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EMG

Draft

Moving towards a Common Approach to
Environmental and Social Standards for UN
Programming

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Introduction and Background on the Common Approach

1. This document presents key elements of a **proposed** Common Approach to Environmental and Social Standards for UN programming (henceforth the Common Approach).
2. The Senior Officials of the UN Environment Management Group (EMG) agreed in September 2016 to establish a new work stream under the “Consultative Process on Advancing the Environmental and Social Sustainability in the UN system” (Consultative Process) to consider options for moving towards a Common Approach to environmental and social standards for programmes/projects. This work stream builds on the results of a [pilot project conducted in 2015](#), with seven UN entities testing the utility of the EMG Environmental and Social Sustainability Framework and the related Interim Guide, which identified the need for a Common Approach to social and environmental standards.
3. Robust environmental and social standards (e.g. safeguards) and related accountability mechanisms (e.g. grievance mechanisms) are increasingly applied as best practice in programming. In practical terms such standards aim to 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. They support a human rights-based approach that is transparent, inclusive and participative so that **no one is left behind**. They also reflect that even with good planning and best intentions, unanticipated impacts and conflict may still arise so accountability mechanisms need to be in place to receive, assess, and respond to grievances from project/programme-affected people.
4. Moving towards a Common Approach will strengthen policy coherence and improve collaboration with governments and other national counterparts in our country level programming. It will also allow for greater shared trainings, tools, and learning.
5. In recent years, a number of UN entities have put in place or have started to adopt environmental and social standards for programming. This is a positive development, but it also presents a challenge for ensuring policy coherence at the country level. The UN system needs to ensure not only that its environmental and social standards are based on relevant international agreements and conventions, but also that it avoids multiple interpretations of what this means in the context of programming. Coordinating and consolidating UN entities’ efforts to this end will help move the system towards greater alignment, transparency and accountability and would facilitate delivery of the Sustainable Development Goals (SDGs). More specifically, a Common Approach would support delivery of the following **benefits and objectives**:
 - **Delivering as One**: ensure normative principles of the UN are consistently operationalized through programming, at the country level in particular, and prevent the risk of implementing varying standards at the country level.
 - **Communication**: allow the UN/UN Country Teams (UNCTs) to collectively communicate to partners (e.g. at Country level partners, civil society, vertical funds) to explain how we are applying a Common Approach and moving towards greater alignment.
 - **Fit for Purpose/SDGs**: demonstrate the UN system is ‘walking the talk’ and integrating the SDG agenda into the way we do our work and applying the UN normative framework to support that agenda.
 - **Efficiencies**: enable the use of shared trainings, tools, rosters and guidance, benefitting from relevant expertise from across the system.

- **Access to Financing:** help ensure continued access to financing that is increasingly tied to environmental and social standards and accountability policies (e.g. Green Climate Fund, bilateral donors).
 - **Joint Programming:** facilitate the use of common standards and tools in the context of joint programming.
 - **Collective Learning:** support a collective learning approach to the application of environmental and social standards in UN programming.
6. The Common Approach builds on the "[Framework for Advancing Environmental and Social Sustainability in the UN System](#)" which recognizes the need for the "*UN system to internalize the internationally agreed norms of the sustainability agenda ... through a **common framework** for environmental and social sustainability, including through safeguards, risk management, institutional learning, capacity-building, simplification, coherence and transparency*". The Sustainability Framework provides a strong basis for a proposed Common Approach by outlining several minimum requirements related to ensuring environmental and social screening, assessment and management measures for programming. In addition to the Framework and related [Interim Guide](#), the following elements provide a strong basis from which to build a Common Approach:
- **UN Normative Framework:** Environmental and social standards need to be based on the UN international legal and normative framework. Given UN leadership in setting such normative principles, it is critical that the UN system adhere to them in its own activities and that they are operationalized through UN programmes and projects. This is consistent with the UN's commitment to support country partners to implement their duties and obligations under international conventions and agreements, including human rights, international labour standards and international environmental agreements.
 - **UNDAF Programming Principles:** The United Nations Development Assistance Framework (UNDAF) Guidance, and its principles for common country programming (leave no one behind; human rights, gender equality and women's empowerment; sustainability and resilience; accountability), as recently updated by the United Nations Development Group (UNDG), provide an important starting point for a coherent policy approach to environmental and social standards, as well as an opportunity to operationalize these principles through country-level programming. While not all UN programming occurs at the country-level or through the UN Development System, these programming principles provide a strong basis for greater alignment.
 - **Best Practice and Lessons Learned:** Environmental and social standards for programming have been applied by the multilateral development banks for decades. More recently a range of UN entities have also developed and are implementing similar standards. A comparative analysis of these standards was conducted and provided a strong basis of best practice and lessons learned from which to build the proposed Common Approach. Additionally, safeguards frameworks of key multilateral donors, such as the Global Environmental Facility and the Green Climate Fund, has informed the development of this Common Approach.
7. Key considerations for the proposed Common Approach to Environmental and Social Standards for UN Programming include the following elements:

- **Flexibility:** Needs to ensure flexibility to allow for differing mandates, governance structures, operating modalities, but at the same time provide enough specificity to be a meaningful move towards greater alignment.
 - **Utility:** Help UN entities that already have standards to identify/fill gaps and also provide a basis for entities that are just starting the process to develop them. The purpose of a Common Approach is neither to develop a framework for verbatim adoption by each entity nor to replace what already exists.
 - **Specificity:** To be meaningful, needs to ensure a level of specificity that goes beyond statements of principle to setting out minimum requirements.
 - **Phased Approach:** Needs to take a phased approach whereby it is applied initially by interested entities through a time-bound voluntary phase, followed by a report back on lessons learned to refine and scale up.
 - **Relevance:** Needs to be relevant for both development and humanitarian sides of the UN system, contributing to delivery of the SDGs and to the “New Way of Working.”
 - **Framing:** Needs to be framed around the UN system’s existing commitments to apply environmental and social standards (rather than as something completely new), with a renewed focus on strengthening alignment.
8. **Process and Methodology.** The work stream for developing the proposed Common Approach under the Consultative Process is co-chaired by UNDP and IFAD. Members include FAO, ILO, UNEP, UNHCR, UNICEF, UNIDO, UNOPS, UN-Habitat, and WFP, supported by a consultant. A first meeting of the group was held in February 2017, to agree on the terms of reference and a work plan. A workshop was subsequently held in Copenhagen in June 2017, hosted by UNOPS. A third meeting was held in July 2018 in Rome, hosted by WFP.
9. A detailed comparative analysis of the existing environmental and social standards/safeguards of participating UN entities (FAO, IFAD, UNDP, UNEP, UNICEF, UNIDO and UNOPS) identified specific areas of commonality and differences in the scope and requirements of these policies, procedures and accountability mechanisms. In addition, safeguard requirements of several other international entities were also included in the comparative analysis for reference.¹ The normative basis for key safeguard-related thematic areas was identified.
10. Building upon the findings of the comparative analysis, a set of key principles and minimum requirements across a range of thematic safeguard areas (see Box 1) were identified and summarized in the Common Approach. Generally, the most comprehensive requirements identified in the comparative analysis were incorporated. The range of expertise within the UN system also helped inform and shape the proposed Common Approach.
11. This draft was developed through a consultative process, through the UN working group and the wider Consultative Process. The next stage of this work proposes wider public consultation to ensure engagement beyond the UN system.

¹ Namely the environmental and social safeguard frameworks of the World Bank, the Global Environment Facility (GEF), and the Green Climate Fund (GCF).

Overview of the Common Approach

- Purpose.** The proposed Common Approach aims to strengthen the sustainability and accountability of programming by UN entities and to improve policy coherence and collaboration with governments and other national counterparts in country level programming. It seeks to respect rights and to protect people and the environment from potential adverse impacts of programming interventions and to ensure that stakeholders have ample opportunities to actively participate in programming and have effective channels to voice their concerns. It seeks to ensure that minimum requirements relating to promoting human well-being and the protection of the environment are integrated in the definition, preparation and implementation of country programming by UN entities.
- The Common Approach is not intended to define the substantive outcomes and results orientation of the programming of UN entities, as this is defined by the mandates and strategic frameworks of each entity. Instead, through alignment with the minimum requirements of the Common Approach, UN entities would seek to strengthen achievement of targeted positive outcomes and to improve management of environmental and social risks and impacts.
- The Common Approach identifies minimum requirements and processes across a range of environmental and social thematic areas that are typically addressed by entity-level safeguard policies (see Box 1).
- The minimum requirements are intended to serve as a common benchmark reference for UN entities to consider when adopting and/or revising entity-level frameworks on environmental and social standards and safeguards. Increasing alignment with the minimum requirements of the Common Approach will support and strengthen more harmonized approaches among UN entities and application of good international practice regarding environmental and social sustainability and risk management. Adherence to the requirements of the Common Approach will also further assist partner countries in fulfilling national and international commitments and obligations.
- Scope.** The minimum requirements of the Common Approach are intended to be applied principally in the context of country programming of UN entities. UN entities may define their programming activities in different ways and will need to stipulate the procedures and mechanisms by which they intend to address the minimum requirements herein. For the purposes of the proposed Common Approach, programming is generally understood as supported activities with defined results and resources over which the UN entity has significant organizational influence. “Projects” and “programmes” are typically the entry points where environmental and social safeguard policies and procedures have been applied (and this terminology is currently used in the proposed Common Approach). However, other modalities may be utilized for addressing the Common Approach’s

Box 1. Outline of the Common Approach

- Overarching Statement and Guiding Principles*
- Operationalizing the Common Approach*
 - Screening, Assessment and Management of Environmental and Social Risks and Impacts
 - Stakeholder Engagement and Accountability
- Thematic Areas of the Common Approach*
 - Biodiversity, Ecosystems and Sustainable Natural Resource Management
 - Climate Change Mitigation and Adaptation and Disaster Risk Reduction
 - Community Health, Safety and Security
 - Cultural Heritage
 - Displacement and Involuntary Resettlement
 - Indigenous Peoples
 - Labour and Working Conditions
 - Pollution Prevention and Resource Efficiency

minimum requirements in supported activities, such as environmental and social management systems, corporate sustainability policies and management practices, and standard operating procedures.

6. UN entities will ensure that supported projects and programmes are prepared and implemented in a manner that meets the minimum requirements of the Common Approach, as incorporated into entity-level environmental and social safeguard policies, including whether supported programming activities are undertaken directly by UN entities, implementing partners, executing agencies, or contractors.
7. Where UN entities are implementing activities jointly, including with non-UN entities, the minimum requirements of Common Approach may be utilized to provide a framework for harmonized approaches to addressing environmental and social issues, risks and impacts in joint projects/programmes.
8. When programming of UN entities is focused on emergency/crisis response and humanitarian action, UN entities will undertake efforts to integrate the minimum requirements of the Common Approach into their crisis response training, protocols and operating procedures. Adjustments may be required to the timelines and sequencing of addressing the minimum requirements contained in the Common Approach in order to prioritize rapid response activities to save lives and alleviate suffering. As crisis situations transition to stages of early recovery and development, UN entities would further integrate the relevant minimum requirements of the Common Approach into their programming.
9. **Adopting and applying the Common Approach.** In the initial phase of taking forward this Common Approach, a group of UN entities will compare their existing project/programme-level environmental and social standards and safeguards with the requirements of the Common Approach on a **voluntary** basis. Annex 1 will provide a self-assessment tool to facilitate this process (to be completed in the next stage of developing the proposed Common Approach). Where gaps or inconsistencies are identified, UN entities would consider incorporating the Common Approach requirements into their corporate policies.
10. Where UN entities do not have formal environmental and social standards in place, they may consider adopting the minimum requirements of the Common Approach. These entities would also need to consider adopting appropriate procedures and systems to support implementation of the new Common Approach-aligned safeguard frameworks, including environmental and social screening procedures and entity-level compliance and accountability systems.
11. The Common Approach as such is not a prescribed policy framework for UN entities. Voluntary incorporation of the Common Approach's minimum requirements would need to be adapted by UN entities to align with their mandates, corporate systems for programme and risk management as well as other related corporate policies and commitments, including those on environmental and social sustainability. As such, the minimum requirements of the Common Approach in themselves do not establish grounds for defining compliance and accountability, which is established in entity-specific policies and procedures.
12. In addition, while the Common Approach presents minimum requirements across a range of environmental and social thematic areas commonly addressed in entity-level safeguard policies, it does not represent a mandatory architecture for environmental and social frameworks. UN entities will identify the most appropriate organizational design for addressing safeguard requirements given their specific mandates. Consolidation of certain thematic areas and requirements of the Common

Approach may be necessary and/or additional ones may need to be incorporated into entity-level frameworks.

13. The minimum requirements contained in the Common Approach are intended to apply across all programming. UN entities would identify (typically through the environmental and social screening and assessment processes) potential environmental and social risks and impacts associated with programming activities and determine which minimum requirements need to be addressed.
14. Certain requirements of the Common Approach would be considered always relevant for effective programming, including those related to human rights; gender equality; environmental and social assessment and management; and stakeholder engagement and accountability.
15. Projects and programmes of UN entities may be directly implemented or may rely on implementing partners, executing agencies, or contractors. UN entities would need to ensure that the relevant requirements of the Common Approach, as incorporated into entity policies and frameworks, are addressed by responsible parties for project/programme implementation. Documentation describing the project/programme should outline the specific relevant actions required of responsible parties, and project/programme agreements and contracts should include standard environmental and social clauses specifying that environmental and social due diligence and risk management will be undertaken in a manner consistent with the requirements of the Common Approach, as incorporated in entity environmental and social safeguard policies and frameworks.
16. **Key elements of the Common Approach.** The Common Approach reflects key elements of a human rights-based approach to programming and also applies a risk-informed approach to addressing environmental and social risks and impacts in projects and programmes. In this regard the Common Approach extends beyond a “do no harm” approach by seeking to realize human rights and to enhance outcomes of projects and programmes.
17. Below is a brief summary of the key sections of the Common Approach:
 - **Overarching Statement and Guiding Principles:** In support of Agenda 2030, the Common Approach aims to strengthen the sustainability and accountability of programming by UN entities and to improve policy coherence and collaboration with governments and other national counterparts in country level programming. The minimum requirements of the Common Approach are aligned with normative frameworks and UN guiding principles for country programming:
 - **Leave No One Behind:** The Common Approach emphasizes empowerment of marginalized and disadvantaged groups and individuals in order for them to realize their rights and interests.
 - **Human Rights and Gender Equality and Women’s Empowerment:** Programmes and projects will be designed and implemented in a manner that will support universal respect for, and observance of, human rights and fundamental freedoms for all; and will promote gender equality, equal opportunities, and fair treatment of women and men, girls and boys, taking into account the effects of multiple forms of discrimination.
 - **Sustainability and Resilience:** The Common Approach supports efforts of UN entities and partners to promote social, environmental and economic sustainability and to increase the resilience of societies, including reducing exposure and vulnerability to climate-related extreme events and other shocks and disasters.

- **Accountability:** Through enhanced stakeholder participation, transparency, and access to effective complaints and grievance processes, the Common Approach supports the 2030 Agenda's call for greater accountability at global, regional and national levels, and to corresponding mechanisms for implementation and follow-up.
- **Operationalizing the Common Approach**
 - **Screening, Assessment and Management of Environmental and Social Risks and Impacts:** Programmes and projects will anticipate and avoid, and where avoidance is not possible, minimize and mitigate adverse impacts to people and the environment, utilizing a process of screening, assessment and management of environmental and social risks and impacts, with special attention to potential impacts on marginalized and disadvantaged groups.
 - **Stakeholder Engagement and Accountability:** Programmes and projects will promote meaningful and effective engagement with stakeholders and affected parties – and in particular marginalized or disadvantaged groups – throughout the programming life-cycle; ensure stakeholders have timely access to appropriate, understandable information on programming activities and potential environmental and social risks and impacts; and ensure project/programme-affected parties have access to fair, transparent, and inclusive grievance redress processes and mechanisms. Special effort should be made to engage marginalized and disadvantaged groups, in line with the principle of 'reaching the furthest behind first' and considering that these groups may be disproportionately affected by potential adverse impacts from programme or project activities.
- **Thematic Areas of the Common Approach**
 - **Biodiversity, Ecosystems and Sustainable Natural Resource Management:** Programmes and projects will conserve biodiversity, avoid adverse impacts on biodiversity, maintain and enhance the benefits of ecosystem services, promote sustainable management and use of natural resources, and ensure the fair and equitable sharing of the benefits arising from the utilization of genetic resources.
 - **Climate Change Mitigation and Adaptation and Disaster Risk Reduction:** Programmes and projects will identify opportunities to promote climate change mitigation and adaptation, ensure that projects/programmes are designed and implemented in a manner sensitive to climate change and disaster risks, and minimize project/programme-related greenhouse gas (GHG) emissions.
 - **Community Health, Safety, and Security:** Programmes and projects will anticipate and avoid adverse impacts on the health and safety of project/programme-affected communities and individuals during the programming life cycle, ensure quality and safety in the design and construction of project/programme-related infrastructure, prevent and minimize potential safety risks and accidents, avoid or minimize community exposure to diseases and hazardous materials associated with programming activities, and ensure that the safeguarding of personnel and property minimizes risks to communities and is carried out in accordance with relevant human rights principles.
 - **Cultural Heritage:** Programmes and projects will protect cultural heritage from damage, alteration, or removal and support its preservation and protection from misuse, promote

meaningful consultation with all stakeholders regarding affected cultural heritage, and promote equitable benefit sharing from the use of cultural heritage.

- **Displacement and Involuntary Resettlement:** Programmes and projects will avoid physical and economic displacement and, where avoidance is not possible, minimize adverse impacts from land or resource acquisition or restrictions on land or resource use; uphold the prohibition on forced evictions; improve or at least restore livelihoods and living standards of all displaced persons and to improve the living conditions of displaced poor and persons belonging to marginalized or disadvantaged groups through provision of adequate housing, security of tenure, and access to services and facilities, ensuring that all affected persons have opportunities to derive appropriate benefits from the project/programme.
 - **Indigenous Peoples:** Programmes and projects will recognize and foster full respect for indigenous peoples and their human rights, dignity, cultural uniqueness, autonomy, identity, and aspirations, consistent with rights and responsibilities set forth in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the Indigenous and Tribal Peoples Convention, 1989 (No. 169), and other international instruments relating to indigenous peoples.
 - **Labour and Working Conditions:** Programmes and projects will promote, respect and realize fundamental principles and rights at work through supporting freedom of association and the right to collective bargaining; preventing the use of child and forced labour; preventing discrimination and promoting equality of equal opportunity for all workers. They will ensure the fair treatment of workers and protect and promote their safety and health at work.
 - **Pollution Prevention and Resource Efficiency:** Programmes and projects will avoid and minimize adverse impacts on human health and the environment from pollution (including short and long-lived climate pollutants); promote more sustainable and efficient use of resources, including energy, land and water; avoid or minimize the generation of hazardous and non-hazardous wastes; and promote safe, effective, environmentally sound pest management.
18. The minimum requirements of each thematic area of the Common Approach are presented as succinctly as possible, avoiding the repetition of cross-cutting requirements where possible. Risk assessment and stakeholder engagement requirements are applicable across all the thematic areas but are generally not repeated unless necessary for specific reasons. Targeted participation requirements are contained in various thematic areas as is the requirement for grievance mechanisms. The availability of effective grievance redress mechanisms is a general requirement contained under the Stakeholder Engagement and Accountability thematic area. However, this requirement is also included in the Displacement and Involuntary Resettlement and Indigenous Peoples thematic areas in order to emphasize the need to address the specific types of grievances that may arise with these areas. In the case of Labour and Working Conditions, a specific additional requirement for grievance mechanisms at the workplace level is envisaged.

Common Approach to Environmental and Social Standards

I. Overarching Statement and Guiding Principles

1. The 2030 Agenda for Sustainable Development is a universal call to action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity:

“We resolve, between now and 2030, to end poverty and hunger everywhere; to combat inequalities within and among countries; to build peaceful, just and inclusive societies; to protect human rights and promote gender equality and the empowerment of women and girls; and to ensure the lasting protection of the planet and its natural resources. We resolve also to create conditions for sustainable, inclusive and sustained economic growth, shared prosperity and decent work for all, taking into account different levels of national development and capacities.”²

2. The Agenda covers a broad set of 17 Sustainable Development Goals (SDGs) and 169 targets and serves as the overall framework to guide global and national development action.³ In support of the 2030 Agenda, the United Nations is committed to delivering across mandates, sectors and institutional boundaries and to practicing more coherent and integrated system-wide strategic planning, implementation and reporting.
3. The Addis Ababa Action Agenda (AAAA) of the Third International Conference on Financing for Development, whose commitments are also part of the 2030 Agenda’s global commitment, has put a renewed emphasis on environmental and social safeguards as part of the sound financing framework required for sustainable developments. In this regard, the AAAA calls upon development finance institutions to “establish or maintain social and environmental safeguards systems, including on human rights, gender equality and women’s empowerment, that are transparent, effective, efficient and time-sensitive” and “in accordance with international standards.”⁴
4. The proposed Common Approach to Environmental and Social Standards outlines a set of minimum requirements that seek to support the implementation of the 2030 Agenda; to respect and realize human rights; and to protect the environment from potential adverse impacts of programming interventions. The Common Approach aims to strengthen the sustainability and accountability of programming by UN entities and to improve policy coherence and collaboration with governments and other national counterparts in country level programming. Alignment with the requirements of the Common Approach will reinforce efforts of UN entities to support partner countries to achieve the Sustainable Development Goals.

² See [Transforming our world: the 2030 Agenda for Sustainable Development](#), para. 3, UN Doc. A/RES/70/1.

³ For information on the SDGs, targets, and indicators, see <https://sustainabledevelopment.un.org/sdgs>.

⁴ See [Addis Ababa Addis Ababa Action Agenda](#) of the Third International Conference on Financing for Development (Addis Ababa, Ethiopia, 13–16 July 2015), UN Doc A/RES/69/313, para. 75.

Guiding Principles

5. The Common Approach is aligned with relevant international conventions and agreements. It is also aligned with the four integrated UNDAF country programming principles: leave no one behind; human rights and gender equality and women's empower; sustainability and resilience, and accountability.⁵
6. **Leave No One Behind:** Leaving no one behind and reaching the furthest behind first is the central promise of the 2030 Agenda. As an overarching programming principle, leaving no one behind requires the UN system to prioritize its programmatic interventions to address the situation of those most marginalized, discriminated and excluded, and to empower them as active agents of the development process. The principle serves as a cornerstone for coherence across the development, humanitarian, human rights and peace building agendas of the UN system.
7. The Common Approach reinforces the leave no one behind principle through a range of requirements, including the following:
 - In supported projects and programmes, UN entities will uphold the human rights principle of equality and non-discrimination and ensure that marginalized and disadvantaged groups and individuals are appropriately identified, provided equal access to programming benefits and resources, and are not left behind due to discrimination or personal vulnerabilities;
 - UN entities will promote active participation of marginalized and disadvantaged groups in country programming. Where necessary, UN entities will undertake differentiated measures to strengthen the voice and participation of marginalized and disadvantaged groups and individuals;
 - UN entities will make special efforts to minimize and mitigate any potential adverse impacts from supported activities on marginalized and disadvantaged groups, considering that such groups may be disproportionately affected; and
 - Consistent with their mandates, UN entities will promote protection of the most marginalized and vulnerable groups and individuals facing crisis and conflict situations and those most likely to be affected by climate change and natural disasters.
8. **Human Rights and Gender Equality and Women's Empowerment:** A central objective of the 2030 Agenda is to "realize the human rights of all and to achieve gender equality and the empowerment of all women and girls." Governments committed themselves to implementing the 2030 Agenda "in a manner that is consistent with the rights and obligations of states under international law."⁶
9. The Common Approach is anchored in a human rights-based approach whereby UN entities ensure that all programming phases 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, with the aim of developing the capacities of right-holders to claim their rights and duty-bearers to fulfil their obligations.⁷

⁵ In 2017, the UN Development Group updated the guidance for country-level UN Development Assistance Frameworks (UNDAs) to strengthen support for achieving the SDGs. UN Development Group, [United Nations Development Assistant Framework Guidance](#), 2017.

⁶ Transforming our world, preamble and para. 18.

⁷ See UNDG, The Human Rights Based Approach to Development Cooperation: Towards a Common Understanding Among UN Agencies (the common Understanding), at <https://hrbaportal.org/the-human-rights-based-approach-to-development->

10. Programming of UN entities will be designed and implemented in a manner that will further the realization of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments. UN entities will:

- Uphold human rights principles of accountability and rule of law, participation and inclusion, and equality and non-discrimination, noting that prohibited grounds of discrimination include race, colour, ethnicity, gender, age, language, disability, sexual orientation, gender identity, religion, political or other opinion, national or social or geographic origin, property, birth or other status including as an indigenous person or as a member of a minority;
- Support Governments and other State actors to adhere to their obligations and duties to respect, to protect, and to fulfill human rights;
- Refrain from supporting activities that may contribute to violations of a State's human rights obligations under international law;
- Undertake environmental and social due diligence to identify, prevent, mitigate and account for any actual or potential adverse human rights impacts; and
- Ensure all stakeholders have opportunities for meaningful participation in the formulation and implementation of projects and programmes.

11. Programming of UN entities will be designed and implemented in a manner that will promote gender equality, equal opportunities, and fair treatment of women and men. UN entities will:

- Ensure supported activities do not discriminate against women and girls, reinforce gender-based inequalities and exclusion, or have disproportionate adverse gender-related impacts;
- Conduct gender analysis to promote the design and implementation of gender responsive and gender transformative programmes and projects that address different needs and constraints of women, men, girls, and boys, taking into account the effects of multiple forms of discrimination;
- Promote equal access to and control over productive resources and programme/project benefits;
- Conduct gender-sensitive stakeholder analysis and strengthen women's participation in decision-making;
- Empower and prioritize the needs of marginalized and vulnerable women, men, girls and boys;
- Track progress on gender results, including use of sex-disaggregated data and gender sensitive indicators; and
- Adopt measures that seek to prevent and appropriately respond to incidences of sexual harassment, gender-based violence and/or sexual exploitation and abuse of women, men, girls and boys that may occur in connection with programmes/projects. At a minimum, UN entities will ensure that effective reporting and response protocols are in place that indicate when and where to report incidents, what follow-up actions will be undertaken, and how survivors will be supported.

[cooperation-towards-a-common-understanding-among-un-agencies](#). Also see Office of the High Commissioner on Human Rights (OHCHR), Frequently Asked Questions on A Human-Rights-Based Approach to Development Cooperation, HR/PUB/06/8, 2006, at <https://www.ohchr.org/documents/publications/FaQen.pdf>.

12. **Sustainability and Resilience:** The 2030 Agenda has the objective of enhancing human well-being through sustainable economic growth and ensuring the lasting protection of the planet and its natural and cultural resources. The Common Approach supports efforts of UN entities and partners to promote sustainability and to increase the resilience of societies, including reducing exposure and vulnerability to climate-related extreme events and other economic, environmental and social shocks and disasters. The Common Approach calls on UN entities to:

- Integrate social, environmental and economic sustainability considerations into all aspects of country programming;
- Conduct sound environmental and social risk assessment of proposed initiatives and apply environmental and social safeguards to avoid, and where avoidance is impossible, minimize and mitigate adverse impacts to people and the environment per the mitigation hierarchy;
- Apply a precautionary approach to addressing significant environmental and social challenges;
- Identify and address vulnerability of people, and in particular vulnerabilities of marginalized and disadvantaged groups, to potential climate change impacts and disaster risks;
- Identify and address interconnections among issues related to the environment, human rights, conflict, crises and vulnerability, where relevant.

13. **Accountability:** The Agenda 2030 includes commitments to greater accountability at global, regional and national levels, and to corresponding mechanisms for implementation and follow-up. The Common Approach supports greater accountability in country programming in that it:

- Requires active local community engagement and participation in project/programme decision-making and implementation, paying particular attention to marginalized or disadvantaged groups;
- Enhances transparency of programming interventions through provision of timely, accessible and functional information regarding projects/programmes, in particular regarding potential environmental and social risks and impacts and management measures;
- Ensures stakeholders have access to legitimate, accessible, predictable, equitable and transparent, and rights-compatible complaints redress processes and mechanisms to share concerns and grievances; and
- Requires monitoring – and where appropriate, participatory monitoring with stakeholders – and reporting on implementation of environmental and social risk management measures.

Key Objectives of the Common Approach

14. Consistent with the above Guiding Principles, the key objectives of the Common Approach are to:

- Enhance the sustainable outcomes of projects and programmes;
- Respect and promote the realization of the human rights of all, without discrimination, giving due consideration to the rights and interests of persons belonging to marginalized and disadvantaged groups involved in projects and programmes;
- Avoid, and where avoidance is impossible, minimize and mitigate adverse impacts to people and the environment; and

- Ensure stakeholders have opportunities for meaningful, effective participation in the formulation and implementation of projects and programmes and access to fair, transparent, and inclusive complaints redress processes and mechanisms.
15. UN entities will ensure that they have the necessary policies, procedures and systems to support effective implementation of the requirements of the Common Approach in all supported programming (i.e. projects and programmes with time-bound activities and defined results and resources over which the UN entity has significant organizational influence), including whether supported programming activities are undertaken directly by UN entities, implementing partners, executing agencies, or contractors.

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II. Operationalizing the Common Approach

1. UN entities will ensure that supported programming activities are prepared and implemented in a manner that meets the minimum requirements of the Common Approach.
2. The following sections set out minimum requirements for risk screening, assessment and management of defined programming and for ensuring meaningful stakeholder engagement and accountability.
3. The Common Approach also recognizes that environmental and social standards may be relevant in cases where there is not a defined project/programme that can be readily screened (e.g. in emergency response contexts and operations) and other processes and mechanisms may need to be considered by the UN entity. This may include integration of environmental and social standards in management practices, procurement, standard operating procedures, partnership agreements, etc.

Screening, Assessment, and Management of Environmental and Social Risks and Impacts

1. **Introduction.** The identification, assessment and management of environmental and social risks and impacts are key tools for achieving sound environmental and social performance of programming. Screening, assessment, and management refers to a process of identifying, predicting, evaluating, avoiding – and where avoidance is not possible – mitigating adverse environmental and social impacts associated with programming activities. Identification of potential risks and impacts in advance allows for informed decision making to avoid and reduce adverse consequences and maximize potential beneficial outcomes. With an emphasis on engagement of stakeholders, the screening, assessment and management process broadens public understanding and ownership of programming activities.
2. UN entities will ensure that appropriate systems and procedures are in place that specify responsibilities and timing in the programming cycle for undertaking the below screening, assessment, and management processes.
3. **Objectives.** The objectives of the minimum requirements below are to:
 - Strengthen the environmental and social soundness and sustainability of projects/programmes;
 - Anticipate and avoid, and where avoidance is not possible, minimize and mitigate adverse impacts to people and the environment per the mitigation hierarchy; and
 - Ensure that potential adverse impacts do not fall disproportionately on marginalized or disadvantaged groups and individuals.

Minimum Requirements

4. **Screening and Categorization:** UN entities will screen and categorize proposed projects/programmes (i) to identify potential environmental and social risks and impacts associated with programming activities, and (ii) to determine the nature and level of environmental and social review and management measures required for addressing the identified risks and impacts.⁸

⁸ For a limited range of well-defined activities that typically do not pose significant environmental and social risks (e.g. convening conferences and workshops, report writing), UN entities may establish exemptions to the screening requirement and address any related potential adverse impacts through other policies and measures.

5. Screening, together with the assessment process, establishes the relevance of the minimum requirements outlined in the Common Approach for the programming activities. UN entities may utilize screening to identify potential environmental and social risks as well as opportunities for enhancing beneficial programming outcomes.
6. The screening process results in the assignment of a risk category based on the project/programme component presenting the most significant potential environmental and social risks, including direct, indirect, cumulative and induced impacts, as relevant, in the project/programme area.⁹
7. Screening and categorization will occur as early as possible in project/programme development, well in advance of project/programme approval, and be updated accordingly.
8. UN entities will seek to align their environmental and social risk categorization procedures with good international practice. The following risk categories are commonly utilized, noting that entities may include additional categories (e.g. a category designating excluded or prohibited activities, targeted climate risk categories, or further designation of risk levels).
 - *Low Risk:* Projects/programmes that are likely to have minimal or no adverse environmental and social risks and impacts. Low Risk projects/programmes typically do not require further environmental and social analysis or management measures beyond the application of the Guiding Principles, stakeholder engagement and access to complaints and grievance processes.
 - *Moderate Risk:* Projects/programmes with potential adverse environmental and social risks and impacts that are limited in scale, are not unprecedented or irreversible, and are limited to the project/programme area. Moderate Risk projects/programmes typically require targeted environmental and social analysis and application of recognized good international practice; however, in certain circumstances more comprehensive forms of assessment and management may be necessary (see below).
 - *High Risk:* Projects/programmes likely to have potentially significant adverse environmental and social impacts that are irreversible, cumulative or unprecedented and/or which raise significant concerns among potentially affected communities and individuals. High Risk projects may present significant risks and impacts that extend beyond the defined project/programme activities and may contribute to cumulative impacts. Projects/programmes categorized as High Risk require comprehensive forms of environmental and social assessment such as an Environmental and Social Impact Assessment (ESIA) or Strategic Environmental and Social Assessment (SESA).¹⁰
9. **Assessment and Management Process:** Projects/programmes categorized as Moderate and High Risk require environmental and social analysis and assessment that is proportionate to the potential risks and impacts presented by the programming activities. Analysis and assessment will be undertaken as early as possible and in no case will project/programme activities that may cause adverse impacts be carried out until completion of the analysis and/or assessment and adoption of necessary

⁹ Significance of risks and impacts depends on a range of factors, including the nature and type of the project, its location, and the magnitude of potential environmental and social impacts.

¹⁰ Additional thematic-specific types of analysis may also be necessary (e.g. Health Impact Assessments, Human Rights Impact Assessments, conflict risk analyses). Strategic Environmental and Social Assessment (SESA) refers to a range of analytical and participatory approaches that aim to integrate environmental and social considerations into policies, plans and programmes (PPPs) and evaluate their interlinkages with economic considerations.

management measures. The environmental and social analysis and/or assessment and development of management measures will address the following general criteria:

- Ensure that the scope and depth of the analysis or assessment is commensurate with, and proportional to, the nature and magnitude of the potential risks and impacts of programming activities;
 - Apply a precautionary approach to addressing significant environmental and social challenges (that is, where serious threats exist, the lack of full scientific certainty will not be used to postpone adoption of effective preventive measures);
 - Apply a mitigation hierarchy by (a) anticipating and avoiding risks and impacts; (b) where avoidance is not possible, minimizing or reducing risks and impacts; (c) once risks and impacts have been minimized or reduced, mitigating them; and (d) where residual adverse impacts remain, compensating for or offsetting them, where technically and financially feasible;
 - Consider all technically and financially feasible alternatives to reduce potential environmental and social risks and impacts, including consideration of the scenario of not proceeding with the project/programme;
 - Consider the direct, indirect, cumulative and induced environmental and social impacts of project/programme activities in the programming area of influence, including associated facilities;
 - Assess potential transboundary and global impacts, including climate pollutants and other emissions, as they relate to programming activities;
 - Utilize adaptive management techniques whereby lessons are learned from past management actions and are proactively utilized to predict and improve management as the project progresses;
 - Apply applicable voluntary codes and standards (e.g. green building codes, certifications), where possible and relevant;
 - Follow the principle whereby the cost of mitigation is borne by the polluter, where relevant;
 - Involve, early, iterative and meaningful stakeholder engagement, predicated on timely disclosure of relevant information, enabling stakeholders' views to be taken into account, including with the identification and management of environmental and social risks and impacts; and
 - Ensure compliance with national laws and regulations and obligations under international human rights law, international labour standards, and environmental agreements (i.e. applicable law). Where national law and international law set different standards, UN entities will respect the higher standard;
10. The environmental and social assessment, informed by the screening process and initial analysis and scoping of issues, will take into account all relevant environmental and social risks and impacts of throughout the project/programme cycle, including but not limited to impacts on water and air quality (including impacts on the ozone layer); biodiversity and natural habitats, including land and soils, water, ecosystems and ecosystem services; livelihoods; fundamental principles and rights at work; the rights of marginalized and disadvantaged groups, women, older persons, youth, indigenous peoples, persons with disabilities; worker and community health and safety; tenure security; risks to human security through escalation of conflict, crime and violence; risks to cultural heritage; potential

exposure and vulnerability of communities to climate change impacts and disaster risks, and potential risks that climate change and disasters may pose to project/programme outcomes; and the risk of reprisals against individuals and communities in relation to supported activities.

11. Where the environmental and social assessment identifies potential project/programme-related adverse risks and impacts to marginalized and disadvantaged groups, UN entities will ensure that differentiated measures are implemented so that adverse impacts do not fall disproportionately on marginalized and disadvantaged groups and individuals and they are not disadvantaged in sharing in project/programme benefits and opportunities.
12. Where the environmental and social assessment identifies potential project/programme-related adverse risks and impacts to persons with disabilities, differentiated measures will be adopted that ensure non-discrimination and equality, access, and opportunities for persons with disabilities to participate in and benefit from projects/programmes on an equal basis with others.
13. UN entities should identify potential environmental and social risks and impacts associated with project/programme contractors and primary suppliers. Specific due diligence should be undertaken to ascertain the performance and reputation of contractors and primary suppliers. Risks and impacts associated with project/programme primary suppliers should be addressed in a manner proportionate to the UN entity's control or influence over them.
14. When programming of UN entities is focused on emergency response and humanitarian action, adjustments may be required to the timelines and sequencing of addressing the assessment and management minimum requirements in order to prioritize rapid response activities to save lives and alleviate suffering. UN entities involved in emergency response and humanitarian action should consider environmental and social risks in contextual analysis and response activities and progressively seek to address the minimum requirements as activities transition to longer term interventions and programming and can be more readily screened and assessed.
15. The environmental and social analysis and management measures for Moderate Risk projects/programmes are more targeted than those required for High Risk projects/programmes. The analysis will describe the potential environmental and social risks and impacts and the appropriate mitigation measures, often focused on the application of recognized good international practice. In some instances, a fit-for-purpose Environmental and Social Impact Assessment (ESIA), Strategic Environmental and Social Assessment (SESA), and Environmental and Social Management Plan (ESMP) may be utilized.
16. Projects/programmes categorized as High Risk require comprehensive forms of environmental and social assessment such as an ESIA, SESA, or sectoral or regional environmental and social assessments and cumulative impact assessments, where appropriate.¹¹ For High Risk projects/programmes, qualified independent expertise is required to prepare and/or verify the assessment and for highly risky, complex, or contentious projects/programmes, an independent advisory panel needs to be utilized.
17. Once the project/programme's potential risks and impacts are identified and the mitigation hierarchy has been applied, measures to mitigate, monitor and manage the impacts need to be established. For

¹¹ Assessments and management plans for High Risk projects should be disclosed at least 120 days prior to project/programme approval.

Moderate Risk projects/programmes, recognized and appropriate good international practice will be described and applied; however, where potential risks and impacts are more complex, then an Environmental and Social Management Plan (ESMP) is to be developed.

18. For High Risk projects/programmes, measures will be reflected in an ESMP. The ESMP will include the proposed: (a) mitigation measures; (b) environmental and social monitoring and reporting requirements; (c) related institutional or organizational arrangements; (d) provisions for stakeholder consultations and disclosure of information; (e) capacity development and training measures; (f) implementation schedule; (g) cost estimates; and (h) baselines and performance indicators.¹² Key considerations for ESMP preparation include mitigation of potentially adverse impacts to acceptable levels, and – where relevant – the polluter pays principle. The ESMP may also include or accompany other required management plans such as Resettlement Action Plans or Indigenous Peoples Plans.
19. If the project/programme consists of a series of activities whose details are not yet fully identified at the time of project/programme approval, an Environmental and Social Management Framework (ESMF) may be required. The purpose of the ESMF is to ensure that programming activities once specified will be assessed and implemented in conformity with the relevant minimum requirements of the Common Approach. The ESMF will set out (a) a description of the applicable policies and procedures to be followed to assess and address environmental and social risks and impacts of the activities; (b) an explanation of the anticipated environmental and social risks and impacts; (c) screening and assessment procedures; (d) identification of activities that will not proceed until assessments are undertaken and management plans are in place; (e) provisions for stakeholder consultations and disclosure of information; (f) implementation and monitoring requirements; and (g) roles and responsibilities.
20. If there are material changes to the scope, design, implementation, operation or to the context of the project/programme that are likely to result in additional environmental and social risks or impacts or to a change in the project/programme's risk level, additional assessment of such changes and stakeholder engagement needs to be carried out in accordance with the relevant minimum requirements of the Common Approach.
21. **Project/Programme Monitoring and Reporting:** As part of the overall risk monitoring of the project/programme, relevant environmental and social risks will be monitored with due regard to agreed environmental and social management measures and plans. Adequate institutional arrangements, systems, resources and personnel will be put in place to carry out monitoring. Where appropriate, monitoring will engage and/or involve stakeholders and third parties, such as affected communities, independent experts, or NGOs, to complement or verify monitoring activities. Based on the monitoring results, any necessary corrective actions will be undertaken. UN entities and project/programme stakeholders will be promptly notified of any incident or accident related to the programming activities that has or is likely to have significant adverse impacts on people or the

¹² The [World Bank Group Environmental Health and Safety Guidelines \(EHSGL\)](#) contain performance levels and measures across a wide range of sectors that will be normally acceptable and applicable to supported activities. Where national regulations differ from these levels and measures, the more stringent standard should apply unless specific circumstances warrant application of the less stringent measures provided full justification is provided and such measures are consistent with the requirements of the Common Approach.

environment. Immediate measures will be undertaken to address the incident or accident and to prevent any recurrence.

22. As set out in the agreed environmental and social management measures and plans, periodic reports will be provided to project/programme-affected communities describing progress with implementation of environmental and social management measures and plans and on issues that the consultation process or grievance mechanisms have identified as a matter of concern.

Stakeholder Engagement and Accountability

1. **Introduction.** Effective stakeholder engagement is a cornerstone to achieving sustainable development. Meaningful engagement with stakeholders, including access to timely and relevant information and grievance redress, are key aspects of a human rights-based approach to programming. Government partners, civil society actors and organizations, private sector actors, employers' organizations, trade unions, indigenous peoples, local communities and other stakeholders are crucial partners for UN programming. Effective stakeholder engagement is also fundamental to attaining the Sustainable Development Goals (SDGs) and addressing the principle of 'leave no one behind' in combatting inequality and ensuring equity and non-discrimination across all programming areas.
2. **Objectives.** The objectives of the minimum requirements below are to:
 - Promote the meaningful and effective participation of project/programme affected parties and other stakeholders throughout the programming life-cycle;
 - Ensure stakeholders have timely access to appropriate, understandable information on the project/programme and potential environmental and social risks and impacts; and
 - Ensure affected parties have access to effective remedy through fair, transparent, and inclusive grievance redress processes and mechanisms.

Minimum Requirements

3. **Stakeholder Engagement.** Promote meaningful and effective engagement with stakeholders throughout the programming life-cycle, in particular with those who may be directly or indirectly affected by supported activities.¹³ Stakeholder engagement is an on-going process that involves to varying degrees: (i) stakeholder identification and analysis, (ii) planning of stakeholder engagement over the course of the project/programme, (iii) timely disclosure of relevant, accessible information on the project/programme, (iv) consultation and meaningful participation, (v) dispute resolution and addressing potential grievances, (vi) reporting to stakeholders, and (vi) inclusion of stakeholders in monitoring and evaluation. Stakeholder engagement will address the following elements:
 - Undertake stakeholder identification and analysis of different project/programme stakeholder groups, including identification of affected parties who belong to marginalized and disadvantaged groups and/or may require different or separate forms of engagement, including women, youth, older persons, persons with disabilities, indigenous peoples, minorities;

¹³ The term "stakeholder" refers to individuals or groups who are affected or are likely to be affected by the programming activities or to those who may have an interest in the project/programme.

- Develop and implement a Stakeholder Engagement Plan that is proportionate to the nature and scale of project/programme and its potential environmental and social risks and impacts.¹⁴ Describe the timing and methods of engagement throughout the programming life-cycle and the range and timing of information to be communicated to stakeholders. Describe measures to remove obstacles to stakeholder participation and how views of differently affected groups will be captured. Where applicable, include differentiated measures to allow effective participation of marginalized or disadvantaged groups, including persons with disabilities. Disclose a draft of the Stakeholder Engagement Plan early and seek stakeholder views on the plan;
 - Engage stakeholders as early as possible in project/programme development, enabling stakeholders' views to be taken into account in design, including with the identification and management of environmental and social risks and impacts;
 - Engage in meaningful effective consultations in a culturally appropriate manner. Such consultation will be a two-way process that seeks to identify priorities of stakeholders and provide them with opportunities to express their views at all points in the programming decision-making process on matters that affect them and allows project/programme teams to consider and respond to them.¹⁵ Meaningful effective consultations will be free of external manipulation, coercion, discrimination and intimidation; be gender- and -age inclusive and respond to the needs and interests of marginalized and disadvantaged groups, with engagement processes tailored to the language and accessibility preferences of each group, including persons with disabilities; be based on prior and timely disclosure of relevant, accessible understandable information; and provide appropriate time frames for stakeholders to consider and provide comments;
 - Maintain records of stakeholder consultations, including a description of persons consulted, summary of feedback received and how it was taken into account or reasons why it was not, and share with stakeholders consulted; and
 - Continue stakeholder engagement throughout the life-cycle of the project/programme in a manner appropriate to the nature of the supported activities and potential environmental and social risks and impacts. Include stakeholders in monitoring project/programme implementation and evaluation of outcomes.
4. Projects/programmes may at times be undertaken in especially challenging environments, such as areas experiencing conflict, humanitarian crises or where human rights violations are rampant. Stakeholder engagement specialists with up-to-date familiarity of local contexts will most likely be required to devise and help manage engagement processes in such contexts. Decentralized, targeted meetings with specific stakeholder groups may be necessary. Where direct consultation with certain stakeholder groups is impossible, other avenues should be explored, such as meeting available representatives or utilizing third-parties as go-betweens. Timelines and documentation for

¹⁴ The form and content of Stakeholder Engagement Plans will depend on various factors, including the nature, scale, location, and duration of project/programme; the diverse interests of stakeholders; the scale of potential positive and adverse impacts on people and the environment; and the likelihood of grievances. It may consist of a straightforward description of the approach to stakeholder engagement activities for small projects with few if any adverse impacts or initial stakeholder concerns to comprehensive plans that map out detailed engagement activities across multiple phases of complex projects/programmes.

¹⁵ Topics the stakeholders will be able to express their views on will include but are not limited to: project/programme goals and strategies; potential environmental and social risks and impacts; proposed mitigation measures; sharing of development benefits and opportunities; and implementation issues.

stakeholder engagement may need to be adjusted. Risks to project/programme stakeholders from participation in project/programme activities should be closely monitored.

5. **Access to Information.** Ensure stakeholders have timely access to relevant, appropriate, understandable information on the project/programme and potential environmental and social risks and impacts. Access to project/programme information will address the following elements:
 - Provide information to stakeholders on key aspects of the project/programme as early as possible, including on the purpose, nature scale, and duration; potential environmental and social risks and impacts (including any draft, final, and updated environmental and social assessments and management plans); proposed stakeholder engagement processes and plans; grievance redress mechanisms; any required environmental and social monitoring reports; and how to obtain further project/programme information;
 - Provide relevant information in understandable forms and relevant local languages in an accessible and culturally appropriate manner, considering any special needs of groups that may be disproportionately affected, marginalized or disadvantaged groups with specific information needs, such as due to disability, literacy, gender, mobility, language, and accessibility;
 - Ensure that project/programme information, including any draft environmental and social assessments and management plans, are disclosed in an accessible, understandable manner in a timeframe that allows for meaningful effective consultation. Projects/programmes with potentially significant environmental and social risk and impacts require sufficient disclosure timeframes prior to finalization and approval.¹⁶
6. **Project/programme-level Grievance Mechanisms.** Ensure project/programme-affected parties have access to fair, transparent, and inclusive grievance redress processes and mechanisms. These should be designed in a manner proportionate to the nature of the project/programme and potential social and environmental risks and impacts, and define clear roles and responsibilities and designate personnel responsible for implementation. The design of grievance mechanisms should meet the effectiveness criteria for non-judicial grievance mechanisms outlined in the United Nations Guiding Principles on Business and Human Rights.¹⁷ GRMs designed according to these principles are more likely to provide effective resolution of stakeholder grievances. Accordingly, grievance mechanisms should be:
 - **Legitimate:** enabling trust from the intended stakeholder groups for whose use they are intended, and being accountable for the fair conduct of grievance processes;
 - **Accessible:** being known to all stakeholder groups for whose use they are intended, and providing adequate assistance for those who may face particular barriers to access. Ensure that the mechanism is gender- and age-inclusive, addresses access barriers for marginalized and disadvantaged group (including persons with disabilities), and addresses concerns promptly and

¹⁶ For programmes/projects that present potentially significant adverse environmental and social risks and impacts (e.g. High Risk), assessments and management plans should be disclosed at least 120 days prior to programme/project approval; for moderate risk programmes/projects, such disclosure should occur at least 30 days prior to approval.

¹⁷ United Nations Human Rights Council, Guiding Principles on Business and Human Rights, 2011, Report of the UN Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie: Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework. A/HRC/17/31, 21 March, available at http://www.ohchr.org/Documents/Issues/Business/A-HRC-17-31_AEV.pdf, and http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf.

effectively in a transparent manner that is culturally appropriate at no cost and without retribution;

- **Predictable:** providing a clear and known procedure with an indicative time frame for each stage, and clarity on the types of process and outcome available and means of monitoring implementation;
 - **Equitable:** seeking to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms;
 - **Transparent:** providing various entry points for communicating concerns and clarity on the mechanism's procedures, and keeping parties to a grievance informed about its progress, and providing sufficient information about the mechanism's performance. The mechanism should maintain a record of responses to all grievances received and make this available where appropriate; inform affected parties how to access the mechanism during stakeholder engagement activities; and indicate an appeals process to which complainants may be referred when resolution has not been achieved;
 - **Rights-compatible:** ensuring that outcomes and remedies accord with internationally recognized human rights. The mechanism will not prevent access to judicial or administrative remedies. Where feasible and suitable, utilize existing formal or informal mechanisms supplemented as needed to address these criteria;
 - **A source of continuous learning:** drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms.
7. The grievance redress processes and mechanisms described above is applicable across the thematic areas of the Common Approach. Certain thematic areas – Displacement and Involuntary Resettlement, Indigenous Peoples, and Labour and Working Conditions – also include specific grievance redress requirements to address the specific circumstances of those areas.
8. **UN Entity Independent Accountability Mechanisms (IAMs).** UN entities will adopt systems or measures as a supplemental means of redress for concerns of project/programme-affected parties and to review alleged or potential violations of entity environmental and social safeguards. Such systems are operated by the UN entity themselves and should be designed to be independent from direct project/programme management and be impartial, transparent, accessible, and responsive. Problem-solving and compliance review systems should provide for the receipt of and timely response to complaints, work proactively with complainants to resolve concerns, maintain records on all cases with due consideration for confidentiality, and seek to minimize risks of retaliation to complainants. The availability of IAMs should be proactively advertised to project/programme stakeholders. Such systems will not impede access to judicial or administrative remedies as may be relevant or applicable.
9. **Reprisals.** UN entities will adopt internal policies, guidance or practices to identify, address and reduce the risk of retaliation against people accessing project/programme-level grievance redress processes and mechanisms and IAMs. Respect should be given to requests for confidentiality with regard to the identities of complainants and disclosure of information provided to these mechanisms.

III. Thematic Areas of the Common Approach

Thematic Area 1: Biodiversity, Ecosystems and Sustainable Natural Resource Management

1. **Introduction.** Biological diversity – or biodiversity – is the term given to the variety of life on Earth, including plants, animals and micro-organisms, as well as the ecosystems of which they are part. Biodiversity includes genetic differences within species, the diversity of species and the variety of ecosystems. It is the result of the interaction of species, including humans, with one another and with the air, water and soil around them. This combination of life forms – ecosystems, species and genetic varieties – has made Earth a uniquely habitable place and provides the goods and services that sustain our lives, such as clean air and water, food and medicine, fuel, fibre, and material for construction. Our cultures are founded upon the different environments in which they have developed. Biodiversity and healthy ecosystems also strengthen our resilience to address environmental and social changes and shocks, including climate change impacts and disaster risks.
2. Biodiversity, however, is currently being lost at unprecedented rates due to human activities that degrade or encroach on habitats, increase pollution, and contribute to climate change. The Convention on Biological Diversity (CBD)¹⁸ and other international conventions and agreements¹⁹ seek to address this problem by preserving the rich diversity of life forms at the genetic, species, and ecosystem levels. The minimum requirements below reflect and support the objectives of the CBD, and elaborate a range of actions to avoid and minimize adverse impacts to terrestrial, freshwater and marine biodiversity and ecosystems in country programming.
3. **Objectives.** The objectives of the minimum requirements below are to:
 - Conserve biodiversity;
 - Maintain and enhance the benefits of ecosystem services²⁰;
 - Promote sustainable management and use of living natural resources;
 - Ensure the fair and equitable sharing of the benefits from the utilization of genetic resources; and
 - Respect, preserve, and maintain knowledge, innovations and practices of indigenous peoples and local communities relevant for the conservation and sustainable use of biodiversity and their customary use of biological resources.

¹⁸ See the [Convention on Biological Diversity](#).

¹⁹ Including the [Convention on Conservation of Migratory Species](#), [Convention on International Trade in Endangered Species of Wild Fauna and Flora \(CITES\)](#), [International Treaty on Plant Genetic Resources for Food and Agriculture](#), [Convention on Wetlands \(Ramsar Convention\)](#), [World Heritage Convention](#), [International Plant Protection Convention](#), and the [International Whaling Commission](#).

²⁰ Ecosystem services are the benefits that people derive from ecosystems. Examples are as follows: (i) provisioning services may include food, freshwater, timber, fibers, medicinal plants; (ii) regulating services may include surface water purification, carbon storage and sequestration, climate regulation, protection from natural hazards; (iii) cultural services may include natural areas that are sacred sites and areas of importance for recreation and aesthetic enjoyment; and (iv) supporting services may include soil formation, nutrient cycling, primary production.

Minimum Requirements

4. **Risk identification.** Identify potential direct and indirect impacts on biodiversity, ecosystems and ecosystem services from supported activities. Consider risks related to habitat and species loss, degradation and fragmentation, overexploitation, invasive alien species, hydrological changes, nutrient loading, pollution, incidental take, potential climate change impacts, and differing values attached to potentially affected biodiversity and ecosystem services by potentially affected communities and other stakeholders.²¹ Consider potential impacts across landscapes and seascapes to ensure that any adopted mitigation strategy aligns with regional conservation goals. Where adverse impacts to biodiversity and ecosystems are identified, ensure that suitably qualified expertise is used in assessing potential impacts, developing appropriate mitigation and monitoring measures, and verifying implementation.²² Involve and consult with relevant stakeholders, and in particular local communities affected by the supported activities, in the identification and assessment of potential impacts on biodiversity and relevant ecosystem services.
5. **Ecosystem approach, mitigation hierarchy and precautionary approach.** Where relevant, pursue an ecosystem approach for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way.²³ Apply the mitigation hierarchy to anticipate and, as a matter of priority, avoid adverse impacts on biodiversity and ecosystems. Where avoidance is not possible, minimize and then mitigate potential adverse impacts to acceptable levels, and lastly, consider compensation for or offsetting remaining residual impacts (on biodiversity offsets, see below). Avoidance of significant adverse impacts may at times require redesign of or not proceeding with certain activities. In addition, use a precautionary approach when addressing potential adverse impacts on biodiversity, ecosystems and communities: where serious threats exist, the lack of full scientific certainty will not be used to postpone adoption of effective preventive measures.
6. **Siting preference.** Prioritize siting activities with potential adverse impacts far from critical habitats, protected areas or areas of ecological significance, giving preference to locating activities on lands where natural habitats have already been converted/degraded or in areas of low value for biodiversity and ecosystem services. Avoid wherever possible siting activities on lands converted in anticipation of the project/programme.
7. **Habitats.** Avoid activities that would lead to adverse impacts on critical habitats²⁴ (i.e. no measurable adverse impacts on the biodiversity values and ecological processes of such areas), including activities

²¹ Biodiversity and ecosystems will be viewed differently depending on the stakeholders and will vary from region to region. Particular biodiversity attributes and ecosystem services will generally be valued differently (e.g. ecologically, economically, culturally) by relevant local, national and international stakeholders.

²² See [CBD Voluntary Guidelines on Biodiversity-inclusive Impact Assessment](#) (CBD [Decision VIII/28](#))

²³ “Ecosystem” means a dynamic complex of plant, animal and microorganism communities and their nonliving environment interacting as a functional unit (CBD, Article 2). See [Convention on Biological Diversity, Ecosystem Approach](#).

²⁴ Critical habitats are areas with high biodiversity value, including any of the following features: (i) habitat of significant importance to threatened or endangered species (e.g. Critically Endangered, Endangered or Vulnerable species identified in the [IUCN Red List of Threatened Species](#)); (ii) habitat of significant importance to endemic and/or restricted-range species; (iii) habitat supporting globally significant concentrations of migratory species and/or congregatory species; (iv) highly threatened and/or unique ecosystems; and/or (v) areas associated with key evolutionary processes. Critical habitats include those areas that are (i) legally protected, (ii) officially proposed for protection, (ii) identified by authoritative sources for their high conservation value

that may convert or degrade such areas. For areas of natural habitat²⁵, seek to avoid any significant conversion or degradation and proceed with activities that could cause adverse impacts to such areas only if no viable alternatives exist and appropriate conservation and mitigation measures are in place, including the maintenance of any potentially affected ecosystem services. Appropriate mitigation and management measures will aim to achieve net gains of biodiversity for critical habitats and, wherever possible, for natural habitats, ensuring at a minimum no net loss of biodiversity for such areas. However, it must be recognized that no net loss is not possible in all cases, e.g. where endemic species have highly restricted distributions. In such instances, explore alternative designs to avoid adverse impacts to biodiversity.

8. **Protected areas.** Avoid activities that would cause significant adverse impacts to legally protected areas, areas designated for legal protection, and areas recognized for their high biodiversity value, including indigenous protected areas (IPAs) or indigenous and community conserved areas (ICCAs). Activities in these areas need to be consistent with the area's legal protection and management objectives and plans, where existent. Protected area stakeholders (e.g. sponsors, managers, potentially affected communities, indigenous peoples, other interested parties) are to be consulted and involved in the design, implementation, and monitoring and evaluation of activities that may affect such areas.
9. **Endangered species.** Ensure that activities do not lead to a reduction in the populations of any recognized Vulnerable, Endangered, or Critically Endangered species, or restricted range species, as identified in the IUCN Red List of Threatened Species²⁶ or equivalent national/regional listings. All projects and programmes should also ensure that they do not increase the risk of illegal trade.²⁷
10. **Management of ecosystem services.** Avoid adverse impacts on ecosystem services of relevance to affected communities. If avoidance of adverse impacts is not possible, mitigation and management measures will aim to maintain the value and functionality of affected ecosystem services. Involve and consult with affected communities on activities that may affect their ecosystem services.
11. **Biodiversity offsets.** Biodiversity offsets are to be considered only as a last resort if significant residual adverse impacts to biodiversity remain after avoidance, minimization, and restoration measures have been applied. Such offsets must be designed to achieve measurable, additional, and long-term conservation outcomes that achieve no net loss of biodiversity and preferably a net gain (required if critical habitats are affected). It must be recognized that certain impacts cannot be offset if the affected area is unique and irreplaceable. Qualified experts and key stakeholders are to be involved in the design of offsets, which are to adhere to the "like-for-like or better" principle.
12. **Alien and invasive alien species.** Implement measures to avoid introduction or utilization of invasive alien species, whether accidental or intentional, and support activities to mitigate and control their

(such as areas that meet criteria of the World Conservation Union classification, the [Ramsar List of Wetlands of International Importance](#), and [UNESCO world heritage sites](#)), or (iv) recognized as protected by traditional local communities.

²⁵ Natural habitats are land and water areas where the biological communities are formed largely by native plant and animal species, and where human activity has not essentially modified the area's primary ecological functions and species composition.

²⁶ See the [IUCN Red List of Threatened Species](#).

²⁷ In accordance with the [Convention on International Trade in Endangered Species in Wild Fauna and Flora \(CITES\)](#). See the [CITES Appendices](#) of species threatened by international trade.

further spread. Avoid the intentional introduction of new alien species unless carried out according to existing regulatory frameworks and the introduction is subject to a risk assessment.²⁸

13. **Biosafety and genetic resources.** Adhere to the CBD and its Cartagena Protocol on Biosafety²⁹ in the handling, transport, and use of living modified organisms that result from modern biotechnology which may have adverse impacts on biodiversity and human health.
14. **Customary sustainable use of biological diversity.** Where relevant, protect and encourage customary use of biological resources in accordance with traditional knowledge, innovations and cultural practices that are compatible with conservation or sustainable use requirements, ensuring full and effective participation of relevant indigenous peoples and local communities where such traditional knowledge and practices are affected, supported or utilized in country programming.
15. **Use of genetic resources.** For projects/programmes that involve the utilization of genetic resources, ensure that the collection of such resources is conducted sustainably and that benefits derived from their utilization are shared in a fair and equitable manner, consistent with applicable access and benefit sharing (ABS) measures in the utilization of genetic resources in accordance with the CBD (Article 15) and its Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization.³⁰
16. **Sustainable management of living natural resources.** Ensure sustainable management of living natural resources (e.g. forests, agriculture, fisheries, livestock) in accordance with Article 10 of the CBD. Apply appropriate industry-specific best management practices and, where codified, credible certification and verification systems. Where relevant, support small-scale landholders to harvest and produce living natural resources in a sustainable manner.³¹
17. **Water resources.** Seek to avoid adverse impacts on water resources and water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes, and promote sustainable use of water resources through integrated water resources management approaches. Ensure that supported activities do not adversely affect access to and and/or quality of water supplies.
18. **Soil Management.** Avoid, and where not possible, minimize adverse impacts on soils, their biodiversity, organic content, productivity, structure, water-retention capacity.
19. **Primary Suppliers.** When purchasing natural resource commodities, where possible, limit procurement to those primary suppliers that can demonstrate that they are not contributing to significant conversion or degradation of natural or critical habitats, and if necessary within a reasonable period, shift to primary suppliers that can demonstrate that they are not significantly

²⁸ See [Guiding Principles for the Prevention, Introduction and Mitigation of Impacts of Alien Species that Threaten Ecosystems, Habitats or Species, CBD Decision VI/23, Annex.](#)

²⁹ See the [CBD Cartagena Protocol on Biosafety.](#)

³⁰ See the [CBD Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization.](#) The [WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore \(IGC\)](#) is supporting development of an international legal instrument relating to intellectual property which will ensure the effective and balanced protection of genetic resources.

³¹ See [Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity, CBD Decision VII/12, Annex II.](#)

adversely impacting these areas. Encourage application of Environmental Product Descriptions (EPDs)³² where available.

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³² An Environmental Product Declaration (EPD) is an independently verified and registered document that communicates transparent and comparable information about the life-cycle environmental impact of products. The relevant standard for Environmental Product Declarations is ISO 14025, where they are referred to as "type III environmental declarations."

Thematic Area 2: Climate Change Mitigation and Adaptation and Disaster Risk Reduction

1. **Introduction.** Climate change is a fundamental threat to sustainable development and the fight against poverty. It has the potential to stall and even reverse human development through its impacts on key development sectors and activities, including agriculture and food production, water, ecosystems and other natural resources, disaster risk management and health. Climate change may produce negative impacts through gradual environmental changes and may exacerbate extreme weather events, increasing the risk of sudden-onset, high-impact disasters.
2. The Sustainable Development Goals, the UNFCCC and Paris Agreement, and the Sendai Framework on Disaster Risk Reduction require parties to integrate climate change and disaster risk considerations into projects, programmes, plans, and policies in order to strengthen resilience and to reduce potential exposure and vulnerability of communities.
3. Disaster risks encompass a broad range of potential hazards, including biological, environmental, geological, hydrometeorological, and technological processes and phenomena, as outlined in the Sendai Framework. Under this thematic area of the Common Approach, risks associated primarily with weather-related or hydrometeorological hazards are to be addressed. Additional dimensions of disaster risk reduction are addressed in other sections of the Common Approach.³³
4. Reducing the negative impacts of climate change is pursued through two complementary strategies: mitigation (reducing greenhouse gas emissions³⁴ that are an anthropogenic root cause of climate change) and adaptation (adjusting human systems to moderate harm and/or exploit beneficial opportunities from climate change). Disaster risk reduction requires integrated analysis and planning to prepare, manage and strengthen resilience to potential hazards, including applying the concept of “build back better” after a disaster to increase the resiliency of communities.
5. Communities that are already subjected to impacts from climate change may experience an acceleration and/or intensification of impacts due to project/programme activities that do not integrate and anticipate climate change and disaster risks. The minimum requirements below identify actions to reduce exposure and vulnerability of communities to climate change and disaster risks.
6. **Objectives.** The objectives of the minimum requirements below are to:
 - Strengthen resilience of communities to address risks of climate change impacts and disasters;
 - Ensure projects/programmes integrate climate change adaptation considerations and do not exacerbate vulnerability of communities to climate change impacts or disaster risks; and
 - Minimize project/programme-related greenhouse gas (GHG) emissions and intensity and maintain carbon sinks.

³³ Namely the sections on Screening, Assessment and Management of Environmental and Social Risks and Impacts; Community Health, Safety and Security; Biodiversity, Ecosystems and Sustainable Natural Resources; and Pollution Prevention and Resource Efficiency.

³⁴ “Greenhouse Gases“(GHGs) means those gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and re-emit infrared radiation. The [UNFCCC requires countries to report on the following direct GHGs](#): carbon dioxide (CO₂); methane (CH₄); nitrous oxide (N₂O); hydrofluorocarbons (HFCs); perfluorocarbons (PFCs); sulfur hexafluoride (SF₆); nitrogen trifluoride (NF₃) from five sectors (energy; industrial processes and product use; agriculture; land use, land-use change and forestry; and waste). The [Montreal Protocol](#) calls for the phase out of the powerful GHG hydrochlorofluorocarbons (HCFCs).

Minimum Requirements

7. **Climate change and disaster risk analysis, planning, and implementation.** Potential adverse impacts may be caused by gradual changes in climate, including rising temperatures, decreased water availability, salinization of land and fresh water, erosion, desertification, sea level rise, ocean acidification, loss of natural buffer zones, among other potential changes. Climate change may also have an impact on the frequency, intensity, spatial extent, duration and timing of weather-related or hydro-meteorological hazards leading to sudden-onset extreme events such as floods, landslides, tropical storms, wildfires and droughts.
8. Ensure projects and programmes are sensitive to and informed by climate change and disaster risk considerations through the below measures:
 - Integrate relevant and up-to-date climate and disaster risk information during the design and implementation of interventions;
 - Identify potential exposure and sensitivity of relevant communities, ecosystems, and critical infrastructure to climate change impacts and hazards, both natural and human-made, including extreme weather events. Analyse potential specific gender-, age- and social vulnerabilities and differentiated impacts, particularly to marginalized and disadvantaged groups and individuals;
 - Integrate where relevant climate change adaptation considerations in planning (“climate proofing”) and examine viability of intended outcomes and sensitivity of project/programme components given potential climate change impacts and disaster risks;
 - Assess whether activities may increase exposure or exacerbate vulnerability to climate change impacts or disasters (e.g. maladaptation) and avoid activities that may exacerbate such risks;
 - Ensure development of appropriate climate and disaster risk management plans are in place, including but not limited to emergency and response plans;
 - Where relevant, integrate disaster risk reduction measures into the restoration of physical infrastructure and societal systems to “build back better” after a disaster to increase the resiliency of communities;
 - Identify opportunities for facilitating climate change adaptation, strengthening resilience, reducing vulnerabilities and seek synergies with existing or planned activities, and generating mitigation co-benefits (e.g. reduction in GHG emissions) where possible; and
 - Incorporate stakeholder perspectives, including those most vulnerable to potential to climate change impacts and disaster risks, into programme/project risk analysis and planning.
9. **Minimize GHG emissions.** Minimize and avoid unwarranted increases in greenhouse gas emissions or other drivers of climate change from supported activities, including through the following measures:
 - Consider alternatives and implement technically and financially feasible options to minimize project/programme-related GHG emissions and other drivers of climate change. Options may include alternative locations; use of renewable and low-carbon energy sources; energy efficiency; and climate-smart agriculture, forestry, livestock management practices; and use of low-global-warming-potential coolants for air-conditioning and refrigeration;
 - Where GHG emissions may be significant, characterize and estimate potential sources of GHG emissions related to programming activities to form a baseline for reducing such emissions, providing such estimation is technically and financially feasible. UN entities may support and

adopt GHG-accounting methodologies for programming activities according to good international practice; and

- Protect, conserve and, where appropriate, incorporate carbon sinks in programming activities. Carbon sinks absorb atmospheric carbon into plants, soils, wetlands and water.

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Thematic Area 3: Community Health, Safety and Security

1. **Introduction.** Programming of UN entities generally targets improvements in social and economic opportunities and outcomes for individuals and communities, including enhanced employment, economic growth, and access to health, education, social protection and services. Project and programme activities, however, can also increase community exposure to health and safety hazards and impacts. Potential negative impacts affecting health and safety may arise from a broad range of programming activities, including from infrastructure development, construction activities, changes in the nature and volume of traffic and transportation, water and sanitation issues, use and management of hazardous materials and chemicals, impacts on natural resources and ecosystems, the influx of project/programme labour, and potential abuses by security personnel.
2. The minimum requirements listed below address the need to avoid, and where avoidance is not possible, to minimize and mitigate the health and safety-related risks and impacts that may arise from project and programme-related activities, with particular attention given to marginalized or disadvantaged groups.
3. **Objectives.** The objectives of the minimum requirements below are to:
 - Anticipate and avoid adverse impacts on health and safety of affected communities during the project/programme life cycle, from both routine and non-routine circumstances;
 - Ensure quality and safety in the design and construction of project/programme-related infrastructure, preventing and minimizing potential safety risks and accidents;
 - Avoid or minimize community exposure to disaster risks, diseases and hazardous materials associated with programming activities;
 - Ensure the safeguarding of personnel and property minimizes risks to communities and is carried out in accordance with international human rights standards and principles; and
 - Have in place effective measures to address emergency events, whether human-made or natural hazards.

Minimum Requirements

4. **General health and safety risk management.** Ensure health and safety risks directly and indirectly associated with programming activities are duly identified and appropriate avoidance, minimization, and mitigation measures per the mitigation hierarchy are adopted. Ensure appropriate health and safety management plans and systems are in place based on good international practice and tailored to the specific sector or activities in question. The adopted management measures will be 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 and disadvantaged groups, including children, older persons, people with disabilities, minorities and indigenous people. These measures will favour the prevention or avoidance of risks and impacts over their minimization and reduction. Consider risks of accidents and hazards, ensuring to avoid exacerbating potential adverse impacts of natural and human-made hazards, and ensure that emergency preparedness and response plans are in place.
5. **Community exposure to health issues.** Avoid or minimize potential community exposure to health risks (e.g. pollution, contaminated areas/resources) and diseases that could result from or be exacerbated by programming activities, including water-related and vector-borne diseases, and communicable and non-communicable diseases. Give due consideration to potential differentiated

exposure and higher sensitivity of health impacts on marginalized groups and those living in voluntary isolation.³⁵ Avoid or minimize the transmission of communicable diseases associated with the influx of labour to project/programme areas. Where endemic diseases exist in the programming area (e.g. malaria), explore ways to improve environmental conditions that could minimize the incidence of such diseases.

6. **Infrastructure design and safety.** Design, construct, operate, and decommission structural elements of projects/programmes in accordance with national legal requirements, good international practice, and any relevant international obligations and standards. Potential safety risks to third parties and communities will be evaluated. Structural elements of any infrastructure that poses significant health and safety risks will be (i) designed and constructed by qualified engineers and professionals, (ii) certified and approved by independent professionals not involved in the design process, (iii) include appropriate plans for construction supervision and quality assurance, operation and maintenance, and emergency preparedness, and (iv) require periodic safety inspections and monitoring. Structural elements will take into account climate change and disaster risk considerations as appropriate. If structural elements are situated in a high-risk location (e.g. seismic activity, risk of extreme weather or slow onset events), engage independent experts with relevant experience to review the project/programme as early as possible and throughout programming stages.³⁶
7. In the design of new buildings and structures with public access, seek to apply the concept of universal access wherever possible.³⁷
8. **Construction safety.** For any project/programme-related construction activities, ensure appropriate control of site access (e.g. fencing, security), use of appropriate personal protective equipment, safely designed work platforms, appropriate engineering and administrative controls (e.g. detours, traffic calming, signs), and safety barriers. Where public access is intended, consider incremental risks of public's potential exposure to operational accidents or natural hazards. Where relevant, identify, evaluate, and monitor potential traffic and road safety risks associated with programming.
9. **Hazardous materials management and safety.** Avoid or minimize potential community exposure to hazardous materials and substances that may be utilized in or released by project/programme activities. Where potential exposure exists to health-and life-threatening hazards, including to

³⁵ Where significant and/or public health risks may be associated with programming activities, an appropriately focused Health Impact Assessment should be integrated into the project/programme's overall environmental and social assessment.

³⁶ Appropriate good international practice will be followed in the construction, operation, rehabilitation, decommissioning of dam infrastructure. For large dams and dams that may pose significant safety risks, appoint an independent panel of experts to review the assessment, design, construction and start of dam operations. For small dams without significant safety risks (e.g. farm ponds, local silt retention dams, low embankment tanks), confirm that there are no or negligible risks of significant adverse impacts and ensure that dam construction and safety measures are designed by qualified engineers in accordance with good international practice. If the project/programme relies on an existing dam or a dam under construction, engage an independent dam specialist (a) to inspect and evaluate the dam's safety status and performance history, (b) review and evaluate the dam's operation and maintenance procedures, and (c) provide a written report and recommendation for any remedial work or safety measures needed.

³⁷ Universal access includes unimpeded access for people of all ages and abilities in different situations and under various circumstances. Article 9 of the Convention on the Rights of Persons with Disabilities calls for "appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas."

workers and their families, exercise special care to avoid such exposure by modifying, substituting, and eliminating the condition or material causing potential hazard. If hazardous materials are part of the existing project/programme infrastructure, exercise due care during construction, implementation and decommissioning in order to avoid exposure. Exercise appropriate due diligence to control safety of deliveries and transportation and disposal of hazardous wastes.

10. **Emergency preparedness and response.** Identify and implement measures to address emergency events, defined as unanticipated incidents arising from both natural and human-made hazards, typically in the form of fire, explosions, leaks or spills, caused by failure to implement operating procedures, extreme weather, or lack of early warning. Ensure emergency preparations and response plans are in place, resourced, reviewed, and publicized. Emergency preparations will include identification of areas where emergencies may occur, communities that may be impacted, response procedures, provision of equipment and resources, designation of responsibilities, communications and notification channels, and periodic training. Ensure emergency planning is gender sensitive and participatory and consider differential impacts of emergency situations on men, women, older persons, children, persons with disabilities, and marginalized or disadvantaged groups. Disclose appropriate information on emergency response planning and review on a regular basis.
11. **Risks associated with influx of project/programme workers.** Ensure appropriate measures are taken to avoid, mitigate and manage the risks and potential adverse impacts on health and safety arising from the influx of project/programme workers. Such risks and impacts may be associated with changes in population composition, health implications and exposure to communicable diseases, threats of sexual violence and harassment, crime, and increased vulnerability on communities due to increased pressure on already scarce natural resources. Implement training, awareness raising programmes and codes of conduct for project/programme workers. Identify alternative means to remedy significant stress on natural resources caused by increased population numbers.
12. **Impacts on ecosystem services.** Adverse impacts on ecosystem services may result in adverse health and safety risks to communities (e.g. loss of natural buffers increasing flooding risks). Avoid or minimize such adverse impacts and implement appropriate mitigation measures that aim to maintain the value and functionality of ecosystem services of relevance to local communities, paying special attention to avoid causing or exacerbating potential adverse impacts on marginalized and disadvantaged groups. Where appropriate and feasible, identify potential risks and impacts on ecosystem services that may be exacerbated by climate change.
13. **Security-related issues and personnel.** Ensure potential risks posed by project/programme-related security arrangements are assessed, personnel are appropriately vetted and trained, and that security arrangements are monitored and reported. Security arrangements are to adhere to applicable law and be provided in a manner that does not violate international human rights standards and principles³⁸ or jeopardize community safety and security. 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, take action (or urge appropriate parties to take action) to prevent recurrence and reprisals against individuals and communities. Where necessary, report unlawful and abusive acts to relevant authorities.

³⁸ International human rights standards and principles include the UN Basic Principles on the Use of Force and Firearms by Law Enforcement officials, the UN Code of Conduct for Law Enforcement Officials, the Voluntary Principles on Security and Human Rights, and the International Code of Conduct on Private Security Providers.

Thematic Area 4: Cultural Heritage

1. **Introduction.** Cultural heritage is central to individual and collective identity and provides continuity between the past, present and future. Cultural heritage reflects and expresses people’s constantly evolving values, beliefs, knowledge, traditions and practices.
2. The minimum requirements outlined below are designed to preserve, protect and promote cultural heritage in programming of UN entities in a manner consistent with UNESCO cultural heritage conventions or any other national or international legal instruments³⁹ that might have a bearing on the use of cultural heritage.
3. The term “cultural heritage” includes tangible and intangible heritage, which may be recognized and valued at the local, regional, national, or global level, as follows:
 - *Tangible cultural heritage* includes moveable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Tangible cultural heritage may be located in urban or rural settings and may be above or below ground or under water.
 - *Intangible cultural heritage* includes practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities/groups recognize as part of their cultural heritage, as transmitted from generation to generation and constantly recreated by them in response to their environment, their interaction with nature and their history and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. This 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) knowledge and practices concerning nature and the universe; e) traditional craftsmanship.⁴⁰
4. **Objectives.** The minimum requirements below aim to ensure that programming of UN entities:
 - Protect cultural heritage from damage, alteration, removal or misuse and support its preservation and protection;
 - Promote equitable benefit sharing from use of cultural heritage; and
 - Promote meaningful consultation with stakeholders regarding preservation, protection, utilization and management of cultural heritage.
5. **Avoidance of adverse impacts.** Consider potential direct, indirect, and cumulative impacts to cultural heritage. Avoid adverse impacts on cultural heritage, and where avoidance is not possible – ensuring that all viable and feasible alternatives have been explored – minimize and mitigate impacts per the mitigation hierarchy (e.g. relocating or modifying the footprint of supported activities, in situ conservation and rehabilitation). Ensure activities do not contravene national or international

³⁹ The [WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore \(IGC\)](#) is undertaking text-based negotiating with the objective of reaching agreement on a text(s) of an international legal instrument(s) relating to intellectual property which will endure the effective and balanced protection of traditional knowledge and traditional cultural expressions.

⁴⁰ Article 2, [UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage \(2003\)](#).

obligations regarding cultural heritage and implement globally recognized practices for field-study, documentation, and protection of cultural heritage. Adopt a Cultural Heritage Management Plan where adverse impacts to cultural heritage may be significant.

6. **Stakeholder consultations and use of experts.** Engage qualified cultural heritage experts and relevant stakeholders to assist in the identification, documentation and protection of potentially affected cultural heritage. Ensure meaningful, effective stakeholder consultations are undertaken, including with local and national regulatory authorities 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 project/programme activities, ensure that the requirements of the Indigenous Peoples thematic area are followed.
7. **Continued access.** Avoid restricting access to cultural heritage sites. However, where this is not possible allow continued access based on stakeholder consultations and provide alternative routes if access is blocked, subject to overriding safety and security considerations.
8. **Confidentiality.** Together with stakeholders determine whether disclosure of information regarding cultural heritage would compromise or jeopardize its safety or integrity or endanger sources of information. In such cases, sensitive information may be withheld from public disclosure. If project/programme-affected communities hold the location, characteristics or traditional use of cultural heritage in secret, put in place measures to maintain confidentiality.
9. **Chance find procedures.** Include chance find procedures in all plans and contracts regarding project/programme-related construction, including excavations, demolitions, movement of earth, flooding, or other changes in the physical environment. Such procedures establish how chance finds of cultural heritage will be managed, including notification of relevant authorities and stakeholders, avoidance of further disturbance or damage, protection, and assessment of found objects by relevant experts.
10. **Use of cultural heritage.** Where programming activities propose to utilize cultural heritage, including the knowledge, innovations, and practices of local communities, engage in meaningful consultations and inform the potentially affected communities and stakeholders of their rights and potential consequences of such utilization. Where programming activities aim at facilitating commercialization by relevant communities of cultural heritage as an option for them to consider, inform the communities of their rights and options available to them. Project/Programme activities that envisage supporting specific commercial activities involving cultural heritage should not proceed unless good faith negotiations with relevant affected communities have resulted in a successful documented outcome that provides for fair and equitable benefit sharing from such commercialization and appropriate mitigation measures are put in place per the mitigation hierarchy. Where programming activities propose the utilization of the cultural heritage of indigenous peoples, ensure furthermore that the requirements of the Indigenous Peoples thematic area are followed.
11. **Legally protected cultural heritage areas.** Identify and avoid adverse impacts to legally protected cultural heritage areas; comply with defined national or local cultural heritage regulations and/or protected area management plans; consult area sponsors and managers, local communities and key stakeholders; and implement additional programs, as appropriate, to enhance conservation aims of protected areas.

12. **Archaeological Sites and Materials.** Where there is evidence or high probability of past human activity in the project/programme area, conduct desk-based research and field surveys to document, map and investigate archaeological remains, document location and characteristics of sites and materials discovered during the programming life-cycle, and provide documentation to cultural heritage authorities. Determine in consultation with cultural heritage experts whether discovered material requires (a) documentation only, (b) excavation and documentation, or (c) conservation in place, and manage site accordingly. Determine ownership and custodial responsibility for discovered material. Until custody is transferred, ensure identification, conservation, labeling, secure storage and accessibility for study and analysis.
13. **Built heritage.** Identify appropriate mitigation measures to address potential impacts on built heritage, which may include (a) documentation; (b) conservation or rehabilitation in situ, (c) relocation and conservation or rehabilitation. During any rehabilitation, maintain authenticity of form, construction materials and techniques of structures according to laws, regulations and good international practice. Preserve physical and visual context of individual or groups of historic structures by considering appropriateness and effect of the project/programme infrastructure proposed for the location within sight range.
14. **Natural features with cultural significance.** Identify through research and consultation with project/programme-affected people natural features with cultural significance, the people that value such features, and individuals or groups with authority to represent and negotiate regarding location, protection, and use of such heritage places. Most such natural features are best protected by preservation in situ. If not possible, transfer of the cultural heritage to another location will be conducted in consultation with and agreement of project/programme-affected people, in accordance with good international practice. The agreement reached regarding the transfer will respect and enable continuation of the traditional practices associated with features.
15. **Movable Cultural Heritage.** Take measures to guard against theft and illegal trafficking of movable cultural heritage (e.g. books, paintings, sculptures, costumes, jewelry, textiles) affected by programming activities and notify relevant authorities if any such activity occurs. Identify items that may be endangered and make provision for their protection throughout the programming life-cycle. Inform religious or secular authorities or other responsible cultural heritage custodians of project/programme activities, schedule and alert them regarding potential vulnerability of movable cultural heritage items.

Thematic Area 5: Displacement and Involuntary Resettlement

1. **Introduction.** Project/programme-related land acquisition and/or restrictions on land use can lead to significant adverse impacts on individuals and communities. Resettlement of people from their original places of residence and disruption of their economic activities and practices, if not appropriately planned and mitigated, may give rise to severe impoverishment risks, including loss of livelihoods, homelessness, and food insecurity.
2. Project/programme-related land acquisition and restrictions on land use may cause physical displacement (i.e. relocation or loss of shelter), whether full or partial, permanent or temporary, or economic displacement (i.e. loss of assets or access to assets that leads to loss of income sources or means of livelihood). The term “involuntary resettlement” refers to these impacts whereby persons do not have the choice to refuse resettlement and displacement.
3. UN entities will seek to avoid involuntary resettlement in supported activities wherever possible. UN entities however may be called upon to support partner activities that could lead to involuntary resettlement of individuals or communities. In exceptional circumstances, activities that lead to such displacement may be undertaken only with full justification, appropriate forms of legal protection and compensation, and according to the requirements herein, with special attention to ensuring such activities do not exacerbate impoverishment risks of marginalized and disadvantaged groups and individuals.
4. **Objectives.** The objectives of the minimum requirements below are to:
 - Avoid physical and economic displacement and where avoidance is not possible, minimize adverse impacts from land or resource acquisition or restrictions on land or resource use;
 - Prohibit forced evictions;
 - Improve or at least restore livelihoods and living standards of all displaced persons and to improve the living conditions of displaced poor and persons belonging to marginalized or disadvantaged groups through the provision of adequate housing,⁴¹ security of tenure, and access to services and facilities, by conceiving and executing resettlement activities as sustainable development programs;
 - Ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation and the informed participation of those affected.
5. The minimum requirements below apply to permanent or temporary physical and economic displacement resulting from project/programme-related land or resource acquisition or restrictions on land use or access to resources that people depend on, including the following types of land acquisition or restrictions on land or resource use:
 - Land rights or land use rights acquired or restricted 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 those with traditional or customary tenure or recognizable usage rights;

⁴¹ For housing to be adequate, it must, at a minimum, meet the following criteria: providing security of tenure; availability of services, materials, facilities and infrastructure; affordability; habitability; accessibility; location; and cultural adequacy. See OHCHR/UN Habitat, [The Right to Adequate Housing, Fact Sheet 21/Rev. 1](#).

- Displacement of people without formal, traditional recognizable usage rights who occupy or use land prior to the established cutoff date;
 - Displacement due to project/programme-related externalities such as pollution and impacts on biodiversity or ecosystem services or the rendering of lands unusable or inaccessible; and
 - Displacement occurring for associated facilities and/or activities significantly related to the project/programme, or which occurred in anticipation of project/programme.
6. The minimum requirements do not apply to (a) 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. However, if the sale may displace people, other than the seller, who occupy, use, or claim rights to the land in question, these requirements will apply; and (b) restrictions of access to natural resources under community-based natural resource management arrangements where the relevant community decides to restrict access to these resources based on an appropriate community-decision making process that reflects voluntary, informed consensus.
 7. UN entities typically do not lead efforts that that may contribute to involuntary resettlement, which are typically the responsibility of governments. However, they may be requested to support aspects of a partner's strategy or programme that could involve displacement activities. In such cases, UN entities will undertake appropriate due diligence before engagement in such activities and advise partners to conduct displacement activities in a manner consistent with the below requirements.
 8. For activities that may cause displacement of indigenous peoples, the minimum requirements of the Indigenous Peoples thematic area will also apply.

Minimum Requirements

9. **Forced evictions.** UN entities will prohibit forced evictions in all supported activities. Forced eviction is defined here as the permanent or temporary removal against their will of individuals, families or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.⁴² Any evictions that may be associated with programming activities must be carried out lawfully, only in exceptional circumstances, with full justification and procedural guarantees, and in full accordance with relevant provisions of international human rights and humanitarian law.
10. **Avoid and minimize displacement.** Consider all feasible project/programme alternatives and measures to avoid displacement. In exceptional circumstances where avoidance is not possible and displacement may occur, minimize its potential scale and demonstrate that any programming-related land acquisition and/or restrictions on land use are limited to direct programming requirements.
11. **Planning and assessment.** Where displacement cannot be avoided, utilize experienced professionals in the assessment and design of displacement activities. Identify potentially affected persons, lands, and assets through census, socio-economic surveys, and asset inventories, including claims of affected groups not present as part of census (e.g. seasonal resource users). Clarify the tenure rights and

⁴² Forced evictions constitute gross violations of a range of internationally recognized human rights and are prohibited by the UN Basic Principles and Guidelines on Development-based Evictions and Displacement (2007), at <http://www.ohchr.org/EN/Issues/Housing/Pages/ForcedEvictions.aspx>. See also UN Habitat/OHCHR, [Forced Evictions, Fact Sheet No. 25/Rev.1](#) (2014).

relationships of potentially affected persons to affected lands and resources, including recognition of customary rights and collective or communal forms of land tenure.

12. Undertake an Environmental and Social Impact Assessment (ESIA) to assess potential environmental and social impacts of the proposed land acquisition and/or restrictions on land and/or resource use and potential impacts on host communities where potential displacement may be significant. Pay particular attention to the needs of directly-affected persons who are marginalized and disadvantaged. Where potential displacement may be minimal, an ESIA may not be required and negotiated settlements may be reached that provide fair and just compensation for lost assets in accordance with the requirements herein.
- 13. Participation in planning and implementation.** Ensure meaningful consultations are undertaken with affected communities, including host communities, throughout the project or programme, including during consideration of alternative project/programme designs, determination of eligibility and compensation, planning, development of action plans, implementation, monitoring and evaluation. Ensure affected persons are informed of their rights and have access to effective remedies and expertise. Ensure women's perspectives are obtained and their interests are factored into all aspects of planning and implementation. Undertake good-faith efforts to secure negotiated settlements with affected individuals and communities.
14. All relevant project/programme information, including draft action plans, will be disclosed in a timely manner in an accessible place and in a form and language(s) understandable to the affected persons. Compensation standards will be disclosed and applied consistently and eligibility cut-off dates will be well publicized. Provide directly affected persons with written justification in an accessible form and language well in advance of initiation of land acquisition and restrictions on land use.
- 15. Develop plans to improve and restore livelihoods.** Where displacement cannot be avoided, develop action plans designed to improve or at least restore the standards of living and livelihoods of affected persons and communities, and to improve the living conditions of displaced poor and persons belonging to marginalized or disadvantaged groups, in real terms to pre-displacement levels. Plans are to provide all affected persons opportunities to derive appropriate development benefits from the project or programme.⁴³ All plans will:
 - Establish eligibility criteria, cutoff dates, and entitlements for all categories of affected persons;
 - Ensure fair and just compensation at full replacement cost is provided, prior to displacement, for any losses of personal, real or other property or goods, noting that compensation and support may be collective in nature. Compensation and support will aim to restore pre-displacement productive capacity and earning potential of displaced persons;
 - Provide transitional support based on reasonable estimates of the time required to restore income-earning capacity, production levels, standards of living;
 - Provide to displaced individuals and communities secure access to necessary services, shelter, food, water, energy, and sanitation, as applicable;

⁴³ Where the specific locations and magnitude of potential land acquisition and restrictions of land use are not fully known during project/programme preparation, develop framework plans that require the development of specific action plans consistent with these requirements once programming components are defined and assessed.

- Pay particular attention to the poor and persons belonging to marginalized or disadvantaged groups; and
- Consider gender aspects, recognizing women and men as co-beneficiaries and providing single women with own compensation.

16. **Physical displacement.** Where projects/programmes involve physical displacement, the action plan will address the following additional elements:

- Specify the resettlement options chosen by displaced persons, respecting preferences to relocate in pre-existing communities wherever possible, and document all transactions;
- Provide relocation assistance and a choice of replacement property with secure tenure of equal or higher value with equivalent or better characteristics for affected persons or communities with formal land rights or recognizable claims;⁴⁴
- For affected persons without formal land rights or recognizable claims, compensate for loss of assets other than land (e.g. dwellings, other improvements) at full replacement costs, provide resettlement assistance in lieu of compensation for land sufficient to restore living standards at an adequate alternative site, and provide arrangements to allow them to obtain adequate housing with security of tenure so they can resettle without facing the risk of forced eviction;
- Resettlement sites provide adequate housing with improved living conditions, necessary civic infrastructure, services and, where relevant, agricultural sites of equivalent productive potential;
- Stipulate that compensation is not required for encroachers after the established cut-off date, provided that the date has been well publicized.

17. **Economic displacement.** Where projects/programmes involve economic displacement, the action plan will address the following additional elements:

- Ensure compensation covers all commercial losses (including costs of transfer and re-establishing commercial activity, lost net income during transition, lost employee wages) and for other assets such as crops, irrigation infrastructure or other improvements to affected areas;
- Provide replacement property (e.g. agricultural or commercial sites) of equal value where legitimate tenure rights (both formal and informal) are restricted. If it is clearly demonstrated that replacement land and resources are unavailable, offer cash compensation at replacement value and options for alternative income earning with evidence of mutual agreement;
- Where displaced livelihoods are natural resource based, offer replacement land and access to alternative resources with a combination of productive potential, locational advantage, and other factors with at least equivalent livelihood-earning potential and accessibility, wherever feasible. Provide alternative income earning opportunities if it is demonstrably not possible to provide replacement land and resources;
- If the project or programme restricts access to resources in legally designated parks or protected areas or other common property resources, establish a participatory process to determining

⁴⁴ 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.

appropriate restrictions and mitigation measures to improve or at least restore affected livelihoods while maintaining the sustainability of the park or protected area.

18. **Prior displacement.** Where displacement has occurred in anticipation of supported activities, the requirements herein apply. Where an unoccupied site is provided from which prior residents were displaced but not in anticipation of the project/programme, undertake appropriate due diligence and determine if corrective actions are feasible and could be integrated into the project/programme.
19. **Grievance mechanism.** Ensure an effective grievance mechanism is available to address specific concerns of affected persons regarding compensation, relocation, livelihood restoration or other project/programme issues. Grievance mechanisms are to meet the effectiveness criteria for such mechanisms in the requirements of the Stakeholder Engagement and Accountability thematic area.
20. **Monitoring and completion analysis.** Provide for independent monitoring by qualified experts of implementation of action plans. Consult with directly-affected persons on implementation of plans. Prepare periodic monitoring reports and inform affected persons about monitoring results. Projects/programmes involving displacement will not be considered complete until adverse impacts are addressed and plans are implemented. Utilizing experienced independent experts, undertake a completion analysis whether livelihoods and living standards of affected persons were improved or at least restored, and where necessary, propose corrective actions.

Thematic Area 6: Indigenous Peoples

1. **Introduction.** Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms. Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination. Indigenous peoples possess collective human rights which are indispensable for their existence, well-being and development as peoples. The special relationship that indigenous peoples have with their lands, territories, and resources is integral to their physical, spiritual and cultural survival.
2. The promotion and protection of the rights of indigenous peoples, especially concerning their lands, territories, resources, traditional livelihoods and cultures, are central to respecting indigenous peoples' identities and improving their well-being.
3. UN Entities will work in partnership with indigenous peoples and support their right to determine and develop priorities and strategies for exercising their right to development and contribute to the realization of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples,⁴⁵ the Indigenous and Tribal Peoples Convention, 1989 (No. 169)⁴⁶, and other relevant international instruments.
4. The UN has established various mechanisms to promote indigenous peoples' rights, dialogue and partnerships, including the UN Permanent Forum on Indigenous Issues (UNPFII), the Special Rapporteur on the rights of indigenous peoples, and the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP). The ILO has supervisory bodies monitoring the application of Indigenous and Tribal Peoples Convention, 1989 (No. 169). In 2008, the then United Nations Development Group (UNDG, now UNSDG), adopted Guidelines on Indigenous Peoples Issues to guide the programming and operational work of all UN entities.⁴⁷ The Secretary General in 2016 launched the UN System-wide action plan for ensuring a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Support and coordination mechanisms have also been established, such as the Inter-Agency Support Group on Indigenous Issues (IASG) which was established to support and promote the mandate of the UN Permanent Forum on Indigenous Issues within the United Nations system.⁴⁸ In addition, some agencies and entities have also established policies, funds and participatory mechanisms.⁴⁹
5. **Objectives.** The objectives of the minimum requirements below are to:
 - Recognize and foster full respect for indigenous peoples and their human rights, dignity, cultural uniqueness, autonomy, identity, and aspirations;

⁴⁵ See the [United Nations Declaration on the Rights of Indigenous Peoples](#).

⁴⁶ See [ILO Convention No. 169](#).

⁴⁷ See the [UNDG Guidelines on Indigenous Peoples' Issues](#).

⁴⁸ See the [UN system-wide action plan on the rights of indigenous peoples](#).

⁴⁹ For example, IFAD's Indigenous Peoples Forum and the Indigenous Peoples' Assistance Facility, the Indigenous Peoples Advisory Groups at the GEF and GCF, the CBD's Open-ended Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity and the UNFCCC's platform on indigenous and local communities, among others.

- Promote indigenous peoples' rights to self-determination and development with culture and identity;⁵⁰
 - Recognize and respect the rights of indigenous peoples to their lands, territories, and resources that they have traditionally owned, occupied, or otherwise used or acquired;
 - Recognize, respect, protect and preserve indigenous peoples' culture, knowledge, and practices;
 - Promote projects/programmes designed, managed, and implemented by indigenous peoples;
 - Ensure that projects/programmes are designed in partnership with indigenous peoples, with their full effective and meaningful consultation and participation, with the objective of obtaining their free, prior and informed consent (FPIC);
 - Support countries to respect, protect and fulfill the rights of indigenous peoples;
 - Avoid adverse impacts on indigenous peoples from supported activities, and minimize, mitigate and remedy adverse impacts where avoidance is not possible; and
 - Ensure indigenous peoples obtain fair and equitable benefits and opportunities from supported activities in a culturally appropriate and inclusive manner.
6. The minimum requirements below apply to all programmes and projects which may affect or benefit indigenous peoples' rights to lands, territories, natural resources, knowledge, social fabric, traditions, governance systems, and cultural heritage.
7. **Identification of indigenous peoples.** The international community has not adopted a single definition of indigenous peoples and the prevailing view today is that no formal universal definition is necessary for the recognition and protection of their rights. Generally speaking, according to the UN, "indigenous peoples" refers to distinct collectives who possess any of the more commonly accepted definitions of indigenous peoples,⁵¹ regardless of the local, national and regional terms applied to them. Key characteristics of these definitions include the following: self-identification as a distinct peoples; 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.
8. Indigenous peoples include those indigenous peoples who have lost access to lands, territories or resources because of forced severance, conflict, government resettlement, dispossession, natural disasters, or incorporation of lands into urban areas, but that still maintain collective attachment to those lands, territories and resources.

⁵⁰ See [Indigenous peoples: development with culture and identity in the light of the United Nations Declaration on the Rights of Indigenous Peoples](#) - A reflection paper of the Inter-Agency Support Group on Indigenous Issues, consolidated by the United Nations Educational, Scientific and Cultural Organization; Permanent Forum on Indigenous Issues, E/C.19/2010/17.

⁵¹ Including but not limited to those provided for in ILO Convention No. 169; the [Study on the Problem of Discrimination against Indigenous Populations](#) (the Martinez Cobo Study); and the [Working paper on the concept of "indigenous people" of the Working Group on Indigenous Populations](#) (Commission on Human Rights) (E/CN.4/Sub.2/AC.4/1996/2).

9. Indigenous peoples might not be recognized by the country in question or possess recognized title to lands, territories or resources. 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” or “forest dwellers,” or other terms. Regardless of which terminology is used, the requirements herein will apply to groups that satisfy the above characteristics.

Minimum Requirements

10. **Meaningful consultation and participation.** Indigenous peoples have the right to determine their own priorities and to participate in decision-making in matters which would affect them, through representatives chosen by themselves in accordance with their own procedures. In supported projects and programmes, ensure meaningful consultation and participation of indigenous peoples who may be affected by project/programme activities. The perspective of the indigenous peoples concerned whether proposed activities may affect them should be a starting point for assessing whether an activity may affect them. Engagement should begin as early as possible in project/programme conceptualization and continue throughout all aspects of the project/programme, including design, risk identification and assessment, implementation, monitoring and evaluation.
11. Engagement processes with indigenous peoples are to be conducted in a culturally appropriate manner, with due regard to indigenous peoples’ institutions, customs, and traditional methods of decision-making. Engagement processes should be gender and inter-generationally inclusive, paying particular attention to groups and individuals at risk of marginalization and exclusion.
12. Meaningful consultation and participation requires timely availability of all relevant project/programme information, provided in a culturally appropriate manner including in relevant indigenous languages whenever possible. Indigenous peoples need to have sufficient time for decision-making processes. Outcomes of engagement processes will be documented.
13. **Free, prior and informed consent.** Culturally appropriate meaningful consultation and participation will be carried out with the objective of obtaining indigenous peoples’ free, prior and informed consent (FPIC) regarding measures that may impact the indigenous peoples’ rights, lands, territories, natural resources, traditional livelihoods, tangible and intangible cultural heritage, including any potential relocation and activities proposing the development, utilization or exploitation of mineral, forest, water or other resources.
14. Meaningful consultation and participation are crucial processes for seeking FPIC and need to be undertaken in good faith. This implies an absence of coercion, intimidation or manipulation, that engagement processes are initiated sufficiently in advance of any authorization or commencement of activities, that respect is shown for time requirements of indigenous peoples’ internal processes for decision-making and that full and understandable information on the likely impact is provided.⁵² FPIC helps to ensure full partnership and ownership of supported activities with indigenous peoples who may be impacted by project and programme activities and respect their right to self-determination according to international standards.

⁵² See ,e.g., the [Report of the UNPFII workshop on Methodologies regarding Free Prior and Informed Consent and Indigenous Peoples](#) (E/C.19/2005/3).

15. Meaningful consultation and participation are ongoing processes that are designed and undertaken in full partnership with the indigenous peoples concerned, with due regard to their institutions, customs and traditional methods of decision-making, and require at a minimum documentation of (i) a mutually accepted process to carry out good faith negotiations, (ii) outcomes of good faith negotiations, including all agreements reached as well as disagreements and dissenting views, and (iii) efforts aimed at accommodating indigenous peoples' expressed interest and concerns in the final project/programme design.
16. **Prior assessment and avoidance of impacts.** Carry out environmental and social analysis for projects/programmes that may affect indigenous peoples as part of project/programme design. Verify if indigenous peoples inhabit proposed project/programme areas and/or if activities may affect indigenous peoples outside of project/programme areas. The perspective of the indigenous peoples concerned is a critical starting point for impact assessment and the indigenous peoples concerned should have ample opportunities as early as possible to participate in the assessment and development of avoidance and mitigation measures. Assess all potential direct, indirect, social, cultural, spiritual environmental impacts on indigenous peoples, including potential impacts on their rights, lands, territories, and resources.⁵³ Review of all substantive rights, property interests, tenurial arrangements, and traditional resource usage may be required. Avoid adverse impacts on indigenous peoples to the maximum extent possible, including exploration of alternative project/programme strategies, designs and locations or consideration of not proceeding with the activities. Where avoidance of adverse impacts is not possible, minimize and mitigate residual impacts in a culturally appropriate manner per the mitigation hierarchy.
17. **Culturally appropriate benefits.** Ensure that affected indigenous peoples are able to derive project/programme benefits in a culturally appropriate and inclusive manner giving full consideration to options preferred by the indigenous peoples concerned. The provision of compensation and benefits is to take into account the institutions, rules, and customs of affected indigenous peoples and may occur on a collective basis with mechanisms for effective distribution of benefits to all members of affected groups, as far as practical. Project/programme-affected indigenous peoples should share equitably in benefits derived from any commercial development of indigenous peoples' lands, territories or resources or from the use or development of indigenous peoples' cultural heritage.
18. **Support rights to lands, territories, and resources.** Indigenous peoples have collective rights to own, use, develop, and control lands, territories (including waters) and resources that they have traditionally owned, occupied, or otherwise used or acquired. Avoid projects/programmes that may undermine or inadvertently weaken such rights. Where appropriate and/or necessary, support activities that would result in legal recognition of customary or traditional land tenure and management systems and collective rights of project/programme-affected indigenous peoples,

⁵³ See Convention on Biological Diversity: The [Akwé: Kon Voluntary Guidelines](#) for the Conduct of Cultural, Environmental and Social Impact Assessments Regarding Developments Proposed to Take Place on, or which are Likely to Impact on, Sacred Sites and on Lands and Waters Traditionally Occupied or Used by Indigenous and Local Communities (CBD Decision VII/16). The Guidelines provide advice on how to incorporate cultural, environmental (including biodiversity-related), and social considerations of indigenous and local communities into new or existing impact-assessment procedures, to ensure appropriate development. They support the full and effective participation of indigenous and local communities in screening, scoping and development planning exercises, taking into account their traditional knowledge, innovations and practices.

including through the implementation of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT).⁵⁴

19. **People living in voluntary isolation or initial contact.** Where supported activities may directly or indirectly impact indigenous peoples in voluntary isolation or initial contact, take all appropriate measures to avoid undesired contact and to respect and protect their lands and territories, environment, health and culture. Where relevant, assist national authorities to limit access and to regularize lands of groups living in isolation.
20. **Special considerations.** Ensure that programmes and projects pay particular attention to the rights and special needs of indigenous women, youth, children, and persons with disabilities. Seek to ensure that there is no discrimination against such groups and give special consideration to measures to improve their participation in decision-making and their general well-being.
21. **Relocation.** Indigenous peoples will not be forcibly removed from their lands and territories. Where, as an exceptional measure, relocation cannot be avoided, it must take place only after seeking free, prior and informed consent of the indigenous peoples concerned and in line with national law, international human rights obligations and the requirements of the Displacement and Resettlement thematic area.
22. **Cultural heritage.** In addition to the relevant requirements under the Cultural Heritage thematic area, where supported activities may lead to significant adverse impacts to the cultural heritage of indigenous peoples, consult and cooperate in good faith with the affected indigenous peoples with the objective of obtaining their free, prior and informed consent before the approval of the relevant activities. If project/programme-affected indigenous peoples hold the location, characteristics or traditional use of cultural heritage in secret, put in place measures to maintain confidentiality.⁵⁵
23. **Plans to address impacts and benefits.** Develop a time-bound Indigenous Peoples Plan (IPP) for projects/programmes that may affect indigenous peoples' rights, lands, territories, resources, traditional livelihoods, and cultural heritage (or an Indigenous Peoples Planning Framework, IPPF, if specific activities and locations have not yet been determined). The IPP/IPPF will identify potential risks and impacts, identify risk avoidance and mitigation measures, and specify measures for provision of culturally appropriate benefits, continued consultation and participation processes, grievance procedures, monitoring and evaluation procedures, and a budget and financial plan for implementing agreed measures. Where projects/programmes are designed solely to benefit indigenous peoples, a separate IPP/IPPF is not required provided project/programme documentation addresses the above elements.
24. **Grievance Mechanism.** Ensure an effective, culturally appropriate, accessible grievance redress mechanism is established for the project/programme, with due consideration of customary dispute settlement mechanisms among the indigenous peoples concerned. 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. While it is advisable to address any local feedback and concern at the local level, the local feedback and complaints mechanism should

⁵⁴ See [Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests \(VGGT\)](#).

⁵⁵ See Convention on Biological Diversity: The [Tkarihwaí:ri Code of Ethical Conduct](#) to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities (CBD Decision X/42).

be supplemented by an UN entity-level grievance mechanism as a recourse for grievances that are not solved locally.

25. **Monitoring.** Involve knowledgeable experts and ensure project/programme-affected indigenous peoples will jointly monitor implementation throughout the full duration of the programme.

DRAFT

Thematic Area 7: Labour and Working Conditions

1. **Introduction.** The pursuit of inclusive and sustainable economic growth, full and productive employment and decent work for all requires the protection of workers' fundamental rights, their fair treatment, and the provision of safe and healthy working conditions. Projects/programmes will enhance employment promotion benefits, development outcomes and sustainability by ensuring sound worker-management relationships and cooperation in their design and implementation. The requirements set out herein have been guided by a number of international conventions and instruments, including those of the International Labour Organization (ILO) and the United Nations (UN).⁵⁶
2. **Objectives.** The objectives of the minimum requirements below are to:
 - Promote, respect and realize fundamental principles and rights at work⁵⁷ through:
 - Supporting freedom of association and the effective recognition of the right to collective bargaining;
 - Preventing the use of child labour and forced labour;
 - Preventing discrimination and promoting equal opportunity of workers;
 - Protect and promote the safety and health of workers;
 - Ensure projects/programmes comply with national employment and labour laws and international commitments; and
 - Leave no one behind by protecting and supporting workers in disadvantaged and vulnerable situations, including a special focus, as appropriate, on women workers, young workers, migrant workers and workers with disabilities.
3. The minimum requirements regarding labour and working conditions apply to all workers employed or engaged directly by a project/programme to work specifically in relation to the project/programme (direct workers), by third parties⁵⁸ to perform work related to the core functions⁵⁹ of the

⁵⁶ These conventions include among others:

ILO Convention 87 on Freedom of Association and Protection of the Right to Organize

ILO Convention 98 on the Right to Organize and Collective Bargaining

ILO Convention 29 on Forced Labour and Protocol of 2014

ILO Convention 105 on the Abolition of Forced Labour

ILO Convention 138 on Minimum Age (of Employment)

ILO Convention 182 on the Worst Forms of Child Labour

ILO Convention 100 on Equal Remuneration

ILO Convention 111 on Discrimination (Employment and Occupation)

ILO Convention 155 on Occupational Safety and Health

ILO Convention 161 on Occupational Health Services

UN Convention on the Rights of the Child, Article 32. UN Convention on the Protection of the Rights of all Migrant Workers and Members of their Families

⁵⁷ [ILO Declaration on Fundamental Principles and Rights at Work](#) (1998).

⁵⁸ "Third parties" may include contractors, subcontractors, brokers, agents or intermediaries.

⁵⁹ "Core functions" of a project/programme constitute those production and/or service processes essential for a specific activity without which the project/programme cannot continue.

project/programme regardless of location (contractor workers), and by its primary suppliers⁶⁰ (primary supplier workers). The minimum requirements apply to full-time, part-time, temporary, seasonal and migrant workers, and are to be addressed by the party or parties responsible for implementing the project/programme.

Minimum Requirements

4. **Terms and conditions of employment.** Ensure that applicable written human resources management policies and processes are in place. These policies and processes will set out the conditions in which project/programme workers will be employed or engaged and managed, in accordance with the requirements herein and national law.^{61 62} The policies and processes will be appropriate to the size, locations and workforce of project/programme activities.
5. Project/programme workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment, including information that sets out their rights under national labour, employment and social protection law (including any applicable collective agreements), and their rights related to hours of work, wages, overtime, compensation and benefits, occupational safety and health and the requirements herein.⁶³ This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment or engagement occur.
6. Project/programme workers will be paid on a regular basis as required by human resources management policies and national law.⁶⁴ Deductions from payment of wages will only be made as allowed by human resources management policies and national law, and project/programme workers will be informed of the conditions under which such deductions will be made. Project/programme workers will be provided with adequate periods of rest per week, annual holiday and sick, maternity and family leave, as required by human resources management policies and national law.
7. Project/programme workers will 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. All wages that have been earned, social security benefits, pension contributions and any other entitlements will be paid, either directly to the project/programme workers or, where appropriate, for the benefit of the project/programme workers. Where payments are made for the benefit of project/programme workers, such workers will be provided with evidence of such payments.
8. **Non-discrimination and equal opportunity.** Decisions relating to the employment or treatment of project/programme workers will not be made on the basis of personal characteristics unrelated to

⁶⁰ “Primary suppliers” are those suppliers who, on an ongoing basis, provide directly to the project/programme goods or materials essential for the core functions of the project/programme.

⁶¹ The requirements, whether herein or in national law, that are the most protective of workers will apply unless the application of requirements herein would violate national law.

⁶² For project/programme 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 Convention on the Privileges and Immunities of the United Nations, 1946.

⁶³ Ibid.

⁶⁴ Ibid.

inherent job requirements.⁶⁵ The employment of project/programme workers will be based on the principle of equality of opportunity and treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices. Women and men will receive equal remuneration for work of equal value. The human resources management policies will set out measures to prevent and address violence, harassment, intimidation and/or exploitation. Where national law is inconsistent with this paragraph, carry out activities in a manner that is consistent with these requirements to the extent possible.

9. Special measures of protection and assistance to remedy discrimination or selection for a particular job based on the inherent requirements of the job will not be deemed as discrimination.
10. Provide appropriate measures of protection and assistance to address the vulnerabilities of project/programme workers, including specific groups of workers, such as women, people with disabilities, migrant workers and young workers. Such measures may be necessary only for specific periods of time, depending on the worker's circumstances and the nature of the vulnerability.
11. **Workers organizations.** In countries where national law recognizes workers' rights to form and to join workers' organizations of their choosing and to bargain collectively without interference, the project/programme will be implemented in accordance with national law. In such circumstances, the role of legally established workers' organizations and legitimate workers' representatives will be respected and will be provided with information needed for meaningful negotiation in a timely manner. Where national law restricts workers' organizations or is silent, the responsible party will not restrict project/programme workers from developing alternative mechanisms to express their grievances and protect their rights regarding working conditions and terms of employment; seek to influence or control these alternative mechanisms; and/or discriminate or retaliate against project/programme workers who participate, or seek to participate, in such workers' organizations and collective bargaining or alternative mechanisms.
12. **Forced labour.** Forced labour, which consists of any work or service not voluntarily⁶⁶ performed that is exacted from an individual under threat of force or penalty, will not be used in connection with the project/programme.⁶⁷ This prohibition covers any kind of involuntary or compulsory labour, such as indentured labour, bonded labour, or similar labour-contracting arrangements. No trafficked persons will be employed in connection with the project/programme.⁶⁸

⁶⁵ Such as gender, sex, race, colour, nationality, national extraction, political opinion, affiliation or non-affiliation to a union, ethnic, social or indigenous origin, religion of belief, marital or family status, disability, age, sexual orientation or gender identity.

⁶⁶ 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.

⁶⁷ See the Forced Labour Convention, 1930 (No.29), as well as the Protocol of 2014 to the Forced Labour Convention.

⁶⁸ Trafficking in persons is defined as the recruitment, transportation, transfer, harboring or receipt of persons by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power, or of a position of vulnerability,

13. Where cases of forced labour are identified, immediate steps will be taken to correct and remedy them.
14. **Child labour.** Child labour, which consists of employment of children below the minimum age of employment as defined by the ILO Minimum Age Convention, 1973 (No. 138) and ILO Worst Forms of Child Labour Convention, 1999 (No. 182), will not be used in connection with or arise from the project/programme.
15. A minimum age for employment will be specified in connection with the project/programme, as determined by national law and consistent with the ILO Convention No. 138.⁶⁹
16. Regardless of the minimum age for employment, a child under the age of 18 may not perform work in connection with or arising from the project/programme which, by its nature or the circumstances in which it is carried out, is likely to harm his/her health, safety or morals. Such work is determined by national laws or regulations or by the competent authority and commonly specified in national lists of hazardous work prohibited to children. In the absence of such regulations, guidance on hazardous work to be prohibited in connection with the project/programme should derive from the relevant ILO instruments.⁷⁰ In addition, a child under the age of 18 may not, in connection with the project/programme, perform work that is likely to interfere with his/her compulsory education or be harmful to his/her physical, mental, spiritual, moral or social development.
17. Where cases of child labour are identified, immediate steps will be taken to correct and remedy them, including the rehabilitation and social integration of the child where necessary and appropriate.
18. **Occupational safety and health (OSH).** Necessary processes and measures that address the safety and health of project/programme workers must be in place to support programming design, planning and implementation. These processes and measures may be encompassed and implemented through the responsible party's occupational safety and health management system⁷¹ and will address:
 - (a) Identification and assessment of potential hazards and risks, particularly those that could result in serious injury, ill health or death and those identified through worker health surveillance;
 - (b) The elimination of hazards and minimization of risks through the implementation of preventive and protective measures implemented in the following order of priority: elimination or substitution, engineering and organizational controls, administrative controls, and where residual

or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation. Women and children are particularly vulnerable to trafficking practices.

⁶⁹To be consistent with the ILO Minimum Age Convention, 1973 (No. 138), the applicable minimum age will not be less than the age of completion of compulsory schooling and, in principle, not less than 15 years.

⁷⁰ See ILO Worst Forms of Child Labour Convention, 1999 (No. 182) and ILO Worst Forms of Child Labour Recommendation, 1999 (No. 190). Examples of hazardous work activities prohibited for children include work: (a) with exposure to physical, psychological or sexual abuse; (b) underground, underwater, working at heights or in confined spaces; (c) with dangerous machinery, equipment or tools, or involving handling or transport of heavy loads; (d) in unhealthy environments exposing children to hazardous substances, agents, or processes, or to temperatures, noise or vibration damaging to health; or (e) under particularly difficult conditions such as work for long hours, during the night or in unreasonable confinement on the premises of the employer.

⁷¹ [ILO Guidelines on Occupational Safety and Health Management systems, 2001](#). See also [United Nations Common System Occupational Safety and Health Framework](#), Chief Executives Board, 31 March 2015

hazards and risks cannot be controlled through these collective measures, provision of personal protective equipment at no cost to the worker;

(c) Safety and health training, including on the proper use and maintenance of personal protective equipment, at no cost to workers conducted by competent persons and the maintenance of training records;

(d) Recording and notification of occupational accidents and incidents and any resulting injuries, ill health or death;

(e) Emergency prevention and preparedness and response arrangements to emergency situations; and

(f) Employment injury benefits and/or remedies for adverse impacts such as occupational injuries, disability, ill health or disease and death.⁷²

19. All parties who employ or engage project/programme workers put in place the above safety and health processes and measures to prevent and protect workers from chemical, physical, biological and psychosocial hazards (including violence and harassment) and to establish and maintain safe and healthy workplaces including the work environment, organization, processes, tools machinery and equipment.⁷³ Such parties will actively consult and collaborate with project/programme workers and promote their understanding and participation in the implementation of safety and health measures, as well as provide them information, training and personal protective equipment. Mechanisms will be used for consultation and participation of project/programme workers, such as worker safety representatives or joint worker-management safety and health committees.
20. Workplace mechanisms will 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 will not be required to return to work until necessary remedial action to correct the situation has been taken, and will not be retaliated against or otherwise subject to reprisal or negative action.
21. Project/programme workers will be provided with safe and healthy facilities appropriate to the circumstances of their work, including access to canteens, hygiene facilities, and appropriate areas for rest. Where accommodation services are provided to project/programme workers, policies will be put in place and implemented on the management and quality of accommodation to protect and promote the health, safety, and well-being of the project/programme workers, and to provide access to or provision of services that accommodate their physical, social and cultural needs.
22. Where more than one party are employing or engaging workers and such workers are working together in one location, the parties who employ or engage the workers will collaborate in applying the OSH measures, without prejudice to the responsibility of each party for the safety and health of

⁷² These would include for example 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.

⁷³ See also *ILO Conventions 167, 184, and 176 on OSH in Construction, Agriculture and Mining*

its own workers. The design and implementation of OSH measures will be reviewed and necessary action taken in the event of significant changes in the working conditions or workers.

23. A process for conducting accident investigations and regular evaluation of preventive and protective measures and OSH performance will be put in place and necessary corrective actions will be adopted based on the results of such investigations and evaluations.
24. **Workplace grievance mechanism.** A grievance mechanism will be provided for all project/programme 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 will 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 will be put in place to make the grievance mechanism easily accessible to all such project/programme workers.
25. The grievance mechanism will be designed to address workers' concerns promptly, using an understandable, transparent process that provides timely feedback to those concerned in a language they understand, without any retribution, and will operate in an independent and objective manner. The grievance mechanism may utilize existing grievance mechanisms, providing that they are properly designed and implemented, address concerns promptly, and are readily accessible. Existing grievance mechanisms may be supplemented as needed with project/programme-specific arrangements.
26. The grievance mechanism will not impede access to other judicial or administrative remedies that might be available under the law or through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements. The mechanism will ensure workers' rights to be present and to participate directly in the proceedings and to be represented by a trade union or person of their choosing.
27. **Contractor/Third Party Workers.** Conduct due diligence to ascertain that third parties who engage project/programme workers are legitimate and reliable entities and have in place human resources management policies and processes and applicable OSH management systems that allow them to operate in accordance with the minimum requirements herein.
28. Establish procedures for managing and monitoring the performance of such third parties in relation to the minimum requirements provided in this thematic area, including incorporation of the minimum requirements into contractual agreements with such third parties, together with appropriate noncompliance remedies. In the case of subcontracting, require such third parties to include equivalent requirements and remedies in their contractual agreements with subcontractors.
29. Contractor workers will have access to a grievance mechanism. Where the third party employing or engaging the workers is not able to provide an easily accessible grievance mechanism, the grievance mechanism provided to direct project/programme workers will be made available.
30. **Primary Supplier Workers.** Identify potential risks of violations of supplier workers' fundamental rights⁷⁴ and safety and health issues which may arise in relation to primary suppliers (at a minimum), requiring the primary supplier to identify those risks. Establish roles and responsibilities for

⁷⁴ Freedom of association and the right to collective bargaining; the abolition of child and forced labour and non-discrimination and equal opportunity.

monitoring primary suppliers. If child labour or forced labour cases or breaches of other fundamental rights are identified, require the primary supplier to take appropriate steps to remedy them.

31. Additionally, where primary supplier workers are exposed to hazards that present a risk of serious injury, ill health or death, require the relevant primary supplier to introduce procedures and mitigation measures to address such safety and health issues. Such procedures and mitigation measures will be reviewed periodically to ascertain their effectiveness.
32. The ability to address these risks will depend upon the responsible party's level of control or influence over its primary suppliers. Where prevention and remedy are not possible, shift the project/programme's primary suppliers to suppliers that can demonstrate that they are meeting the relevant requirements herein. Where there is imminent danger of serious injury, ill health or death to workers, the responsible party will exercise its control or influence to stop the operation concerned until such time as the primary supplier can demonstrate that it can control the hazard in a manner consistent with the minimum requirements herein.

Thematic Area 8: Pollution Prevention and Resource Efficiency

1. **Introduction.** Increased industrial activity, urbanization, and intensive agricultural development often generate increased levels of pollution⁷⁵ to air, water, and land, and consume finite resources in a manner that may threaten people and the environment at the local, regional, and global level. Pollution prevention and resource efficiency are core elements of a sustainable development agenda and the programming of UN entities needs to meet good international practice in this regard.
2. **Objectives.** The objectives of the minimum requirements below are to:
 - Avoid and minimize adverse impacts on human health and the environment from pollution;
 - Promote more sustainable and efficient use of resources, including energy, land and water;
 - Avoid or minimize project/programme-related emissions of short and long-lived climate pollutants⁷⁶ and ozone-depleting substances;⁷⁷
 - Avoid or minimize generation of hazardous and non-hazardous waste, and promote a human rights-based approach to the management and disposal of hazardous substances and wastes;⁷⁸ and
 - Promote safe, effective, environmentally sound pest management.

Minimum Requirements

3. **Pollution prevention.** Avoid, and if not possible, minimize and control the intensity and flow of pollutants from routine, non-routine, and accidental releases. Establish preventive measures wherever possible and ensure that application of pollution prevention and control technologies are consistent with good international practice throughout the programming life-cycle. Use performance levels and measures specified in national law or in good international practice, whichever is more stringent.⁷⁹ If less stringent measures are appropriate, fully justify the chosen alternative through the assessment process, demonstrating that the alternative is consistent with these requirements. In addressing potential adverse impacts, consider ambient conditions and assimilative capacity of the environment, land use, proximity to ecologically sensitive areas, and the potential for cumulative impacts. If the project/programme will generate significant emissions in already degraded/polluted areas, adopt measures that avoid and minimize potential negative effects, including potential

⁷⁵ For the purposes of this thematic area, the term “pollution” refers to both hazardous and nonhazardous pollutants in the solid, liquid, or gaseous phases, and includes other components such as pests, pathogens, thermal discharge to water, GHG emissions, ozone-depleting substances, nutrient pollution, nuisance odors, noise, vibration, radiation, electromagnetic energy, and the creation of potential visual impacts including light.

⁷⁶ This includes GHGs (see the Climate Change Mitigation and Adaptation and Disaster Risk Reduction thematic area) and black carbon.

⁷⁷ Ozone Depleting Substances (ODSs) are manufactured halogen source gases that are controlled worldwide by the [Montreal Protocol](#). These gases bring chlorine and bromine atoms to the stratosphere, where they destroy ozone in chemical reactions.

⁷⁸ In this regard, due consideration should be given to the [Guidelines for good practices in relation to the human rights obligations related to the environmentally sound management and disposal of hazardous substances and wastes](#) (2017), prepared by the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes.

⁷⁹ For good international practice, see the performance measures in the [World Bank Group Environmental Health and Safety Guidelines](#).

alternative locations. Control runoff of contaminated water from project/programme sites and ensure polluted wastewater is treated.

4. **Wastes.** Avoid, and if not possible, minimize generation of waste, and reuse, recycle, and recover wastes in a safe manner. Develop waste management plans where waste generation and handling may be significant. Waste materials must be treated and disposed of in an environmentally sound manner with control of emissions and residues. Utilize reputable contractors and ascertain if licensed disposal sites are being operated to acceptable standards. If not, minimize waste sent to such sites and consider alternative disposal options. Obtain chain of custody documentation for third party disposal and ensure adherence to laws governing transboundary movement of wastes.
5. **Hazardous materials.** Avoid, and if not possible, minimize and control the use, release and community exposure to hazardous materials. Utilize less hazardous substitutes wherever possible, and where use of hazardous materials cannot be avoided, develop hazardous materials management and safety measures/plans per good international practice.⁸⁰ In the project/programme risk assessment, consider potential impacts on human rights of potentially affected groups as well as differentiated effects and risks on men, women, children and older persons to potential exposure to hazardous materials. Consider the special vulnerabilities faced by workers as well as low-income communities, indigenous peoples and minorities. Do not support the manufacture, trade, or use of chemicals or hazardous substances subject to international bans, restrictions or phase-outs unless for acceptable purposes as defined by the conventions or protocols (e.g. [Montreal Protocol](#), [Minamata Convention](#), [Basel Convention](#), [Rotterdam Convention](#), [Stockholm Convention](#)).
6. **Resource efficiency.** Implement technically and financially feasible measures for improving efficient consumption of energy, water, raw materials and other resources. Apply good international practices to improve resource efficiency, including principles of cleaner production, green design, sustainable infrastructure, and sustainable procurement where feasible.
7. **Water use and conservation.** Where project/programme activities involve high demand for water resources, apply measures to reduce water use and ensure that such usage does not have significant adverse impacts on communities, other users, or on the environment and ecosystems. Assess cumulative impacts of water use and implement appropriate mitigation measures such as water demand management, efficiency measures, benchmarking usage, alternative supplies, resource contamination avoidance, mitigation of impacts on downstream users, and water use offsets. Apply good international practice for water conservation and efficiency, including for irrigation activities and wastewater usage.
8. **Pesticide use and management.** Seek to avoid use of pesticides in supported activities. Where recourse to pesticide use is deemed necessary, adopt safe, effective and environmentally sound pest management in accordance with the WHO/FAO International Code of Conduct on Pesticide Management⁸¹ for the safe labelling, packaging, handling, storage, application and disposal of pesticides. Utilize Integrated Pest Management (IPM) and Integrated Vector Management (IVM) approaches. If after having considered available IPM approaches, pesticide use is deemed to be

⁸⁰ These include the principles of inherently safer design, life-cycle approach, and global approach. See [Guidelines for good practices in relation to the human rights obligations related to the environmentally sound management and disposal of hazardous substances and wastes](#) (2017), paras. 45-55.

⁸¹ FAO/WHO, [The International Code of Conduct on Pesticide Management](#) (2014).

justified, carefully consider hazards and select least toxic pesticides that are known to be effective, have minimal effects on non-target species and the environment, and minimize risks associated with development of resistance in pests and vectors. Develop a Pest Management Plan where use of a significant volume of pesticides is foreseen that demonstrates how IPM will be promoted to reduce reliance on pesticides and describes measures to minimize risks of pesticide use. Do not supply or use pesticides that 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 relevant international agencies.⁸² Users of any pesticides must be trained to handle pesticides in a proper and responsible manner and utilize appropriate application equipment and adequate personal protective equipment.

9. **Participation, access to information and accountability.** Ensure that the minimum requirements of the Stakeholder Engagement and Accountability thematic area are followed. Effectively and timely communicate all relevant information and facilitate the meaningful participation of potentially affected communities in relation to the design and implementation of pollution prevention and resource efficiency, as per good international practice.⁸³ Ensure an effective remedy for any adverse impacts on the people and the environments, which may include the remediation of contaminated sites, compensation, the cessation of action or inaction that gives rise to impacts, the provision of health care and the dissemination of information to prevent recurrence.⁸⁴

⁸² Including those that meet the criteria for Highly Hazardous Pesticides identified by WHO and FAO: (1) pesticide formulations that meet the criteria of classes Ia or Ib of the [WHO Recommended Classification of Pesticides by Hazard](#); (2) pesticide active ingredients and their formulations that meet the criteria of carcinogenicity, mutagenicity, and reproductive toxicity Categories 1A and 1B of the Globally Harmonized System on Classification and Labelling of Chemicals (GHS); (3) pesticide active ingredients listed by the [Stockholm Convention](#) in its Annexes A and B, and those meeting all the criteria in paragraph 1 of annex D of the Convention; (4) pesticide active ingredients and formulations listed by the [Rotterdam Convention](#) in its Annex III; (5) pesticides listed under the [Montreal Protocol](#); and (6) pesticide active ingredients and formulations that have shown a high incidence of severe or irreversible adverse effects on human health or the environment.

⁸³ These include the principles and standards set forth in the Aarhus [Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters](#) (1998), and the [Escazú Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean](#) (2018).

⁸⁴ See [Guidelines for good practices in relation to the human rights obligations related to the environmentally sound management and disposal of hazardous substances and wastes](#) (2017), para. 99.

Annex. Self-Assessment Tool

[To be completed. For voluntary use by UN entities and other partners who want to update or develop environmental and social standards consistent with this Common Approach.]

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