income communities, Indigenous Peoples and minorities.
136. FAO activities will not support the manufacture, trade, or use of chemicals or hazardous substances that are subject to international bans, restrictions or phase outs. Exceptions will only be permitted for acceptable purposes as defined under international conventions or protocols (e.g. the Montreal Protocol on Substances that Deplete the Ozone Layer; the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal; the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade; the Stockholm Convention on Persistent Organic Pollutants; and the Minamata Convention on Mercury).

## 7. Pesticide use and management

137. ESS 2 is triggered by FAO activities that require the use and handling of pesticides. This applies even if the pesticides were not supplied through the FAO project, and to activities that in an indirect manner may increase pesticide use, such as the establishment of irrigation schemes and crop intensification. ESS 2 should also be considered during the application of subsidies, voucher schemes or incentives for the provision of pesticides; the direct provision of pesticides; and their indirect provision as treatments on seeds and other planting materials.
138. FAO programmes and projects will seek to avoid the use of pesticides in the activities that they support. Instead, programmes and projects will utilize IPM and integrated vector management strategies where feasible. Under exceptional conditions where pesticide use is deemed necessary, national good agricultural practices will be followed. Programmes and projects will adopt effective and environmentally sound pesticide management throughout the life cycle of the pesticide in accordance with the WHO/FAO International Code of Conduct on Pesticide Management and supporting specific technical guidelines that are drawn up by FAO/WHO expert panels for the appropriate labelling, packaging, handling, storage, application and disposal of pesticides. Programmes and projects will undertake a careful and informed decision-making process when selecting the specific active ingredients of the pesticides. Factors that will be taken into account include hazards and risks to human and animal health and risks to non-target species; persistence of the ingredients in the environment; efficacy and likelihood of development or presence of resistance by the target organism; and residues and food safety.

139. If the provision or use of large volumes of pesticides is foreseen, FAO will carry out a detailed analysis of the feasibility of non-chemical alternatives. Also, a pest and pesticide management plan must be prepared to demonstrate how, and to what extent, pesticide use will be reduced through IPM practices, and how pesticide-related risks will be minimized. The pest and pesticide management plan will also outline how stakeholder education and public awareness-raising activities can help mitigate the risks related to pesticide use, and familiarize stakeholders with non-chemical, preventative approaches (e.g. biological control).
140. FAO does not maintain a list of permitted or non-permitted pesticides because many locally specific conditions determine the pesticides that may be used. However, in line with the provisions of the FAO/WHO International Code of Conduct on Pesticide Management (FAO and WHO, 2014) and other multilateral environmental agreements that cover pesticides, the following list of criteria will need to be met in order for a pesticide to be considered for use in an FAO programme or project:
- The product should be registered in the country of use, or, if no registration exists, specifically permitted by the relevant national authority. The use of any pesticide should comply with all the registration requirements, including the crop and pest combination for which it is intended.
  - Users should be able to manage the product within margins of acceptable risk. FAO will not supply pesticides that meet the criteria for highly hazardous pesticides laid out in the FAO/WHO Guidelines on Highly Hazardous Pesticides (FAO and WHO, 2016). Pesticides that fall under the WHO Hazard Class 2, or Category 3 of Acute Toxicity in the Globally Harmonized System (GHS) of Classification and Labelling of Chemicals, can only be provided if less hazardous alternatives are not available, and it can be demonstrated that users adhere to the necessary precautionary measures.
  - Preference should be given to products that are less hazardous, more selective and less persistent, and to application methods that are less risky, more effectively targeted and require fewer pesticides. These products are not limited to chemically synthesized compounds; they also include non-chemical tools, such as bio-pesticides, biological control agents or agro-ecological methods. In addition, in accordance with IPM principles, pesticide applications are to be made in an informed, directed manner. Wherever applicable, the concept of economic thresholds or action thresholds will be employed to guide pesticide applications. Unguided, broadcast sprays and prophylactic uses (e.g. through pesticide seed coating or soil drenches) are in conflict with core IPM principles and will not be endorsed in FAO programmes and projects.
  - The pesticides used do not contain active ingredients that are banned or restricted under applicable international treaties and agreements, or meet the criteria of carcinogenicity, mutagenicity, or reproductive toxicity as set forth by international agencies.
  - Any international procurement of pesticides must adhere to the provisions of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.
141. FAO applies the following requirements to all pesticides that are being supplied directly by the Organization, as well as pesticides supplied by others within the framework of FAO programmes and projects:

- A thorough risk assessment should be conducted that leads to adequate measures to reduce health and environmental risks to acceptable levels. This risk assessment will involve a detailed analysis of the availability, feasibility and cost-effectiveness of non-chemical alternatives, including biological control and agro-ecological measures.
  - Quantities to be provided should be based on an accurate assessment of actual needs, as anticipated when consciously adopting an IPM approach. Pesticides should not be provided as fixed components of input packages of projects, credit schemes or emergency assistance.
  - The pesticides that are provided should meet FAO specifications or national standards if there are no FAO specifications applicable, and be packaged and labelled in accordance with FAO standards. Labels should be in the national language. The remaining shelf life should be sufficient to permit all pesticides to be used before their expiry and within the scope of the programme or project, so that no expired pesticides will be left behind after activities come to a close.
  - Appropriate application equipment and personal protective equipment that offer adequate protection to the user are required. If these are not available, they need to be provided by the programme or project.
  - Users of pesticides must be trained to ensure they are aware of the risks and are capable of handling the supplied pesticides in a proper and responsible manner. It is important to engage both women and men in training activities, and take into consideration their respective roles and concerns, their educational level and pre-existing knowledge.
  - The proper storage of pesticides in accordance with FAO guidelines should be ensured for all supplies.
  - Empty pesticide containers should be triple rinsed, punctured and disposed of in an environmentally sound manner in compliance with FAO/WHO Guidelines on Management Options for Empty Pesticide Containers (FAO and WHO, 2008).
142. The use of insecticidal seed coatings as a prophylactic method for pest management is in conflict with core IPM principles and will not be endorsed by FAO. Pesticide applications for seed storage are permitted, if their farm-level environmental impacts upon planting are zero or minimal. If pesticides are to be purchased for treatment for stored seed, the following additional conditions must be met:
- The treatment of seeds must be done in an appropriately equipped facility that ensures full containment of the pesticides.
  - Users of seed treatment equipment should be provided with suitable application equipment and instructed in the calibration, use and cleaning of the equipment.
  - Treated seeds must be dyed using an unusual and unpalatable colour to discourage consumption.
  - All packages containing treated seeds must be clearly marked “not for human or animal consumption” with the skull and crossbones symbol for poison.
  - Women and men handling treated seeds should be informed that the seeds are treated with pesticides that can have toxic effects on their health, the health of others and the environment. They should be instructed to wear proper gear, including gloves, dust

- masks and clothes that fully cover their body. Gloves and dust masks must be provided if these are not available. FAO programmes and projects will discourage children from accompanying their parents during the application of pesticides. If this is not possible, special measures must be put in place to protect both parents and children:
    - Packaging from treated seeds should not be reused for any purpose.
    - Commercial chemical products used for seed treatment must be formulated and registered as seed treatment products. Chemicals that have a formulation designed for spraying in fields or buildings cannot be used as seed treatment unless they have been registered as seed treatment products.
143. Projects dealing with the disposal of obsolete pesticides, as well as soil and materials including packaging that are contaminated with pesticides, should follow the guidance in the FAO Environmental Management Toolkit for obsolete pesticides. These disposal activities reduce risk by eliminating problems associated with hazardous waste, but the handling and movement of hazardous waste also create risks. Suitable risk evaluation, management and mitigation measures as provided by the FAO Environmental Management Toolkit for obsolete pesticides must be applied in these activities.
144. 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. This determination will depend upon the completion of a detailed health and environmental risk assessment and an exhaustive evaluation of non-chemical alternatives. Procurement of pesticides by FAO is subject to an internal clearance procedure. The same applies to the contents of pest and pesticide management plan.
145. FAO programmes and projects shall avoid, where feasible, or minimize as much as possible the use of pesticides that affect non-target species or damage the natural environment, degrade ecosystem services (e.g. pollination and natural biological pest and disease control), compromise soil health, or contribute towards the development of resistance in pests, vectors and other organisms. Target species should be targeted as much as possible in space and time, tailoring the use of pesticides so that the impact on non-target species is minimized, for instance by avoiding spraying during the hours where pollinators are the most active.

## 8. Fertilizer use and management

146. FAO programmes and projects will promote the use and management of fertilizers that minimize pollution of soils and waterways, greenhouse gas emissions and any other negative environmental impacts associated with their application. Programmes and projects will ensure a holistic approach is followed when developing and implementing best management practices for fertilizer use. This approach will recognize that practices that reduce the negative impacts of nutrient loss through one pathway may end up increasing the negative impacts of nutrient loss through other pathways. In this context, the management practices that produce the most positive overall effect should be adopted in accordance with the International Code of Conduct on Sustainable Use and Management of Fertilizers (FAO, 2019d).
147. With regard to sustainable use and management of fertilizers, FAO programmes and projects will apply the following recommendations to all fertilizers that are being supplied directly by FAO and to fertilizers supplied by other stakeholders within the framework of the programme or project:

- Practice integrated soil fertility management (ISFM), as appropriate, through integrated farming practices and agroforestry, and safely use all relevant sources of plant nutrients (e.g. animal manures, compost, crop residues, and other materials), particularly those that are locally available.
- Adhere to the application rates, timing, and placement that are specific to the kind of fertilizers used and the cropping systems in place to maximize the availability of nutrients to growing crops and minimize potential negative impacts (e.g. nutrient leaching, odours, and runoff) or any other undesirable off-site effects.
- Where possible, establish evidence-based application rates (e.g. through collaboration with local, national or international research institutions) for nutrients from fertilizers (e.g. inorganic and organic fertilizers, sewage sludge, animal waste and organic residues) to avoid damaging the environment, and human, animal and soil health, and achieve optimal and sustainable benefits.
- Promote the testing of the soil and plant tissue where available, as well as other means that farmers and farmer advisors can use to assess soil fertility, determine their fertilizer needs and identify the most suitable types of fertilizers.
- Follow the fertilizer quality standards developed by the International Network on Fertilizer Analysis (INFA) of the Global Soil Partnership or consult INFA members before purchasing fertilizers to ensure proper quality and minimize risks.
- Provide correct information and adhere to best management practices for fertilizer use, including proper handling, storage, transportation and disposal, and follow locally applicable fertilizer recommendations.
- Keep records of fertilizer sales and fertilizer applications (i.e. source, rate, time, and placement) along with other agronomic practices, data and farm records to support governments in maintaining statistical information on fertilizer use.
- In countries where relevant policies exist, become familiar and comply with locally applicable regulations and limits, and follow guidelines regarding fertilizer use and the reuse and recycling of materials; the application and cumulative application limits for nutrients; and the maximum allowable concentrations for contaminants.
- In countries where relevant policies and regulations are not in place, establish evidence-based (e.g. through soil analysis) maximum limits for contaminants from fertilizers (e.g. for heavy metals), above which trade and use of fertilizer is limited due to high probability of soil pollution.
- Over the duration of the programme or project, monitor and evaluate (e.g. through baseline and end of project assessments), where possible, the change in soil fertility and other soil properties (e.g. soil pH and cation exchange capacity) associated with the application of fertilizers, and provide updated site- and crop-specific recommendations.
- Maintain databases and statistics on the positive and negative effects of fertilizers that cover social, economic and environmental dimensions.
- Recycled nutrients originating from treated wastewater, or other waste materials that are used as soil amendments, should be properly processed and tested to ensure they do not surpass safe levels of contaminants and contain adequate levels of available nutrients.





# ESS 3. CLIMATE CHANGE AND DISASTER RISK REDUCTION

## Introduction

148. Greenhouse gas emissions from agrifood systems contribute significantly to climate change. In 2018, agriculture and related land use emissions accounted for 17 percent of global greenhouse gas emissions from all sectors (FAO, 2020a). Crop and livestock activities within the farm gate accounted for more than half of emissions, with the remaining emissions coming from land use and land use change activities, mainly from deforestation and peatland degradation. Emissions associated with food systems, which include emissions from land-use change, and emissions within farm gate, from food processing, refrigeration and transport, food supply chains, retail processes, food consumption and disposal of food waste, were estimated at 33 percent of the world's total greenhouse gas emissions in 2018 (FAO, 2020a).
149. The agricultural sector is particularly vulnerable to natural hazards and disasters. Between 2008 and 2018, agriculture absorbed 26 percent of the overall impact caused by medium- to large-scale natural-hazard induced disasters in least developed countries and low- and middle-income countries (FAO, 2021a). Over the past decades, there has also been an observed increase in the frequency and intensity of extreme weather events. These have led to the loss of human life, and destroyed or severely damaged livelihoods and critical infrastructure. They have also caused significant losses in agricultural production, and pose an increasing challenge to agrifood systems.
150. Agriculture, food systems and food security are impacted to a significant extent by geophysical hazards (e.g. earthquakes, tsunamis, volcanic eruptions and mass movements), chemical hazards (e.g. higher uptake of toxic heavy metals, and increased levels of mycotoxins and marine bio-toxins), and biological hazards (e.g. an increase in the number of outbreaks of transboundary animal and plant pests and diseases and the recent SARS-CoV-2 coronavirus pandemic). These disasters can have deleterious consequences for agriculture, food security and nutrition. Their impacts go beyond economic losses; destroying food, and people's ability to produce or access food.
151. Countries in protracted conflict and crisis situations are particularly vulnerable because of the crucial role that agriculture, natural resources and the rural economy play in supporting people's livelihoods and the extensive damage and loss to agrifood systems caused by disasters that aggravate food insecurity and malnutrition in all its forms (FAO, 2021a).
152. Climate-related risks include those arising from slow-onset events (e.g. droughts, changes in rainfall patterns and temperature extremes, desertification) and rapid-onset events (e.g. storms, floods, earthquakes). Women, children and youth are disproportionately exposed to climate-related risks and affected by the impacts of disasters because they tend to be more dependent on natural resources for their livelihoods; have fewer endowments and entitlements; and have less access to technologies, knowledge and training that can help them prevent, anticipate, withstand, adapt, and build resilience against threats and crises. On the other hand, degraded ecosystems are also less capable to withstand and recover from the impact of disasters. Building the adaptive capacity of ecosystems and populations is therefore crucial to build resilience in the context of climate change and more frequent extreme weather events.

153. Ensuring equal access to productive resources, as well as technologies and practices that are climate-smart and save labour is at the core of the FAO approach to enhance the sustainability of agrifood systems. The SDGs, the United Nations Framework Convention on Climate Change (UNFCCC) Paris Agreement, and the Sendai Framework for Disaster Risk Reduction all encourage governments to integrate climate change mitigation and adaptation and disaster risk considerations into projects, programmes, plans, policies and strategies in order to prevent and reduce the potential exposure and vulnerability of communities; strengthen their anticipatory, absorptive, adaptive and transformative capacities; and ultimately increase their resilience to climate variability and extremes.
154. Disaster risk reduction aims at preventing new and reducing existing disaster risk and managing residual risk, all of which contribute to strengthening resilience and achieving sustainable development. The Sendai Framework calls for decision-making to be inclusive and risk-informed, and for a multi-hazard risk approach to be used to guide programming. Disaster risk reduction requires an integrated analysis and planning to understand, prevent, reduce and manage disaster risks and strengthen resilience to multiple and often simultaneous hazards. This includes applying the concept of 'building back better' in disaster recovery, rehabilitation and reconstruction activities to increase community resilience. Disaster risk reduction measures are mainstreamed across the various standards of the FESM. Under ESS 3, particular emphasis is given to extreme weather events (e.g. floods, droughts, and tropical storms) as they are a major driver and amplifier of damage and losses in agriculture and food sectors, and can drastically reverse development gains (FAO, 2021a).
155. Managing climate-related risks (from both rapid- and slow-onset hazards) and reducing disaster risk is pursued through two complementary strategies: mitigation (i.e. reducing anthropogenic greenhouse gas emissions that drive climate change); and adaptation and resilience (i.e. adjusting human systems to moderate or avoid harm, reduce risks and/or exploit beneficial opportunities from climate change). Investments in low-carbon, regenerative activities that enhance resilience in agricultural and food sectors can often simultaneously support climate change mitigation and adaptation. These investments can also improve people's income, livelihoods and well-being (e.g. through agroforestry, soil organic carbon management, ecosystem restoration, and reductions in post-harvest losses) and enhance overall food security and nutrition.
156. ESS 3 aims at reducing and managing potential risks that may arise from climate change, and other multiple and often simultaneous hazards. It also provides guidance on how to reduce risks and increase the adaptive capacities of threatened and affected communities and their agrifood systems.

## Objectives

- Minimize greenhouse gas emissions associated with FAO programmes and projects, and enhance and maintain carbon sinks.
- Ensure that all FAO programmes and projects integrate climate change and disaster risk considerations.
- Climate-proof FAO programming by promoting climate-resilient measures, climate change mitigation, adaptation and disaster risk reduction, to reduce the exposure and vulnerability of communities and their livelihood systems to the impacts of climate change and disaster risks.
- Strengthen low-carbon and resilient agrifood systems to address both the risks associated with climate change and disasters, their related impacts on people, livelihoods, food security and nutrition.

## Scope of Application

157. ESS 3 applies to all programmes and projects supported by FAO. The application of ESS 3 is determined during the environmental and social screening, and is based on the assessment of climate change and disaster risks and the mitigation potential of the FAO programme or project.

## Requirements

### 1. Climate change and disaster risk screening

158. Climate change and disaster risk screening is the initial step in a proactive process to ensure that measures to increase community resilience to the impacts of multiple and often simultaneous hazards, including extreme weather events associated with climate change, are mainstreamed throughout all FAO programmes and projects. Climate change and disaster risks are the cumulative result of (i) potential occurrence and frequency and severity of hazards; (ii) the exposure of the system to the hazard over time; and (iii) the vulnerability and adaptive capacity of the affected population or system. Risk is highest when all three components – hazard, exposure and vulnerability – are categorized as high and adaptive capacity is low (FAO, 2021c). The screening process aims to identify, at the earliest stage, potential climate and disaster risks, and propose a suite of measures to strengthen climate and disaster resilience and mitigate climate change that can directly address the detected risks. The risk screening process also:
- determines short- and long-term climate change hazards, and the multiple hazards that may impact or alter the outcomes of a programme or project;
  - assesses, with due consideration given to issues of gender, the likelihood that a project or a programme will increase the vulnerability, exposure and/or the absorptive, adaptive and transformative capacities of the target populations and the crop and livestock production, forestry, fisheries and aquaculture systems they rely on to the multiple hazards that are present in the local setting; and
  - ensures the integration of appropriate measures for disaster risk reduction, and climate change adaptation and mitigation into programmes and projects based on the hazards, risks (i.e. vulnerabilities, exposure, and coping/adaptive capacities), and the mitigation potential identified.
159. The screening process will rate the risks associated with climate change and disasters. Based on the risk rating, subsequent steps are identified to comprehensively incorporate appropriate risk-reduction measures into the formulation of the programme or project.
160. Climate change and disaster risk screening should be completed at the concept stage of the programme or project. Once the level of risk is identified, the project formulation team can decide if a more in-depth assessment is required to determine the spatial and temporal scope of the climate change and disaster risks. Screening results should be included in the concept note and inform the next stages of the design of the programme or project.

### 2. Greenhouse gas emissions and carbon sinks

161. FAO will seek to prioritize measures to reduce greenhouse gas emissions associated with its programmes and projects, especially those that are also intended to deliver adaptation benefits. These measures may include, but are not limited to, a shift to alternative locations; the use of renewable and low-carbon energy sources; increased energy efficiency; the use

of coolants with low global warming potential for air-conditioning and refrigeration; climate-smart or low-carbon agriculture and improved livestock management practices; sustainable soil and soil organic carbon sequestration management practices that are in line with the Voluntary Guidelines for Sustainable Soil Management and the International Code of Conduct for the Sustainable Use and Management of Fertilizers; integrated soil fertility management and the reduction of nitrogen fertilizer use; ecosystem-based adaptation and mitigation measures; crop diversification, agroforestry and agro-ecological practices; restoration and reduced conversion of coastal wetlands, forests and peatlands; reductions in post-harvest losses; and the elimination of open burning.

162. FAO will protect, conserve and, where appropriate, incorporate carbon sinks in the activities it supports and implements.
163. For programmes and 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 the UNFCCC and the Intergovernmental Panel on Climate Change (IPCC), and are consistent with FAO corporate statistical database (FAOSTAT) greenhouse gas data and methodologies.

### 3. Climate change adaptation and disaster risk management

164. FAO works towards programming that is sensitive to and informed by climate change and disaster risk considerations. To this end, the Organization integrates up-to-date climate and disaster risk information into the design and implementation of its programmes and projects (risk-informed management or 'climate- and disaster-proofing'). This will be accomplished by:
- identifying the potential hazards, the degree of exposure and vulnerability, and adaptive capacities to the impacts of climate change and hazards associated with extreme weather events, as well as geological, chemical and biological hazards in communities, value chains, ecosystems, and critical infrastructure;
  - analyzing, with due consideration given to gender issues, the physical, policy, institutional, social, economic and environmental factors or processes that increase the exposure and vulnerability of communities, and agrifood systems to potential disaster and climate change impacts, with particular focus placed on marginalized, vulnerable and disadvantaged groups;
  - examining the viability of intended outcomes and the sensitivity of the various components of the programme or project in consideration of the potential impacts of climate change and the risks of disaster;
  - assessing whether activities may increase the exposure or vulnerability of communities, and value chains to the impacts of climate change or disasters (i.e. maladaptation) and avoid activities that may exacerbate these risks;
  - seeking synergies with existing or planned activities for generating climate change mitigation co-benefits (e.g. reduction or removal of greenhouse gas emissions) where possible;
  - putting in place appropriate climate and disaster risk management plans that cover risk reduction, emergency preparedness, response and recovery plans, the design of an appropriate monitoring system and, where necessary, the adoption of corrective measures;

- promoting technologies, approaches and practices that reduce risk across all agriculture and food sectors, which includes applying and scaling up farm-level disaster risk reduction and climate-resilient good practices;
- where appropriate, integrating disaster risk reduction and climate-proofing measures into the restoration of natural and physical infrastructure and social systems to ‘build back better’ after a disaster; and
- incorporating the perspectives of women and men, including marginalized, vulnerable and disadvantaged groups and individuals into inclusive and participatory risk analysis, and the design, planning, implementation, monitoring and evaluation of programmes and projects.



# ESS 4. DECENT WORK

## Introduction

165. The agricultural sector is a source of livelihoods for over 85 percent of rural people. However, the sector is characterized by significant decent work deficits. Agriculture is one of the most dangerous sectors in terms of workers' safety and health. The sector also has the highest incidence of early entry into the workforce.<sup>9</sup> There are widely reported cases of human trafficking, forced labour and undocumented work in the agriculture, forestry and fisheries sectors. Moreover, the agricultural sector in low-income countries is characterized by the prevalence of informal waged employment, and self-employed farmers, producers and small-scale enterprises that employ family labour.
166. The 2030 Agenda for Sustainable Development has set the goal of promoting decent work for all. This goal will be achieved by protecting labour rights and ensuring safe and secure working environments for all workers, including women and migrant workers, and workers in precarious employment, and will be founded on international standards and national legislation. Four pillars of the ILO's Decent Work Agenda – employment creation, social protection, rights at work, and social dialogue – endorsed by the United Nations System are integral to the 2030 Agenda for Sustainable Development.
167. FAO is committed to support the implementation of internationally accepted labour standards. The FAO vision for sustainable food and agriculture explicitly prioritizes decent work. ESS 4 recognizes that promoting decent work, preventing the use of child labour, exploitation, including sexual exploitation and forced labour is essential to achieving food security and reducing poverty. A number of international conventions and instruments underpin the requirements of ESS 4.

## Objectives

- Promote direct action to foster decent employment.
- Promote, respect and realize fundamental principles and rights at work<sup>10</sup> by:
  - supporting freedom of association and the effective recognition of the right to collective bargaining;
  - preventing the use of child labour and forced labour;
  - promoting fair treatment, non-discrimination and equal opportunity for all workers, including waged and salaried employees, self-employed workers and contributing family members; and

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<sup>9</sup> In 2012–2016 about 152 million children were involved in child labour (88 million boys, 64 million girls) with 70.9 percent of whom were in the agricultural sector or 108 million children (ILO, 2017).

<sup>10</sup> These principles and rights are articulated in the ILO Declaration on Fundamental Principles and Rights at Work (ILO, 1998).

- protecting and supporting workers, particularly categories of workers at heightened risk.
- Protect and promote the safety and health of workers.
- Ensure programmes and projects comply with national employment and labour laws and international commitments.
- Have in place effective measures to address emergency events, whether human-made or natural hazards.
- Leave no one behind by protecting and supporting workers at heightened risk, with a special focus, as appropriate, on women workers, young workers, migrant workers, workers in the informal economy and workers with disabilities.

## Scope of application

168. ESS 4 covers any activity, occupation, work, business or service performed by women and men, adults, children and youth. The scope of application of ESS 4 depends on the type of employment relationship between FAO and the project workers. The term ‘project worker’ includes full-time, part-time, temporary, seasonal and migrant workers and refers to:
- direct workers who are employed or engaged directly by FAO or implementing partners to work specifically in relation to the programme or project (the requirements of sections 3 to 9 of ESS 4 will apply to direct workers);
  - contracted workers who are employed or engaged through third parties, including contractors, subcontractors, agents or intermediaries, to perform work related to core functions of the programme or project, (i.e. production and/or service processes essential for a specific activity without which the programme or project cannot continue) regardless of location (the requirements of sections 3 to 10 of ESS 4 will apply to contracted workers); and
  - primary supply workers who are employed or engaged by primary suppliers of a programme or project (the requirements of section 11 of ESS 4 will apply to primary supply workers).

## Requirements

### 1. General

169. During the programme or project cycle, FAO will consider and apply principles, practices and techniques that are best suited to avoid the violation of core international labour standards, other international labour standards that are applicable to the agriculture and food sector, and national employment and labour laws; and promote the application of these standards. Priority will be given to the creation of more and better employment opportunities, especially for disadvantaged, marginalized and vulnerable workers. Where avoidance of negative effects on the quantity and/or quality of employment opportunities (e.g. employment destruction in specific areas or sectors, increases in health and safety risks) is impossible, the project will minimize the adverse impacts and develop specific mitigation strategies.

### 2. Employment creation

170. FAO programmes and projects shall actively contribute to the realization of the right to work, especially for those who are severely affected by unemployment and underemployment, such as women and youth. Through its programmes and projects, FAO will strive to increase



employment opportunities, both directly and indirectly. For example, the Organization will promote technologies and practices that generate employment and the conclusion of contracts. When the conditions permit, FAO will engage with national or local enterprises for the manufacture of parts and equipment and promote value addition. To support rural workers move from subsistence labour to gainful self-employment and employment in an organized form, FAO programmes and projects will strive to make small-scale agricultural producers more market-oriented and competitive, and work with the private sector to promote inclusive and sustainable business models.

171. FAO programmes and projects shall seek to actively promote opportunities to increase human capital and skills development through technical and vocational education and training, promote entrepreneurship and support the growth of micro, small and medium enterprises.

### **3. Terms and conditions of employment**

172. Applicable written human resources management policies and processes must be in place. These policies and processes shall set out the conditions in which project workers will be employed or engaged and managed in accordance with the standards therein and national law. The employment requirements, whether they are included in ESS 4 or in national law, that are the most protective of workers shall apply. For programme and project workers who are employed or engaged by the United Nations and its specialized agencies, conditions of employment are governed by the respective entity's internal rules, in accordance with the relevant provisions of the 1946 Convention on the Privileges and Immunities of the United Nations. The human resources management policies and processes shall be appropriate to the size, locations and workforce of the programme or project.
173. Workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. This will include information that sets out their rights under national labour, employment and social protection law, as well as applicable collective agreements. It will also cover information on their rights related to hours of work, wages, overtime, compensation and benefits, occupational safety and health.
174. Workers shall be paid on a regular basis as required by human resources management policies and national law. Deductions from payment of wages shall only be made as allowed by human resources management policies and national law. Workers shall be informed of the conditions under which these deductions will be made. Workers shall be provided with adequate periods of rest per week, annual holiday and sick, parental and family leave, as required by human resources management policies and national law.
175. Workers shall receive written notice of termination of employment and details of severance payments in a timely manner as required by national law or human resources management policies. Terminations shall be carried out in a non-discriminatory manner and, when applicable, after consultation with workers or their trade union.

### **4. Non-discrimination and equal opportunity**

176. All FAO programmes and projects shall respect the core labour standards regarding the elimination of discrimination with respect of employment. All employment relationships established will be based on the principle of equal opportunity and fair treatment and will not discriminate with respect to any aspect of employment. FAO projects shall not increase existing discrimination at work, but rather, empower, and prioritize disadvantaged, marginalized and vulnerable categories of workers, including small-scale agricultural producers, and provide equal opportunities for women and men.

177. Decisions relating to the employment or treatment of workers shall not be made on the basis of personal characteristics unrelated to inherent job requirements (e.g. sex; race; skin colour, nationality or national extraction; political opinion; affiliation or non-affiliation to a union; ethnic, social or indigenous origin; religion or religious beliefs; marital or family status; disability; age; sexual orientation; or gender identity). The employment of workers shall be based on the principle of equality of opportunity and treatment. There shall be no discrimination in any aspect of the employment relationship, such as recruitment and hiring; compensation, including wages and benefits; working conditions and terms of employment; access to training; job assignments and promotion; termination of employment or retirement; or disciplinary practices. Women and men shall receive equal remuneration for work of equal value. The human resources management policies shall set out measures to prevent and address violence, harassment, intimidation and/or exploitation. Where national law is inconsistent with these requirements, FAO will carry out activities in a manner that is consistent with them to the maximum extent possible.
178. Special measures of protection and assistance to remedy discrimination or selection for a particular job based on the inherent requirements of the job shall not be deemed as discrimination. Appropriate measures will be put in place to protect and provide assistance to address the vulnerabilities of workers, including specific groups of workers, such as women, persons with disabilities, migrant workers and young workers. These measures may be necessary only for specific periods of time, depending on the worker's circumstances and the nature of the vulnerability. This can involve, for example, encouraging the creation of employment opportunities that have low physical labour requirements, so that women can increase their autonomy without having to assume a workload that could compromise their health, and nutritional status and reduce their time available for childcare and optimal infant feeding and breastfeeding. Workers will also be provided with appropriate measures to prevent harassment, intimidation and exploitation.
179. The terms and conditions of employment of workers who are migrants, either domestic or foreign, shall be the same or substantially equivalent to those of non-migrant programme and project workers performing the same type of work.

## 5. Workers' organizations and participation

180. Freedom of association and the right to collective bargaining is a core labour standard, and FAO shall both promote it and denounce any violation of it. Promotion of these rights involves the active support of opportunities for workers to join groups, trade unions, producers' associations or rural workers' organizations. Producers' organizations, contract farming groups, out-growers' associations and other informal groups are particularly important vehicles for enabling workers to form representative organizations, especially in rural areas where other forms of workers' organizations may be limited. When supporting producers' and workers' organizations, FAO projects will in particular look at ways for empowering rural women and youth to join these organizations or organize themselves in specific groups.
181. In countries where national law fully recognizes workers' rights to form and to join workers' organizations of their choosing and bargain collectively without interference, programmes and projects shall be implemented in accordance with national law. In these circumstances, the role of legally established workers' organizations and legitimate workers' representatives shall be respected. They will be provided with information needed for meaningful negotiation in a timely manner. Where national law restricts workers' organizations, FAO shall not restrict programme and project workers from developing alternative mechanisms to express their grievances; protect their rights regarding working conditions and terms of employment; and not seek to influence or control these alternative mechanisms. FAO shall not discriminate or retaliate against programme and project workers who participate, or seek to participate, in workers' organizations and collective bargaining or alternative mechanisms.

182. Beyond workers' organizations, FAO programmes and projects will promote opportunities for workers, including small-scale producers, to participate and increase their engagement. This will include adopting approaches, measures, and processes to enhance the meaningful participation of workers in decision-making and leadership roles, with special attention given to women and youth.

## 6. Forced labour

183. FAO programmes and projects will ensure that no forced labour is used in connection with their activities. Forced labour consists of any work or service not voluntarily performed and is exacted from an individual under coercion, threat of force or penalty.<sup>11</sup> This covers any kind of involuntary or compulsory labour, such as debt bondage, indentured labour, bonded labour, or similar labour-recruiting arrangements. No trafficked persons for labour exploitation shall be employed in connection with the FAO programming activities. Where cases of forced labour are identified, immediate steps shall be taken to correct and remedy them.
184. FAO programmes and projects operating in specific agricultural supply chains where there have been documented reports of forced labour, or the risk of forced labour has been identified during the design phase, will monitor the value chain on an ongoing basis in order to identify any significant changes or new risks or incidents of forced labour, and work with project primary suppliers and implementing partners to take corrective action and remedy them.

## 7. Child labour prevention and reduction

185. 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. FAO programmes and projects will not engage in child labour, and will ensure that no children engage in work that could negatively affect their health and personal development or interfere with their compulsory education. A minimum age for employment shall be specified in connection with the programme and project activities. This shall be done as determined by national law and consistent with the 1973 ILO Minimum Age Convention (No. 138), which sets the general minimum age for admission to employment or work at 15 years.
186. FAO will guarantee that children under the age of 18 who have already reached the minimum age to work according to national law and who are involved in activities programmes and projects supported or implemented by the Organization will not be engaged in hazardous work (i.e. work that is likely to harm the health, safety or morals of the child). Countries that have ratified the 1999 ILO Worst Forms of Child Labour Convention (No. 182) are obligated to develop national lists of hazardous child labour. If it is foreseen that persons under the age of 18 will be engaged to work for a FAO programme or project, the Organization will ensure that that child has reached the minimum age for employment according to national law. FAO programmes and projects will also include provisions for undertaking risk assessments and regular monitoring on working conditions, hours of work, worker health and safety; and making improvements in occupational safety and health. In the absence of these regulations, guidance on hazardous work to be prohibited in connection with programming should be based on 1999 ILO Worst Forms of Child Labour Convention and the 1999 ILO Worst Forms of Child Labour Recommendation (No. 190).

<sup>11</sup> "Work is on a voluntary basis when it is done with the free and informed consent of a worker. Such consent must exist throughout the employment relationship and the worker must have the possibility to revoke freely given consent. In particular, there can be no 'voluntary offer' under threat or other circumstances of restriction or deceit. To assess the authenticity of a free and informed consent, it is necessary to ensure that no external constraint or indirect coercion has been carried out, either by an act of the authorities or by an employer's practice." (World Bank, 2018b, p. 9).

187. FAO programmes and projects operating in specific agricultural supply chains or subsectors where reports of child labour have been documented in the targeted countries, will identify child labour risks during the design phase and monitor the supply chain or the subsector on an ongoing basis for any significant changes or new risks or incidents of child labour. FAO will work with project primary suppliers and implementing partners to take corrective action and remedy them. In particular, when operating in a sector or area with a high risk of child labour, the project will include some measures to contribute to address the root causes (economic, social, political, institutional, and cultural) of child labour. Special attention will be paid to protect girls who might be exposed to additional risks, such as gender-based violence, exploitation and abuse. Where cases of child labour are identified, immediate steps shall be taken to correct and remedy them. When necessary and appropriate, this will include the rehabilitation and social integration of the child.

## 8. Occupational safety and health

188. FAO programmes and projects shall have in place the necessary processes and measures to address the safety and health of workers. These processes and measures may be encompassed and implemented through the occupational safety and health management system. See for example the ILO Guidelines on Occupational Safety and Health Management systems (ILO, 2001) and United Nations Common System Occupational Safety and Health Framework, Chief Executives Board, 31 March 2015.<sup>12</sup>
189. All parties who employ or engage FAO programme and project workers should put in place safety and health processes and measures to prevent and protect these workers from chemical, physical, biological and psychosocial hazards (including violence and harassment). They should also establish and maintain safe and healthy workplaces including the work environment, organization, processes, tools machinery and equipment. These parties shall actively consult and collaborate with workers and promote their understanding and participation in the implementation of occupational safety and health measures, and provide them with information, training and personal protective equipment.
190. Workplace mechanisms shall be used for consultation and participation of workers, such as worker safety representatives or joint worker-management safety and health committees.
191. Workplace mechanisms shall be made available for project/programme workers to report work situations that they believe are not safe or healthy and to remove themselves from a work situation they have reasonable justification to believe presents an imminent and serious danger to their life or health. Project/programme workers who remove themselves from such situations shall not be required to return to work until necessary remedial action to correct the situation has been taken, and shall not be retaliated against or otherwise subject to reprisal or negative action.
192. Workers shall be provided with access to safe and healthy facilities, including access to canteens, hygiene facilities, and rest areas appropriate to the circumstances of their work.
193. Where more than one party are employing or engaging workers and the workers are working together in one location, the parties who employ or engage the workers shall collaborate in applying the occupational safety and health measures, without prejudice to the responsibility

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<sup>12</sup> For example, these would include necessary insurance arrangements that ensure access to health benefits and replacement of loss of earnings in case of a work-related injury, namely in case of death or an illness due to work. See the ILO Guidelines on Occupational Safety and Health Management systems (ILO, 2001) and United Nations Common System Occupational Safety and Health Framework, Chief Executives Board, 31 March 2015.

of each party for the safety and health of its own workers. The design and implementation of occupational safety and health measures shall be reviewed and necessary action taken in the event of significant changes in the working conditions of workers. A process for conducting accident investigations and regular evaluation of preventive and protective measures and occupational safety and health performance shall be put in place and necessary corrective actions shall be adopted based on the results of such investigations and evaluations.

194. All FAO programmes and projects that may pose serious occupational safety and health risks should undertake a dedicated assessment of these risks and appropriate means of mitigating them. Major occupational safety and health hazards in agriculture include dangerous machinery and tools, hazardous chemicals, toxic or allergenic agents, carcinogenic substances or agents, parasitic diseases, transmissible animal diseases, infectious diseases, hazards related to confined spaces, ergonomic hazards, extreme temperatures, and contact with dangerous and poisonous animals and insects.

## 9. Workplace grievance mechanisms

195. In accordance with the requirements of ESOP 2 – Stakeholder engagement, information disclosure, and grievance, conflict resolution and accountability mechanisms, a grievance mechanism shall be provided for all workers (and, where relevant, their organizations) to raise concerns of violations of existing rights and entitlements as provided for in legislation, collective agreements, employment contracts and human resources policies. Workers shall be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against any reprisal for its use. Measures shall be put in place to make the grievance mechanism easily accessible to all workers.
196. Workers shall be able to use a workplace grievance mechanism without retribution. The grievance mechanism shall not impede access to other judicial or administrative remedies that might be available under the law or through existing arbitration procedures, or substitute grievance mechanisms provided through collective agreements. The mechanism shall ensure workers' rights to be present, to participate directly in the proceedings, and to be represented by a trade union or person of their choosing.

## 10. Contracted workers

197. FAO programmes and projects shall put in place mechanisms (e.g. due diligence that includes an examination of the past and current labour practices of the contractor or third party, and audits) to ascertain that third parties who engage workers are legitimate and reliable. The third parties should have in place human resources management policies and processes, and occupational safety and health management systems that allow them to operate in accordance with ESS 4. FAO will make efforts to take into account the challenges in terms of traceability of supplies in predominantly informal sectors and define specific agreements in this regard with contractors and third parties. Capacity development and technical support for this purpose may also be included in programme and project design.
198. FAO will establish procedures for managing and monitoring the performance of third parties in relation to the requirements established in ESS 4. This will include incorporating the requirements into contractual agreements with the third parties, together with appropriate non-compliance remedies. In the case of subcontracting, the third parties must include equivalent requirements and remedies in their contractual agreements with subcontractors.
199. Contracted workers will have access to a grievance mechanism. In cases where the third party employing or engaging the workers cannot provide a grievance mechanism to these workers, FAO will make the grievance mechanism provided under Section 9 of ESS 4 available to the contracted workers.

## 11. Primary supply workers

200. In all programmes or projects that FAO supports or implements, the Organization shall identify potential risks of violations of the fundamental rights of workers engaged by primary suppliers, as well as safety and health issues. This will include at a minimum preventing sexual exploitation and abuse that may arise in relation to primary suppliers, and requiring the primary supplier to identify and mitigate those risks. FAO will establish roles and responsibilities for monitoring primary suppliers. The challenges in terms of traceability of supplies from predominantly informal sectors will be taken into account, and specific agreements in this regard may be established with primary suppliers. Capacity development and technical support for this specific purpose may also be included in programme or project design.
201. If child labour or forced labour cases or breaches of other fundamental rights are identified, FAO will require the primary supplier to take urgent and appropriate steps to remedy them. Additionally, where primary supplier workers are exposed to hazards that present a risk of serious injury, ill health or death, FAO will require the primary supplier to introduce procedures and mitigation measures to address these safety and health issues. These procedures and mitigation measures shall be reviewed periodically to ascertain their effectiveness. Where prevention and remedy are not possible, FAO will shift the programme or project's primary suppliers to suppliers that can demonstrate that they are meeting the required standards. When alternatives are not in place to make this shift, dedicated actions and capacities for prevention and remedy will be included and costed in the design of the programme or project.
202. Where there is imminent danger of serious injury, ill health or death to workers, FAO will exercise its control or influence to stop the operation in question until the primary supplier can demonstrate that it can control the hazard in a manner consistent with the requirements of ESS 5 – Community health, safety and security.







# ESS 5. COMMUNITY HEALTH, SAFETY AND SECURITY

## Introduction

203. FAO programme and projects are intended to increase social and economic opportunities, and deliver beneficial outcomes for individuals and communities. The activities that FAO supports or implements often involve providing support to Members to meet their obligations to promote the right to health. The promotion of the right to health includes providing people with the underlying determinants of health, such as safe and potable water, sanitation, food and nutrition, housing, healthy working and environmental conditions, health-related education and information, and gender equality. Improvements in these areas may also contribute to enhancing employment, economic growth, education, social protection and services. FAO programmes and projects, however, also can potentially increase the exposure of the intended beneficiaries to health, safety and security hazards and their impacts.
204. The potential negative impacts that can affect health, safety and security can arise from a broad range of activities that FAO supports. Important examples include infrastructure development and construction activities; changes in the nature and volume of traffic and transportation; water and sanitation activities; the use and management of hazardous materials and chemicals; the management of natural resources and ecosystems; the influx of labour for FAO programmes or projects; and potential abuses by security personnel. The impacts of climate change on communities may accelerate and/or intensify the negative impacts of these activities. The level of risk and the impacts addressed in ESS 5 are likely to be greater in conflict and post-conflict areas.
205. The requirements in ESS 5 address the need to avoid health and safety risks and the impacts of the health and safety hazards that may arise from the activities undertaken by FAO programmes and projects, and where avoidance is not possible, minimize and mitigate these risks and impacts. Particular attention is given to marginalized, disadvantaged and vulnerable groups. Measures to ensure occupational health and safety are addressed in ESS 4 – Decent Work.

## Objectives

- Anticipate and avoid adverse impacts on health, safety and livelihoods of involved and affected communities from both routine and non-routine circumstances during the entire programme or project cycle.
- Ensure quality and safety in the design and construction of infrastructure associated with the activities of FAO programmes and projects to prevent and minimize potential safety risks and accidents.
- Avoid or minimize community exposure to disaster risks, diseases and hazardous materials that are associated with FAO programmes and projects.
- Ensure that the safeguarding of personnel and property minimizes risks to communities, and is carried out in accordance with international human rights standards and principles.

## Scope of application

206. The application of ESS 5 is established during the environmental and social screening. ESS 5 is applied at the community level to programmes and projects supported by FAO that have the potential to have either positive or negative impacts.

## Requirements

### 1. General health and safety risk management

207. Through the screening process outlined in ESOP 1 – Screening, assessment, management of environmental and social risks and impacts, FAO will identify health and safety risks directly and indirectly associated with programme and project activities. FAO will then adopt appropriate avoidance, minimization, and mitigation measures in the risk mitigation hierarchy. These measures will include:
- undertaking appropriate health and safety assessments, and ensuring management measures, plans and systems are in place and are based on international good practices, tailored to the specific sector or activities in question, and designed and carried out with appropriate health and safety expertise;
  - giving consideration to potential health, and safety risks and impacts throughout the programme or project cycle; ensuring the adopted management measures commensurate with the nature and magnitude of the identified risks and impacts; taking into account differences in risk exposure and sensitivity of women and men, as well as marginalized, disadvantaged and vulnerable groups; and prioritizing the prevention or avoidance of risks and impacts over their minimization and reduction.
  - giving consideration to the risks of accidents and hazards to avoid exacerbating the potential adverse impacts of natural and human-made hazards;
  - giving consideration to the particular risks that may be present in a conflict or post-conflict contexts; and
  - ensuring accidents or incidents associated with FAO programmes and projects are appropriately recorded, reported and addressed, and emergency preparedness and response plans are in place.

### 2. Community exposure to health issues

208. FAO programmes and projects will avoid or minimize potential community exposure to health risks (e.g. pollution, and the contamination of land, resources and food) and diseases that could result from or be exacerbated by FAO activities. This will include taking into consideration the potential effects of projects on incidents of waterborne diseases, vector-borne diseases, zoonotic diseases, food-borne diseases; the availability of drinking water; injuries; and mental health and well-being.
209. The transmission of communicable diseases associated with the influx of labour to programming areas will be avoided or minimized. Where endemic diseases (e.g. malaria) exist in the areas where FAO programmes and projects operate, the Organization will explore ways to improve environmental conditions that could minimize the incidence of these diseases. Where a programme or project provides health services, FAO will promote the appropriate use of antimicrobials (including antibiotics) that improves patient outcomes, reduces antimicrobial resistance, and decreases the spread of infections caused by multidrug resistant organisms (antimicrobial stewardship).

### 3. Infrastructure design and safety

210. FAO programmes and projects will design, construct, operate, and decommission structural elements in accordance with national legal requirements, good international practice, and the applicable international obligations and standards. Potential safety risks to third parties and communities will be evaluated as part of the health and safety assessments.
211. Structural elements of any infrastructure that poses significant health and safety risks shall be (a) designed and constructed by qualified engineers and professionals; (b) certified and approved by independent professionals not involved in the design process; (c) include appropriate plans for construction supervision and quality assurance, operation and maintenance, and emergency preparedness; and (d) require periodic safety inspections and monitoring. Structural elements shall take into account risks associated with the impacts of climate change and disasters as appropriate. Geological and geophysical hazards will be considered, and appropriate risk assessments will be undertaken where needed. If structural elements must be situated in a location that is exposed to high risks (e.g. seismic activity, extreme weather events or slow onset events), FAO will engage experienced and independent experts to review the activities as early as possible and throughout all stages of the programme and project cycle, and ensure the concept of universal access is applied wherever feasible in the design and construction of facilities and services that are open to, or provided to, the public.
212. To protect people, property and the environment from the harmful effects of possible failure of dams and reservoirs, FAO will ensure that they are designed, constructed, operated, maintained, superintended and eventually decommissioned to the highest possible standard of safety and in accordance with international good practices. This will be done in a manner that is appropriate to their size and hazard potential.

### 4. Construction safety

213. For construction activities, FAO programmes and projects will ensure appropriate control of site access (e.g. fencing, security); the use of appropriate personal protective equipment and safely designed work platforms; appropriate engineering and administrative controls (e.g. detours, traffic calming, signs); and safety barriers and signage around all construction sites. Where public access is intended, programmes and projects will consider incremental risks of potential public exposure to operational accidents or natural hazards. Where relevant, programmes and projects will identify, evaluate, and monitor potential traffic and road safety risks associated with the construction activities, and provide adequate toilet and ablution facilities at the construction camp and work sites.

### 5. Hazardous materials management and safety

214. Community exposure to hazardous materials and substances that may be utilized in or released by FAO programmes and projects will be avoided or minimized. Where potential exposure exists to hazards that can threaten the health and lives of workers, their families and other people, FAO will exercise special care to avoid exposure by modifying, substituting, and eliminating the condition or material causing potential hazard. Where applicable, FAO programmes and projects will consider the risks of exposure to hazardous material from accidents caused by natural hazards. If hazardous materials are part of the existing infrastructure used in a FAO programme or project, the Organization will exercise due care during the construction, use and decommissioning of this infrastructure to avoid exposure. FAO will exercise due diligence to control the safety of deliveries and transportation and disposal of hazardous materials and wastes.

## 6. Emergency preparedness and response

215. FAO will identify and implement measures to address emergencies that may occur during the implementation of programme and project activities. FAO will ensure emergency preparations and response plans are in place, adequately resourced, reviewed and publicized.
216. The emergency preparedness plans should be developed, implemented and monitored in collaboration with stakeholders and relevant authorities, where necessary. Emergency preparations shall include the identification of areas where emergencies may occur; the communities that may be impacted and response procedures; the provision of equipment and resources; the designation of responsibilities, communications and notification channels; and periodic training. FAO will employ internal debiasing tools to ensure emergency planning is gender-sensitive and participatory, and considers the differential impacts of emergency situations on all members of the community, including men, women, older persons, children, persons with disabilities, and other minority groups. FAO will strengthen the participation of women in decision-making processes on emergency preparedness and response strategies. Appropriate information about emergency preparedness and response activities, resources and responsibilities will be disclosed to affected communities and others and reviewed on a regular basis.

## 7. Risks associated with influx of programme and project workers

217. FAO will ensure appropriate measures are taken to avoid, mitigate and manage the risks and potential adverse impacts on health and safety that result from the influx of workers into the area where FAO programmes and projects operate. These risks and impacts may be associated with changes in the composition of the local population; health concerns and exposure to communicable diseases; threats of and increased vulnerability to incidence of sexual violence and harassment, and crime; increased vulnerability of communities from natural-hazard induced disasters; and greater pressure on already scarce natural resources. FAO will implement measures to protect community members from these risks. These measures will include training, awareness-raising programmes and codes of conduct for workers. The Organization will also identify alternative means to remedy significant stress on natural resources caused by increased population numbers.

## 8. Impacts on ecosystem services

218. Adverse impacts on ecosystem services may result in health and safety risks to communities (e.g. loss of natural buffers that increase the risk of flooding). FAO programmes and projects will strive to avoid or minimize these adverse impacts and implement appropriate mitigation measures to maintain the value and functionality of ecosystem services that are important to local communities. Special attention will be paid to avoid causing or exacerbating potential adverse impacts on the poor, the extremely poor and other marginalized and disadvantaged groups, and increasing inequalities. Where appropriate and feasible, FAO will identify potential risks and impacts to ecosystem services that may be exacerbated by climate change.

## 9. Security-related issues and personnel

219. The potential risks posed by the security arrangements associated with FAO programmes and projects will be assessed to ensure that personnel are appropriately vetted and trained, and security arrangements are monitored and reported. Security arrangements shall adhere to applicable laws and be provided in a manner that does not violate international human rights standards and principles, or jeopardize community safety and security. FAO will undertake reasonable inquiries to verify that potential security personnel have not been implicated

in past abuses, and review all allegations of unlawful or abusive acts. FAO will take action (or require appropriate parties to take action) to prevent any recurrence of abuses and/or reprisals against individuals and communities. When necessary, FAO will report unlawful and abusive acts to the appropriate authorities.

## 10. Food security and healthy diets

220. The prevention of malnutrition in all its forms is closely linked to healthy diets, food security, food safety and agrifood systems. The risks and trade-offs associated with the activities of a FAO programme or project should be identified through assessments that examine the different dimensions of the agrifood systems. The assessments need to cover the selection of agricultural inputs and production; food processing, distribution, marketing; the choices consumer make and their access to and use of healthy diets. Potential risks should be avoided, minimized and mitigated to ensure that they will not compromise dietary patterns, the safety of food and the nutritional status and health of the people.
221. An FAO programme or project that supports healthy dietary patterns should adhere to the FAO/WHO guiding principles for sustainable healthy diets: promote all dimensions of individuals' health and well-being; have low environmental pressure and impact; and be accessible, affordable, safe, equitable and culturally acceptable (FAO and WHO, 2019). In accordance with these principles, a programme or project should avoid or minimize diets that increase agronomic risks (e.g. crop diseases, soil exhaustion, high water consumption) and/or economic risks affecting producers (e.g. price fluctuations, dependency on inputs, displacement of indigenous varieties). FAO projects and programmes should also avoid or minimize adverse effects of market-oriented strategies (e.g. cash crops, export crops, farming specialization) that could compromise the availability, access and affordability of healthy diets, and have adverse impacts on the food security of women of reproductive age, pregnant and lactating women, infants and children, and other individuals who are nutritionally vulnerable.
222. FAO programmes and projects should avoid or minimize potential health risks that result from very high consumption patterns and/or unsustainable production practices. Although animal-source foods are essential to the diets of infants and young children, especially in low resource settings, FAO programmes and projects should avoid or minimize inappropriate promotion of animal milk that could result in the replacement of exclusive breastfeeding of infants up to six months of age and the continuation of breastfeeding of young children up to two years of age and beyond.
223. The processing and preservation techniques used in FAO projects should be carefully assessed to ensure that they optimally protect the nutritional value and safety of the foods, and limit any undue addition of sugars, sodium, fats and trans fats.
224. Trade strategies should be assessed to ensure that foods that tend to be high in essential nutrients (e.g. vitamins, minerals and other micronutrients), proteins and unrefined carbohydrates (e.g. dietary fiber) are sold at affordable prices without compromising the livelihood of the producers. Conversely, trade strategies should be assessed with regard to the dietary risks that result when foods that are high in calories and low in nutrients become relatively more affordable.
225. FAO programmes and projects should integrate nutrition education to empower women as primary care givers, health care providers, food providers and income earners. They should also ensure that the agricultural resources that are promoted and/or the resulting increase in household income contribute to healthy diets and better nutrition, especially for women of reproductive age, pregnant and lactating women, infants and children, and other individuals who are nutritionally vulnerable.

226. FAO programmes and projects will avoid or minimize population exposure to microbiological hazards (e.g. pathogens and parasites) and chemical hazards (e.g. heavy metals, hydrocarbons, and pesticides) that would compromise food safety. FAO will establish food control regulatory systems to tackle the various challenges that may arise with regards to food safety. Examples of these challenges include the exposure to aflatoxins and other mycotoxins, which have particularly harmful effects on unborn and young children, and can be found in widely consumed staples (e.g. maize, groundnuts, sorghum); exposure to marine toxins from algal blooms; food-borne pathogens in animal products; residues of heavy metals and pesticides; and the presence of methylmercury in seafood.



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منظمة الأغذية والزراعة  
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المخاطر ضد مرض فيروس كورونا المستجد - COVID-19

يُنصح الطعام بدرجة الحرارة المناسبة وغسل الفواكه والخضار جيداً بعد من خطر الإصابة بأي مرض متعلق عن طريق الأغذية بما في ذلك الأمراض التي تنتشر بعد الحيوانات.

الخطوات التالية: 1. اغسل يديك جيداً بالماء والصابون







# ESS 6. GENDER EQUALITY AND PREVENTION OF GENDER-BASED VIOLENCE

## Introduction

227. ESS 6 is based on the recognition that persisting inequalities between women and men are not only an unacceptable violation of human rights, but also a major obstacle to sustainable agriculture and rural development. Addressing these inequalities is essential if FAO is to fulfil its mandate of ensuring food security and nutrition for all. Women and girls play a key role in the agricultural sector of most countries. Yet, discriminatory social norms and attitudes tend to limit their decision-making power, undermine their rights and lower their access to key productive resources, services and opportunities. This compromises the resilience of rural women and makes them more vulnerable than their male counterparts to any potential adverse impacts of the project.
228. Gender-based violence (GBV) is one of the most extreme forms of discrimination. GBV, which is widespread globally, tends to be exacerbated by food insecurity, poverty and humanitarian emergencies. The types of GBV that are of particular concern for FAO include sexual and physical violence; the denial of resources, opportunities or services; harmful practices (e.g. forced and child marriage); sexual exploitation and abuse; and emotional and psychological assault. Evidence shows that women and girls tend to be most vulnerable to GBV, but men and particularly boys are also at risk, depending on the context. GBV has severe consequences not only for survivors, but also for their families and communities. By negatively affecting the health, resilience and productive capacity of survivors, GBV has a devastating impact on agricultural productivity, food security and nutrition.
229. FAO programmes and projects must be formulated based on a solid understanding of gender roles and relations. Assessments of existing gender-based discrimination and inequalities are required to minimize risks and avoid unintended negative impacts on women and girls.
230. ESS 6 aims at ensuring that the design and implementation of FAO programmes and projects do not create or exacerbate existing gender inequalities and discrimination, and proactively support the achievement of the Organization's gender equality objectives. ESS 6 is consistent with the principles set out in the United Nations Sustainable Development Cooperation Framework (United Nations Sustainable Development Group, 2019). It is also in line with the overarching principle, 'leave no one behind', that unifies all United Nations programming efforts. ESS 6 also reflects the Organization's alignment with international frameworks on gender equality and women and girls' empowerment.

231. Within FAO, ESS 6 is anchored in the FAO Policy on Gender Equality 2020–2030 (FAO, 2020c), which promotes gender equality and women’s empowerment in the following four main areas:
- equal voice and decision-making for women and men in rural institutions and organizations;
  - equal rights and access to productive and natural resources;
  - equal rights and access to services, markets and decent work, and control over the income resulting from their work; and
  - reduction of women’s work burden and time poverty.
232. The FAO Policy on Gender Equality 2020–2030 also identifies a set of minimum standards for gender mainstreaming to ensure that gender dimensions are adequately addressed in all organizational functions, including project design and implementation. In accordance with the Policy, ESS 6 holds FAO staff accountable to carry out a risk assessment at the inception phase of a programme or project in order to avoid or mitigate the potential negative impacts that could result from its activities.

## Objectives

233. A prime objective of ESS 6 is to avoid or minimize, or otherwise mitigate and eliminate potential harmful effects of FAO programmes and projects on population groups and individuals who are treated unequally and made vulnerable by gender-based discrimination and violence. ESS 6 also seeks to ensure that these groups and individuals duly and equally benefit from FAO programmes and projects. Moreover, FAO interventions need to ensure the benefits and opportunities they deliver are equally distributed and do not widen the gender gap, and increase inequalities and unhealthy intra-household tensions.
234. ESS 6 provides a framework and tools to address gender inequalities, and, as appropriate, give both women and men, regardless of their age and socio-economic conditions, the opportunity to access and enjoy the benefits of the programme or project equally. More specifically, ESS 6 aims to:
- Promote women and girls’ participation and leadership in local institutions and rural organizations, which are an important vehicle for informed decision-making.
  - Make sure that both women and men are provided with equal access to and control over key agricultural and natural resources (e.g. land, water, livestock, equipment, seeds and fertilizers). As with men, women who work as agricultural producers, entrepreneurs and value chain actors depend on these resources to increase their productivity and to reap the benefits of their work.
  - Ensure equal access to agricultural support services (i.e. advisory, financial or business development services) to overcome the existing ‘gender gap’, and facilitate women’s equal uptake of technologies and practices.
  - Provide equal access to markets and decent employment opportunities both on and off the farm to assure income opportunities for all, and preserve individual rights to fair treatment.
  - Avoid or minimize the risk that an intervention inadvertently increases women’s work burden and time poverty as these affect women’s freedom of choice and well-being.

- Avoid or minimize the risk to build on or reinforce discriminatory social norms and attitudes that undermine women’s position and decision-making power from the household to the institutional level.
- Strengthen the capacities to prevent, mitigate and respond to GBV and abuse that may occur in connection with any of FAO supported activities.
- Prevent and minimize unintended negative effects that can increase vulnerability and exposure to GBV, and heighten tension between the sexes, as well as ensure the proper and timely referral to relevant services of cases of disclosure of GBV and other abuse including sexual exploitation and abuse that may occur in connection with any of FAO supported activities.

## Scope of application

235. ESS 6 applies to all programmes and projects supported by FAO. The application of ESS 6 is determined during the environmental and social screening.

## Requirements

### 1. General

236. Women and men are to be provided with equal opportunities to participate in and contribute to decision-making processes throughout the identification, design, implementation, monitoring and evaluation of programme or project activities. Each programme or project needs to be based on a solid understanding of the local socio-cultural context, and a gender analysis must be conducted before or during project formulation and inception. Gender analysis serves to identify the specific roles and responsibilities, needs and priorities of women and men. It also assesses the potential risks, benefits and impacts of the project on different population groups, and the existing risks associated with GBV. The gender analysis serves to establish a baseline using sex-disaggregated data to monitor whether, during implementation, the intervention has unintended gender-differentiated impacts and/or is achieving its expected gender-related results and impacts.
237. The findings of the gender analysis should be used in the design and implementation of the project to avoid or minimize risks related to gender-based discrimination and GBV, including sexual exploitation and abuse, that may occur in connection with any of FAO supported activities. Measures should be adopted to minimize any gender-related risk of creating or reinforcing existing inequalities; and assess, prevent and adequately respond to incidences of sexual harassment and/or sexual exploitation and abuse and/or other types of GBV against women, men, girls and boys.
238. FAO programmes and projects shall include the collection of sex-disaggregated data and information on gender. A focus should be placed on the use of gender-sensitive indicators, sex-disaggregated targets and results. The data and information should be incorporated in management plans and further included in project and programme monitoring, evaluation and reporting.
239. FAO will coordinate and partner with organizations working on gender equality. It is important to establish and maintain strong and respectful partnerships with local organizations and associations in order to better understand the local socio-cultural context and assess the risks for different populations groups (e.g. young or indigenous women, or women with disabilities).

240. Appropriate mechanisms developed with the participation of and in partnership with affected communities and populations must be set up to measure the adequacy of interventions; ensure transparency and accountability; and address concerns and complaints of both women and men of different ages, in compliance with the Organization's commitment to the principle of accountability to affected populations (AAP).

## 2. Gender-based violence

241. To effectively minimize risk for aid recipients and partners, and contribute to the protection of local populations, GBV considerations should be integrated throughout the programme or project cycle. Practitioners should be aware of the context-specific links between GBV, food insecurity and opportunities for FAO to not only prevent GBV, but also contribute to the protection of vulnerable individuals.
242. The guiding principles for mainstreaming GBV protection in FAO programmes and projects are:
- Understand the local context and build on women and men's strengths and assets: Build upon the local capacities, knowledge and services and respect local cultures.
  - Safety, dignity and avoid causing harm: Prevent and minimize unintended negative effects of any intervention that can increase people's vulnerability and exposure to the risk of GBV, other abuse including sexual exploitation and abuse that may occur in connection with any of FAO supported activities.
  - Inclusive access: Pay attention to issues related to access (e.g. discrimination or stigma) that prevent people in need from benefiting from aid and services, and attending workshops.
  - Participation and empowerment: Inform both women and men about programme and project objectives in a manner that is appropriate to the local context and tailored to their methods of understanding, and ensure the engagement of women and men throughout the programme or project cycle.
  - Coordination and partnerships: Promote and maintain strong and respectful partnerships with other sector specialists, in particular, those with GBV expertise, and include GBV sub-clusters and other coordination bodies during humanitarian crises.
  - Accountability to affected populations: Establish appropriate mechanisms through which the Organization can measure the adequacy of interventions, ensure transparency and address concerns and complaints of both men and women of different ages.
243. To adhere to the principle of zero-tolerance for sexual exploitation, sexual abuse, and sexual harassment which each constitute forms of GBV that may occur in connection with any of FAO supported activities, FAO recognizes that it is imperative for its staff and implementing partners to prevent and respond effectively to these incidents. It is equally important to protect persons, especially persons in vulnerable positions and situations, and survivors of sexual exploitation, sexual abuse, and sexual harassment in FAO activities through the provision of effective communication regarding the rights of FAO serviced communities and responsibilities of FAO personnel, implementing partners and suppliers, access to inclusive, victim centred feedback and complaint mechanisms and referral services including physical protection when necessary and with the informed consent of the survivor, and pre-emptively addressing potential retaliation against all complainants. These protections are essential to strengthen integrity and accountability to the individuals and communities that FAO serves.



NAME: GARDEN PARSLEY  
SCIENTIFIC NAME: PTERODISQUIM OXYPHYLLUM  
PLANTING DATE: 08/05/2018  
FARMER: ANASTAS  
AGRICULTURAL PRACTICE: SUSTAINABLE  
THE GENUS:  
SPECIES: PARSLEY  
MATERIALS: SUSTAINABLE  
PRODUCTIVITY: SUSTAINABLE FOR MARKET  
YIELD PER MONTH:  
LOCAL CUISINE:



# ESS 7. LAND TENURE, DISPLACEMENT AND RESETTLEMENT

## Introduction

244. FAO programmes and projects that involve land acquisition and/or restrictions on land use, as well as land tenure interventions can lead to significant adverse impacts on individuals and communities, if they are implemented inconsiderately or irresponsibly.
245. The term 'involuntary resettlement' refers to impacts that give individuals no choice to refuse both physical and economic displacement. The term 'inconsiderate or irresponsible land tenure interventions' refers to practices that contravene the guiding principles and good practices of responsible tenure governance as articulated in the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) (FAO, 2012), which have been endorsed by the Committee on World Food Security.
246. FAO shall seek to avoid involuntary resettlement in activities it supports or implements wherever possible. However, FAO may be called upon to support activities undertaken by partner organizations that could lead to involuntary resettlement of individuals or communities during responses to climate change and emergencies. Activities that lead to involuntary resettlement shall be undertaken only in exceptional circumstances. They should be carried out in accordance with the principles of the VGGT and for the purpose of promoting the general welfare. These activities will be reasonable and proportional, and a full justification will be given for them. Appropriate forms of compensation, assistance, legal protection and information will be provided to the affected individuals and communities. As stated in the VGGT, "evictions and relocations should not result in individuals being rendered homeless or vulnerable to the violation of human rights" (FAO, 2012, para. 16.9). Where displacement leads to significant adverse impacts, FAO will support the economic and social reconstruction of lives and livelihoods of the affected individuals and communities.
247. FAO prohibits forced evictions. Compensation, assistance, and benefits to affected persons should be provided in a timely manner, before any activities that the Organization supports or implements begin on the acquired land.

## Objectives

- Avoid the adverse impacts from land or other natural resource acquisition, or restrictions on land or natural resource use, and in situations where avoidance is not possible, minimize and mitigate these impacts.
- Prohibit forced evictions.

- Conceive and execute resettlement activities as sustainable development programmes, providing sufficient resources to enable displaced persons to benefit directly from these programmes.
- Ensure that resettlement activities are planned and implemented collaboratively with the meaningful and informed participation of those affected.
- Avoid infringing on or extinguishing tenure rights of others, including legitimate tenure rights that may not be currently protected by law (e.g. Indigenous Peoples tenure rights, customary tenure), when recognizing or allocating tenure rights to land and other natural resources.
- Enhance and restore the livelihoods and living standards of all displaced persons, and improve the living conditions and overall socio-economic status of impoverished people who have been displaced, as well as persons belonging to marginalized, disadvantaged and vulnerable groups, during land expropriation, consolidation, investment, rural development programmes and land reforms.
- Recognize all land and natural resource users with a legitimate claim, including claimants who have informal or customary tenure rights.
- Provide means for the affected to voice their grievances ensuring there is a functioning mechanism in place to receive, process, resolve, communicate and record grievances.

## Scope of application

248. The application of ESS 7 is determined during the environmental and social screening. ESS 7 applies to permanent or temporary physical and economic displacement that results when interventions, including land reforms, that are supported by FAO involve the acquisition of land or resources, or restrictions on land use or access to resources that people depend on. It also applies to inconsiderate or irresponsible tenure interventions that involve:

- the acquisition, restriction or extinguishing of land rights or land use rights through expropriation according to applicable law, or through negotiated settlement if the failure of negotiations would result in expropriation;
- restrictions on land use or access to natural resources of individuals or groups with traditional or customary tenure or legitimate tenure rights;
- displacement of people with or without formal, traditional legitimate tenure rights who occupy or use land prior to the established cut-off date of the project;
- displacement due to programme or project-related externalities (e.g. pollution and impacts on biodiversity or ecosystem services, the rendering of lands unusable or inaccessible, or due to health and safety impacts and risks by the project);
- displacement occurring for associated facilities and/or activities significantly related to the programme or project activities, or which occurred in anticipation of these activities; and
- any tenure interventions (e.g. recognition, regularization, conversion, modernization, formalization, recording, registration, inventory, redistribution) that contravene the guiding principles and good practices of the VGGT.



249. ESS 7 does not apply to voluntary, legally recorded market transactions in which the seller is fully informed about available choices and has the genuine right to retain the land and refuse to sell it.<sup>13</sup> However, if the sale may displace people, other than the seller, who occupy, use, or claim rights to the land in question, these requirements shall apply. The requirements also do not apply in cases where a community decides to restrict access to natural resources under community-based natural resource management arrangements that are based on a participatory community-decision making process that reflects voluntary, informed consensus and takes into consideration neighbouring communities. For activities that may cause displacement of Indigenous Peoples, the requirements of ESS 8 – Indigenous Peoples shall also apply.

## Eligibility classification

1. Affected individuals may be classified as persons who:
  - have formal legal rights to land or other natural resources or assets;
  - do not have formal legal rights to land or assets, but have a legitimate tenure rights to land or other natural resources; or
  - have no statutory legal right over the land or natural resources they occupy or use, but who are occupying or using the land prior to a specific cut-off date for the project.

## Requirements

### 1. Land tenure

250. Most agriculture, climate change, emergency and natural resources management programmes or projects bring about some changes in land use or build new infrastructure. These programmes and projects often involve the reform, modification, regularization, redistribution, recording, registration or inventory of legitimate tenure rights of the affected population. Tenure, which defines 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 the improvements in productivity that result from economic transformation and growth driven by leveraging land assets; or who may lose from changes in use and access to natural resources.
251. FAO programmes and projects shall address the tenure and administration issues associated with the changes that they may bring about. This includes giving consideration to issues related to security of tenure and access to natural resources, compensation, administration and land governance and should be done in accordance with the VGGT.

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<sup>13</sup> Due diligence is required to ensure that the seller truly has the right to retain the land and is not compelled to sell it and that the accepted price is in line with the existing replacement cost. This may involve reviewing applicable agreements and meeting the interested parties.

## **2. Prohibit forced evictions, allowing evictions only in exceptional circumstances**

252. In accordance with the VGGT, FAO prohibits forced evictions. Forced evictions are also prohibited under the United Nations Basic Principles and Guidelines on Development-based Evictions and Displacement (see HLRN, 2019). Forced evictions include acts involving the coerced or involuntary displacement of individuals, groups, or communities from homes and/or lands and common property resources that they occupied or depended upon, and that consequently eliminate or limit their ability 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.
253. Forced evictions constitute gross violations of a range of internationally recognized human rights. Evictions associated with programming activities shall be carried out lawfully, and only in exceptional circumstances to promote general welfare and with full justification. Evictions must be reasonable and proportional; follow standards of due process; ensure full and fair compensation and rehabilitation; and be carried out in full accordance with relevant provisions of international human rights and humanitarian law. In such cases, FAO shall undertake appropriate due diligence that includes an analysis of the national partner's regulations regarding involuntary resettlement before engaging in these activities. The Organization will ensure that its implementing partners conduct displacement activities in a manner consistent with ESS 7.

## **3. Avoid and minimize physical and economic displacement**

254. Physical and economic displacement includes (a) 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; (b) restrictions on access to land and water, 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. FAO will seek to avoid physical and economic displacement in its programmes and projects. Where a comprehensive assessment of options, including a 'no action' scenario, indicates that displacement is unavoidable, FAO will minimize the potential scale of this displacement, and demonstrate that any land acquisition and/or restrictions on land use are limited to the direct requirements of the programme or project.
255. When avoidance is not possible, programmes and projects will mitigate displacement impacts and risks. In exceptional circumstances where displacement may occur, it should 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 and/or livelihood action plan prepared. The action plans will be developed in accordance with international best practice and in full consultation and agreement with affected individual, group or community. Engaging additional human resources should be envisaged in the programme or project design to ensure land tenure issues are handled in an appropriate and timely manner.
256. The action plans would aim, among other things, to improve or at least restore the living conditions of persons who have been physically or economically displaced by improving and restoring their productive assets and security of tenure.
257. Where the activities of a FAO programme or project involve physical displacement, the Organization will consider the following actions:
- Specify the resettlement options chosen by displaced persons, respecting preferences to relocate in pre-existing communities wherever possible, and document all transactions.

- Provide, wherever possible, a choice of replacement property with secure tenure<sup>14</sup> of higher value and better characteristics<sup>15</sup> for affected persons or communities with formal land rights or recognizable claims.<sup>16</sup> Land-based resettlement strategies will be utilized when affected livelihoods are land-based or where land is collectively owned.<sup>17</sup>
- Ensure resettlement sites provide adequate housing with improved living conditions and necessary civic infrastructure and services. For housing to be adequate, it must, at a minimum, meet the following criteria: provide security of tenure; availability of services, materials, facilities and infrastructure; affordability; habitability; accessibility; location and cultural adequacy.
- For affected persons who have no formal land rights or recognizable claims, provide compensation for the loss of assets other than land (e.g. dwellings, other improvements); offer resettlement assistance instead of compensation for land that is sufficient to restore and improve living standards at an adequate alternative site; and make arrangements to allow the affected persons to obtain adequate housing with security of tenure so they can resettle without facing the risk of forced eviction.
- Stipulate that compensation is not required for encroachers after the established cut-off date of the programme or project, provided that the cut-off date has been well publicized. Legitimate claims brought by absentee owners after the cut-off date will be considered on a case-by-case basis.

258. Where the activities of FAO programmes and projects involve economic displacement with significant social and economic impacts, FAO will consider the following actions:

- Ensure compensation covers all commercial losses. This includes the costs of transfer and re-establishing commercial activity, lost net income during transition, and lost employee wages. Compensation should also cover other assets such as crops, irrigation infrastructure or other improvements to the affected areas.
- Provide replacement property of improved value where legitimate tenure rights (both formal and informal) are restricted. Wherever possible, provide replacement agricultural sites of superior productive potential, which may include investments in increasing productivity. If it is clearly demonstrated that replacement land and resources are unavailable, offer cash compensation at full replacement cost, and provide options and support for alternative income earning with evidence of mutual agreement.
- Compensate economically displaced persons who are without legally recognizable claims, but with legitimate tenure rights to land for lost assets other than land (e.g. crops, irrigation infrastructure, other improvements made to the land) at full replacement cost.

<sup>14</sup> Security of tenure means that resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate.

<sup>15</sup> Activities that involve physical displacement should adhere to the VGGT.

Replacement property must at a minimum be of equal value of lost assets, with additional investment provided by supported activities to improve its value and characteristics.

<sup>16</sup> It may be appropriate to negotiate in situ land development arrangements whereby displaced persons or communities accept partial loss of land for improvements that increase property value.

<sup>17</sup> Cash compensation for replacement property and assets is discouraged. Payment of cash compensation for lost land and other assets may be appropriate where livelihoods are not land-based or livelihoods are land-based but the land taken is a small fraction of the affected asset and the residual land is economically viable.

- Where displaced livelihoods are based on natural resources, offer replacement land and access to alternative resources that combine productive potential, locational advantages, and other factors that improve accessibility and opportunities for earning a livelihood, wherever feasible. Provide alternative income earning opportunities and support if it is demonstrably not possible to provide replacement land and resources.
- If FAO programmes and projects restrict access to resources in legally designated parks or protected areas or other common property resources, a collaborative process with affected persons and communities will be initiated to negotiate and determine appropriate restrictions and mitigation measures that can improve affected livelihoods while maintaining the sustainability of the park or protected area.

#### **4. Prior displacement**

259. Where displacement has occurred in anticipation of supported activities and before the involvement of FAO, an audit shall be undertaken to identify any gaps associated with past activities in meeting the requirements of ESS 7 and the corrective actions that may be required to meet these requirements. Where an unoccupied site is provided from which prior residents were displaced (but not in anticipation of the supported activities), FAO shall require that appropriate due diligence is undertaken and shall determine if corrective actions are feasible and could be integrated into the activities of the programme and project.

#### **5. Redress and grievance mechanism**

260. FAO shall ensure that potentially displaced persons have access to legal advice prior to displacement decision and access to judicial or administrative remedies, as available. FAO programmes and projects shall ensure an effective grievance mechanism is available to address specific concerns of affected persons regarding all phases of the resettlement process. This will cover the complete range of issues related to FAO programming, including planning, consultations, compensation, relocation and livelihood restoration. Grievance mechanisms are to meet the effectiveness criteria for these mechanisms as laid out in ESOP 2 – Stakeholder engagement, information disclosure, and grievance, conflict resolution and accountability mechanisms.





# ESS 8. INDIGENOUS PEOPLES

## Introduction

261. Indigenous Peoples are gatekeepers to much of the world's biological and cultural diversity. They are considered to be among the most socially and economically vulnerable communities.
262. ESS 8 recognizes that the traditions and knowledge of Indigenous Peoples provide opportunities to overcome many of the challenges that the world will face in the coming decades. Indigenous knowledge and food systems are of particular significance in the face of increasing food demand and adaptation to climate change. An agenda that pursues global food security, sustainable natural resources management and poverty alleviation is incomplete unless it addresses the needs of Indigenous Peoples.
263. Indigenous Peoples have the right to be free from any kind of discrimination. Indigenous Peoples possess collective human rights that are indispensable for their existence, well-being and development as peoples. The special relationships that Indigenous Peoples have with their lands, territories, resources and cultural heritage are integral to their physical, spiritual and cultural survival. The promotion and protection of the rights of Indigenous Peoples, especially concerning their lands, territories, resources, traditional livelihoods, tangible and intangible cultural heritage is central to the identities and well-being of Indigenous Peoples, and underpin ESS 8 requirements.
264. Based on international legal agreements, including the United Nations 2007 Declaration on the Rights of Indigenous Peoples (UNDRIP) and the 1989 ILO Indigenous and Tribal Peoples Convention (No. 169), the FAO Policy on Indigenous and Tribal Peoples (2010) underpins ESS 8 and provides the overall policy framework to respect, include and promote Indigenous Peoples' issues in the Organization'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).

## Objectives

- Recognize and foster full respect for Indigenous Peoples and their human rights, dignity, cultural uniqueness, autonomy, identity, and aspirations.
- Avoid adverse impacts on Indigenous Peoples from activities supported and implemented by FAO and its partners, and minimize, mitigate and remedy adverse impacts where avoidance is not possible.
- Promote the rights of Indigenous Peoples to self-determination and development according to their culture and identity.
- Recognize and respect the rights of indigenous women and men to the lands, territories, and resources that they have traditionally owned, occupied, or otherwise used or acquired.

- Recognize, respect, protect and preserve the culture, knowledge, and practices of Indigenous Peoples and provide them with an opportunity to adapt to changing conditions in a manner and in a timeframe that are acceptable to them.
- Promote interventions that are designed, managed, and implemented for, by and with Indigenous Peoples, including indigenous women and youth.
- Ensure that FAO programmes and projects are designed in partnership with Indigenous Peoples, with their full, effective and meaningful consultation and participation, and with the objective of obtaining their FPIC before any project activities commence.
- Ensure Indigenous Peoples obtain fair and equal benefits and opportunities from supported activities and from commercial development of their lands or resources in a culturally appropriate and inclusive manner, with due consideration given to gender equality.
- Support countries to respect, protect and fulfil the rights of Indigenous Peoples.
- Protect cultural heritage from damage, inappropriate alteration, disruption, removal or misuse; support its preservation and protection; and ensure the equitable sharing of benefits generated from the integration and utilization of cultural heritage in FAO programmes and projects.
- Promote meaningful consultation with stakeholders, including women and youth regarding the preservation, protection, utilization and management of cultural heritage.

### Scope of application

265. The application of ESS 8 is established during the environmental and social screening. ESS 8 applies to programmes and projects supported by FAO that may involve or affect the rights, lands, natural resources, territories, livelihoods, knowledge, gender relations, social fabric, traditions, governance systems, and the culture and the tangible and intangible heritage of Indigenous Peoples.

### Requirements

#### 1. Identification of Indigenous Peoples

266. The international community has not adopted a single definition of Indigenous Peoples. The prevailing view is that no formal universal definition is necessary for the recognition and protection of their rights. According to the United Nations, the term 'Indigenous Peoples' refers to distinct collectives who answer to any of the more commonly accepted definitions. Regardless of the local, national and regional terms applied to them, self-identification as a distinct people is a fundamental criterion in the definition of Indigenous Peoples. Other key characteristics of the definition of Indigenous Peoples include: voluntary perpetuation of cultural distinctiveness (e.g. languages, laws, customary cultural, social, economic or political institutions); collective attachment to the lands, territories and resources they have traditionally owned, occupied or otherwise used or acquired; traditional livelihoods and tangible and intangible cultural heritage associated with their lands, territories, and resources; priority in time with respect to occupation and use of specific territory; and an experience of subjugation, marginalization, dispossession, exclusion or discrimination, whether or not these conditions persist. Indigenous Peoples may have a distinct language or dialect, often different from the official language or languages of the country or region in which they reside.



267. Indigenous Peoples also include Indigenous Peoples who have lost access to lands, territories or resources because of forced severance, conflict, government resettlement, dispossession, natural-hazard induced disasters, or the incorporation of their lands into urban areas, but who still maintain collective attachment to those lands, territories and resources. Indigenous Peoples may not be recognized by some countries or possess recognized title to lands, territories and resources.
268. In some countries, Indigenous Peoples may be referred to by other terms, such as ‘ethnic groups or minorities’, ‘aboriginals’, ‘hill tribes’, ‘minority nationalities’, ‘scheduled tribes’, ‘first nations’, ‘tribal groups’, ‘pastoralists’, ‘hunter-gatherers’, ‘nomadic groups’, ‘forest dwellers’ or other terms. Regardless of the terminology used, the requirements of ESS 8 shall apply to groups that satisfy the above characteristics. These groups should be referred to by the internationally agreed term, ‘Indigenous Peoples’, when appropriate.

## 2. Free, prior and informed consent

269. FPIC is a specific right that pertains to Indigenous Peoples and is recognized in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). All three elements within FPIC are interconnected and are part of the whole. Consent should be sought before any project, plan or action takes place (prior); it should be independently decided upon (free); and based on accurate, timely and sufficient information provided in a culturally appropriate way (informed) for it to be considered a valid result or outcome of a collective decision-making process (FAO, 2016). FPIC allows indigenous communities to give or withhold consent to a programme or project that may affect them or their territories. Once they have given their consent, they can withdraw it at any stage of the project cycle. FPIC also enables indigenous communities to negotiate the conditions under which the project will be designed, implemented, monitored and evaluated. This is also embedded within the universal right to self-determination. The FPIC process aims at:
- ensuring a positive engagement of Indigenous Peoples and adequate participation of youth and women in the programme or project;
  - avoiding adverse impacts, or when avoidance is not feasible, minimizing, mitigating, or compensating for these impacts in accordance with the agreement of Indigenous Peoples, and
  - tailoring benefits in a gender-responsive and culturally appropriate way.
270. Engagement shall begin as early as possible in the conceptualization stage of the programme or project and continue throughout all stages of the programme or project cycle (i.e. design, risk identification and assessment, implementation, monitoring and evaluation). Engagement processes shall consider the time requirements of the internal decision-making processes of Indigenous Peoples, and be free from any coercion, intimidation or manipulation.
271. Complete and understandable information on the likely potential impacts of programme or project shall be disclosed to the indigenous community(ies) involved. Sufficient time shall be allocated for the community to carry out internal deliberations. The disclosure of information shall be done in accordance with Indigenous Peoples traditions and customs, including in their language if feasible, and in an environment and in ways the Indigenous Peoples can relate to.

### **3. Prior assessment, impact avoidance**

272. As part of the design process, the programme or project will carry out an environmental and social analysis of the activities that may affect or involve Indigenous Peoples. The analysis will verify whether Indigenous Peoples reside in the proposed programme or project areas and/or if the activities may affect Indigenous Peoples outside of these areas. The perspective of the Indigenous Peoples is a critical starting point for the impact assessment. Indigenous Peoples should have ample opportunities as early as possible to participate in the assessment and the development of avoidance and mitigation measures.
273. Indigenous and traditional knowledge is valuable for identifying and addressing potential risks, including hazards and disaster risks, and should be incorporated into the entire programme or project cycle. FAO shall assess all potential direct and indirect, social, environmental, gendered, cultural, and spiritual impacts of the proposed activities on Indigenous Peoples. The assessment will include the potential impacts on their rights, lands, territories, gender relations and resources. A review may be required of all substantive rights, property interests, tenurial arrangements, and traditional resource usage. FAO programmes and projects will avoid adverse impacts on Indigenous Peoples to the maximum extent possible. This will include exploring alternative programming strategies, designs and locations, or giving consideration to not proceeding with the activities. Where avoidance of adverse impacts is not possible, projects will minimize and mitigate residual impacts in a culturally appropriate manner using the risk mitigation hierarchy. Mitigation and compensation plans shall be developed through meaningful consultations with the Indigenous Peoples.

### **4. Culturally appropriate benefits**

274. FAO programmes and projects will ensure that the Indigenous Peoples who are involved in and affected by them are able to derive benefits in a culturally appropriate and inclusive manner. FAO will give due consideration to options preferred by the indigenous women and men, and pay attention to the different needs of both sexes. The provision of compensation and benefits will take into account the institutions, rules, and customs of the involved and affected Indigenous Peoples.
275. This may be done on a collective basis using mechanisms that effectively distribute benefits to all members of the affected groups. Benefits derived from any commercial development of Indigenous Peoples' lands, territories or resources, or from the use or development of the cultural heritage of Indigenous Peoples should be shared equitably and include women and youth.

### **5. Support rights to lands, territories, and resources**

276. Indigenous Peoples have collective rights to own, use, develop, and control lands, territories (which may include waters) and resources that they have traditionally owned, occupied, or otherwise used or acquired. FAO will avoid supporting or implementing activities that may undermine or inadvertently weaken these rights and exacerbate existing inequalities and vulnerabilities. Where appropriate and/or necessary, FAO will support activities that would result in the legal recognition of customary or traditional land tenure, the management systems and the collective rights of Indigenous Peoples. This includes activities related to the implementation of the VGGT.
277. When a programme or project may restrict the access of Indigenous Peoples to parks and protected areas, the affected Indigenous Peoples will be involved in the planning and management of the park or protected area, and the key species within it. FAO will not support

programmes and projects to protect the environment on Indigenous Peoples' lands, territories and resources unless a FPIC process has been fully followed, and the Indigenous Peoples are part of the management of the protected area.

## **6. People living in voluntary isolation or initial contact**

278. Where FAO programmes and projects may have a direct or indirect impact on Indigenous Peoples in voluntary isolation or initial contact, the Organization shall take all appropriate measures to avoid undesired contact and respect and protect the lands and territories, environment, health and culture of these Indigenous Peoples. FAO will respect the desire of Indigenous Peoples living in voluntary isolation and will ensure that programmes and projects in the area will assist national authorities in guaranteeing the land rights of groups living in isolation.

## **7. Cultural heritage**

279. In cases, where supported activities may lead to adverse impacts to the cultural heritage of Indigenous Peoples, FAO will consult and cooperate in good faith with the involved and affected Indigenous Peoples with the objective of obtaining (or not) their FPIC before the approval of relevant activities. If Indigenous Peoples affected and involved by project activities hold the location, characteristics or traditional use of cultural heritage in secret, programmes and projects will put in place measures to maintain confidentiality.

## **8. Indigenous Peoples' Plan**

280. An Indigenous Peoples' Plan will be prepared following the results of the FPIC process when a proposed programme or project may have significant negative impacts, or when it is specifically required by a partner organization. This plan will be developed in full consultation with the involved and affected communities, including women and youth, and in accordance with the FAO Policy on Indigenous and Tribal Peoples. The Indigenous Peoples' Plan will (a) ensure continued consultations during project implementation and monitoring and evaluation arrangements, with the adequate engagement of women and youth; (b) avoid, minimize, mitigate or compensate for any adverse effects; and (c) ensure that Indigenous Peoples receive what they consider to be appropriate benefits.

## **9. Feedback and grievance mechanism**

281. FAO programmes and projects shall make available mutually agreed, culturally appropriate, accessible and inclusive channels for feedback and grievance redress to Indigenous Peoples and their representatives. They should be established at the beginning of programme or project implementation with due consideration given to customary dispute settlement mechanisms among the Indigenous Peoples concerned and remain operational throughout the project cycle. A conflict resolution mechanism should be also discussed, agreed and developed during the early stages of the programme or project cycle. In the FPIC process, a feedback and grievance mechanism is fundamental to the operationalization of the right of Indigenous Peoples to give or withhold consent, especially during the implementation of the programme or project. The development of the grievance mechanism should be part of the full, effective and meaningful consultation and participation processes, and should be specified in any negotiated agreements.



# ESS 9. CULTURAL HERITAGE

## Introduction

282. Cultural heritage is central to individual and collective identity and memory, providing continuity between past, present and future. Cultural heritage reflects and expresses people's constantly evolving values, beliefs, knowledge, traditions and practices. Cultural heritage also serves a crucial role within the sustainable development process by strengthening social cohesion, diversity, well-being and quality of life; supporting cultural rights through the protection of the heritage of minority and indigenous groups; fostering socio-economic regeneration; increasing the appeal and creativity of cities and regions; boosting long-term tourism benefits; and encouraging sustainable practices. Cultural heritage and traditional resources are often unique and irreplaceable. They may be particularly fragile due to neglect and exploitation, or, given their potent symbolism, even vulnerable to deliberate destruction. The listed elements and features do not need to be ancient in order to be considered Cultural Heritage and ESS9 does not apply an age limitation.
283. ESS 9 aims to facilitate the preservation, protection and promotion of cultural heritage in FAO programming in a manner consistent with UNESCO cultural heritage conventions, the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and any other national or international legal instruments that might have a bearing on the use of cultural heritage. FAO has pioneered international recognition of the concept of farmers' rights, which are linked to the traditional knowledge of farmers and indigenous and local communities. The ITPGRFA is the first international legally binding instrument that endorses these rights and acknowledges farmers' contributions to the conservation and development of plant genetic resources.
284. The term 'cultural heritage' includes tangible and intangible heritage, which may be recognized and valued at the local, regional, national, or global level.
285. Tangible cultural heritage includes moveable or immovable objects, sites, structures, groups of structures, human settlements and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Tangible cultural heritage may be located in any setting and in any environment (e.g., above or below ground or under water).
286. Intangible cultural heritage, also referred to as living heritage, includes practices, representations, expressions, knowledge, and skills, along with the associated instruments, objects, artefacts and cultural spaces, that communities and groups recognize as part of their cultural heritage. This cultural heritage has been transmitted from generation to generation and constantly recreated by these communities and groups in response to their environment, their interactions with nature and their history. It provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. Intangible

cultural heritage may include (a) oral traditions and expressions, including language as a vehicle of the intangible cultural heritage; (b) performing arts; (c) social practices, rituals and festive events; (d) food heritage and territorial diets;<sup>18</sup> (e) knowledge and practices concerning nature and the universe; and (f) traditional craftsmanship.

## Objectives

- Protect cultural heritage, including food heritage from damage, inappropriate alteration, disruption, removal or misuse, and support its preservation, safeguarding and protection.
- Ensure equitable sharing of benefits generated from integration and utilization of cultural heritage in FAO programming.
- Promote meaningful consultation with stakeholders, including women and youth, on the preservation, protection, utilization and management of cultural heritage.

## Scope of application

287. ESS 9 applies to programmes and projects supported by FAO that may affect or may pose risks to tangible and intangible cultural heritage. The application of ESS 9 is established during the environmental and social screening.

### 1. Avoidance of adverse impacts

288. The project will consider potential direct, indirect, irreversible and cumulative impacts to cultural heritage. It will avoid adverse impacts on cultural heritage. After having ensured that all viable and feasible alternatives have been explored, and where avoidance is not possible, minimize and mitigate impacts according to the risk mitigation hierarchy. FAO will ensure activities do not contravene national or international obligations regarding cultural heritage. The Organization shall implement globally recognized practices for the effective field study, inventorying, documentation and protection of cultural heritage. These activities must take into account disaster risk at cultural heritage sites and shall not contribute to exacerbating this risk. Where adverse impacts to cultural heritage may be significant, the programme or project will undertake an appropriate Heritage Impact Assessment and adopt a Cultural Heritage Management Plan developed in consultation with relevant stakeholders, including individuals and communities within the country who use or have used the cultural heritage within living memory; as well as other interested parties, which may include national or local regulatory authorities that are entrusted with the protection of cultural heritage and nongovernmental organizations and cultural heritage experts, including national and international cultural heritage organizations.

### 2. Chance find procedures

289. In cases where there is a high chance of finding physical cultural resources, the bidding documents and contracts for civil works have to refer to the need to include the recovery of 'chance findings' in line with the national procedures and good international practices. These procedures establish how chance finds of cultural heritage shall be managed. This will include the notification of relevant authorities and stakeholders; the avoidance of further disturbance or damage; and the protection, documentation and assessment of the found objects, artifacts and spaces by experts.

<sup>18</sup> Territorial diets are "linked to specific areas, despite the fact that they have over time integrated other influences through the movement of people and cultural and material goods, including foods." (Hachem *et al.*, 2019, p.29)

### 3. Community participation, stakeholder consultations and use of experts

290. For programmes and projects with potential adverse impacts, FAO will engage qualified and experienced external independent experts to assess the project's potential impacts on cultural heritage and propose alternatives and/or a mitigation plan that would be incorporated into the project document. FAO will build checklists and other mechanisms into all programming processes to ensure that meaningful, effective stakeholder consultations are undertaken. These consultations should be gender-inclusive and inter-generational. They should also include the local and national regulatory authorities who have been entrusted with the protection of cultural heritage; local, national or international cultural heritage experts; and organizations and affected parties, including individuals and communities who develop, have developed, use or have used the potentially affected cultural heritage within living memory. Where the cultural heritage of Indigenous Peoples may be affected by programme or project activities, the requirements of ESS 8 – Indigenous Peoples must also be followed.

### 4. Continued access

291. FAO programmes and projects will avoid restricting access of affected communities to cultural heritage sites and the instruments, objects, artefacts, cultural and natural spaces and places of memory necessary for expressing their intangible cultural heritage. Where this is not possible, projects would allow continued access based on stakeholder consultations and provide alternative routes if access is blocked. These routes would be subject to overriding safety and security considerations.

### 5. Confidentiality and restricted access by communities

292. Together with affected stakeholders, FAO programmes and projects will determine whether the disclosure of information regarding cultural heritage would compromise or jeopardize the safety or integrity of this heritage or endanger the sources of information about it. In such cases, sensitive information may be withheld from public disclosure. If communities affected by project activities choose to keep the location, characteristics or traditional use of cultural heritage a secret, FAO will put in place measures to maintain confidentiality. The Organization will respect customary practices that have been enacted and maintained by the communities to restrict access to certain specific aspects of cultural heritage or withhold information about it.

### 6. Intangible cultural heritage

293. FAO respects the dynamic and living nature of intangible cultural heritage and the right of communities, groups and, where applicable, individuals to continue the practices, representations, expressions, knowledge and skills necessary to ensure the viability of their intangible cultural heritage. Where FAO programmes and projects may involve or affect intangible cultural heritage, the Organization will ensure the meaningful participation of concerned parties in identifying risks and impacts to their intangible cultural heritage. This will include the identification of risks of de-contextualization, commodification and misrepresentation of this intangible heritage, and the determination of appropriate mitigation and safeguarding measures. Activities will involve the identification, inventorying, documentation, research, preservation, protection, promotion, enhancement, transmission, and revitalization of the various aspects of this heritage.

## **7. Integration and utilization of cultural heritage**

294. Where FAO programmes and projects propose to integrate and utilize cultural heritage, including the knowledge, innovations, and practices of local communities, FAO will engage in meaningful consultations with the potentially involved and affected communities and stakeholders, and inform them of their rights and the potential consequences of the proposal. Where programming activities aim at facilitating commercial use by relevant communities of cultural heritage as an option for them to consider, FAO will inform the communities of the rights and options available to them.
295. Where programming activities propose the utilization of the cultural heritage of Indigenous Peoples, FAO will ensure that the requirements of the ESS 8 – Indigenous Peoples are followed.

## **8. Legally protected cultural heritage areas**

296. FAO will identify and avoid adverse impacts to legally protected cultural heritage areas; comply with defined national or local cultural heritage regulations, protected area management plans and/or conservation master plans; consult area sponsors and managers, local communities, local governments, local and national heritage authorities and other key stakeholders; and implement additional programmes, as appropriate, to enhance conservation aims of protected areas. A heritage impact assessment will be developed for sites with an international designation, such as cultural World Heritage sites and Globally Important Agricultural Heritage Systems (GIAHS).





# Glossary

**Accountability to affected populations** is defined as an active commitment by humanitarian actors and organizations to use power responsibly by taking account of, giving account to and being held to account by the people they seek to assist. Accountability to affected populations follows a people-centered approach that is sensitive to the varying needs of different community groups, and recognizes the importance of ensuring that women, men, girls and boys have equal access to assistance and benefit from it equally.

**Accountability mechanisms**, such as grievance mechanisms, ensure that development and humanitarian actors are held to the principles they proclaim, and that interventions do not result in inadvertent harm to people and the environment. Accountability mechanisms support a human rights-based approach that is transparent, inclusive and participative, and contributes to ensuring that no one is left behind.

**Biodiversity** is the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part; this includes diversity within species, between species, and of ecosystems. The definition from the Convention on Biological Diversity (Article 2) covers plant, animal, forest, aquatic, micro-organism and invertebrate genetic resources and diversity that are vital to food security, nutrition, livelihoods and the resilience and adaptability of global agricultural production systems.

**Biodiversity offsets** are measurable conservation outcomes that are intended to compensate for adverse and unavoidable impacts of programmes or projects and achieve a situation where there is no net loss of biodiversity and preferably a net gain. In critical habitats, a net gain in biodiversity is required.

**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.

**Critical habitat** are areas with high biodiversity value that include (a) habitats of significant importance to threatened or endangered species (e.g. as critically endangered, endangered or vulnerable species identified in the International Union for Conservation of Nature (IUCN) Red List of threatened species); (b) habitats of significant importance to endemic and/or restricted-range species; (c) habitats that support globally significant concentrations of migratory species and/or congregatory species; (d) highly threatened and/or unique ecosystems; and/or (e) areas associated with ecological functions or characteristics that are required to sustain the biodiversity in the habitats described above in (a) to (d).

**Cultural heritage** reflects and expresses people's constantly evolving values, beliefs, knowledge, traditions and practices. Cultural heritage is central to individual and collective identity and memory, providing continuity between past, present and future. The term includes tangible and intangible heritage, which may be recognized and valued at the local, regional, national, or global level.

**Disaster** refers to a serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts.

**Ecosystem services** are the benefits that people derive from ecosystems. Ecosystem services are organized into four categories: (a) provisioning services that include food, freshwater, wood, timber, fibres, medicinal plants and genetic resources; (b) regulating services that include surface water purification, carbon storage and sequestration, climate regulation, protection from natural hazards, (c) cultural services that include natural areas that are sacred sites and areas of importance for recreation and aesthetic enjoyment, and (d) supporting services that include soil formation, nutrient cycling and primary production.

**Forced eviction** include acts involving the coerced or involuntary displacement of individuals, groups, or communities from homes and/or lands and common property resources that they occupied or depended upon, and that consequently eliminate or limit their ability 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.

**Forced labour** consists of any work or service not voluntarily performed and is exacted from an individual under coercion, threat of force or penalty.

**Free, prior and informed consent** is a self-standing Indigenous Peoples right that was initially developed in some Conventions, developed in 1989 in the ILO Convention 169 and later enshrined as FPIC in the 2007 UN Declaration on the Rights of Indigenous Peoples adopted by the UN General Assembly. Work is on a voluntary basis when it is done with the free and informed consent of a worker. Such consent must exist throughout the employment relationship and the worker must have the possibility to revoke freely given consent. In particular, there can be no ‘voluntary offer’ under threat or other circumstances of restriction or deceit. To assess the authenticity of a free and informed consent, it is necessary to ensure that no external constraint or indirect coercion has been carried out, either by an act of the authorities or by an employer’s practice.

**Gender-based violence** is one of the most extreme forms of discrimination. GBV, which is widespread globally, tends to be exacerbated by food insecurity, poverty and humanitarian emergencies. The types of GBV that are of particular concern for FAO include sexual and physical violence; the denial of resources, opportunities or services; harmful practices (e.g. forced and child marriage); sexual exploitation and abuse; and emotional and psychological assault. Evidence shows that women and girls tend to be most vulnerable to GBV, but men and particularly boys are also at risk, depending on the context. GBV has severe consequences not only for survivors, but also for their families and communities. By negatively affecting the health, resilience and productive capacity of survivors, GBV has a devastating impact on agricultural productivity, food security and nutrition.

**Grievance mechanism** is crucial to ensure that parties involved in and affected by the activities of FAO programmes and projects have access to fair, transparent, inclusive and no-cost processes and mechanisms to redress grievances and resolve conflict.

**Hazard** is a process, phenomenon or human activity that may cause loss of life, injury or other health impacts, property damage, social and economic disruption or environmental degradation.

**Inconsiderate or irresponsible land tenure interventions** refers to practices that contravene the guiding principles and good practices of responsible tenure governance as articulated in the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.

**Indigenous Peoples** refers to distinct collectives who answer to any of the more commonly accepted definitions of Indigenous Peoples. Regardless of the local, national and regional terms applied to them, self-identification as a distinct people is a fundamental criterion in the definition of Indigenous Peoples. Other key characteristics of the definition of Indigenous Peoples include: voluntary perpetuation of cultural distinctiveness (e.g. languages, laws, customary cultural, social, economic or political institutions); collective attachment to the lands, territories and resources they have traditionally owned, occupied or otherwise used or acquired; traditional livelihoods and tangible and intangible cultural heritage associated to their lands, territories, and resources; priority in time with respect to occupation and use of specific territory; and an experience of subjugation, marginalization, dispossession, exclusion or discrimination, whether or not these conditions persist. Indigenous Peoples may have a distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

**Intangible cultural heritage**, also referred to as living heritage, includes practices, representations, expressions, knowledge, and skills, along with the associated instruments, objects, artefacts and cultural spaces, that communities and groups recognize as part of their cultural heritage.

**Integrated pest management (IPM)** refers to 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.

**Involuntary resettlement** refers to impacts that give individuals no choice to refuse both physical and economic displacement.

**Marginalized, vulnerable or disadvantaged 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.

**Natural habitats** are land and water areas where the biological communities are formed in large part by native plant and animal species, and where human activity has not essentially modified the area's primary ecological functions and species composition.

**Physical and economic displacement** includes (a) involuntary restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or recognizable usage rights; (b) restrictions on access to land and water, 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.

**Protected area** refers to a clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values.

**Resilience** is the ability of individuals, households, communities, cities, institutions, systems and societies to prevent, anticipate, absorb, adapt, and transform positively, efficiently and effectively when faced with a wide range of risks, while maintaining an acceptable level of functioning and without compromising long-term prospects for sustainable development, peace and security, human rights and well-being for all.

**Screening** is the process of identifying and classifying environmental and social risks associated with individual programmes and projects. FAO shall screen and categorize the proposed activities of programmes and project within a distinct planning phase to: (a) identify potential environmental and social risks and impacts, including the risks referred to in the guiding principles and ESSs of the FESM; and (b) determine the nature and level of the environmental and social review and assessment, and, provisionally, the management measures necessary for addressing the identified risks and impacts.

**Stakeholder** refers to individuals, groups, or organizations representing them who are affected or are likely to be affected by the programme or project activities or to those who may have an interest in these activities. Government partners, civil society actors and organizations, local government actors, private sector actors, employers' organizations, trade unions, representatives of women and youth groups and organizations, indigenous peoples, local communities and other stakeholders are crucial stakeholders in FAO projects and programmes.

**Stakeholder engagement** is an ongoing process that involves to varying degrees: (a) stakeholder identification and analysis (e.g. the disaggregation of data by sex, age, and other relevant socio-demographic variables); (b) the planning of stakeholder engagement over the entire programming or project cycle from planning to monitoring; (c) the timely disclosure of relevant, accessible information on the programming activities; (d) consultation and meaningful participation of men and women and representatives of all stakeholders; (e) mechanisms to resolve disputes and address potential grievances; (f) reporting to stakeholders; and (g) the inclusion of both men and women stakeholders in monitoring and evaluation.

**Sustainable forest management** is defined as a "a dynamic and evolving concept, which aims to maintain and enhance the economic, social and environmental values of all types of forests, for the benefit of present and future generations" (United Nations General Assembly Resolution A/RES/62/98).

**Tangible cultural heritage** includes moveable or immovable objects, sites, structures, groups of structures, human settlements and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance.

**Tenure** defines access and security of rights to land and other natural resources and 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 the improvements in productivity that result from economic transformation and growth driven by leveraging land assets; or who may lose from changes in use and access to natural resources.

**Vulnerability** refers to the conditions determined by physical, social, economic and environmental factors or processes that increase the susceptibility of an individual, a community, assets or systems to the impacts of hazards.

**Work** is on a voluntary basis when it is done with the free and informed consent of a worker. Such consent must exist throughout the employment relationship and the worker must have the possibility to revoke freely given consent. In particular, there can be no 'voluntary offer' under threat or other circumstances of restriction or deceit. To assess the authenticity of a free and informed consent, it is necessary to ensure that no external constraint or indirect coercion has been carried out, either by an act of the authorities or by an employer's practice.



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# Annex 1

## FAO list of excluded activities

FAO will not knowingly support, directly or indirectly, projects involved in activities, production, trade, or use of the products, or substances listed below. Additional exclusions may apply in the context of a specific project.

- Harmful or exploitative forms of child labour.
- Harmful or exploitative forms of forced labour.
- Forced evictions without the provision of and access to appropriate forms of legal and other protection.
- Activities that result in the exploitation of and access to outsiders to the lands and territories of Indigenous Peoples in voluntary isolation and in initial contact.
- Destruction of protected areas or other high biodiversity and High Conservation Value areas
- Construction or financing of dams over 15 m in height.
- Activities that are illegal under host country laws, regulations or ratified international conventions and agreements relating to biodiversity protection or cultural heritage.
- Activities or materials deemed illegal under host country laws or regulations or international conventions and agreements, such as:
  - products that contain any substances that are banned for use or trade under applicable international treaties and agreements, or meet the criteria of carcinogenicity, mutagenicity, or reproductive toxicity as set forth by relevant international agencies; and
  - wildlife or products regulated under the Convention on International Trade in Endangered Species or Wild Fauna and Flora (CITES).
- Cross-border trade in waste and waste products, unless compliant to the Basel Convention and the underlying regulations.
- Trade related to pornography and/or prostitution.
- Production and distribution of racist and discriminatory media.
- Project's activities for which any of the following products is having a primary role:
  - production, use or trade in radioactive materials<sup>1</sup> and unbounded asbestos fibres or asbestos-containing products;
  - blast fishing and large-scale pelagic drift net fishing using nets in excess of 2.5 km in length;
  - production or trade in alcoholic beverages (except beer and wine) and tobacco;
  - production, use, trade or distribution of weapons and munitions; and
  - gambling, casinos or equivalent enterprises.

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<sup>1</sup> This does not apply to the purchase of equipment, quality control (measurement) equipment and any similar equipment where the radioactive source is trivial and/or adequately shielded..







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