



*Empowered lives.  
Resilient nations.*

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# UNDP Social and Environmental Standards

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**POLICY UPDATE**  
**OPG approved in 2019**

Pre-Launch version: effective upon integration in UNDP Programme and Operations Policies and Procedures (POPP), anticipated in January 2021

## What is New

The proposed update to the SES focuses on the following top-line revisions:

- ✓ Alignment with the UN Sustainable Development Cooperation Framework country programming principles
- ✓ Inclusion of provisions addressing risks of gender-based violence, sexual harassment and sexual exploitation and abuse
- ✓ Inclusion of provisions addressing the rights of persons with disabilities
- ✓ Inclusion of provisions to strengthen disaster risk considerations
- ✓ Addition of a new Labour and Working Conditions Standard
- ✓ Alignment with UNDP's updated programme and project Management (PPM) and Enterprise Risk Management (ERM) policies
- ✓ Incorporation of provisions to strengthen alignment with the 2018 Global Environment Facility (GEF) safeguards policy, UN Model Approach to Environmental and Social Standards, and World Bank Environmental and Social Framework

Key changes include:

SES 2015 Sections/Issues	Proposed Change
Introduction	Introduction eliminated as not prescriptive
Scope of application	Updated PPM definition of programmes and projects
Overarching Policy/Principles	Renamed "Programming Principles" and revised to align with UN Sustainable Development Cooperation Framework guiding principles
GBV, sexual harassment, sexual exploitation and abuse provisions	Added to Gender and Women's Empowerment Principle, Community Health and Safety, Labour and Working Conditions and Assessment sections
Rights of persons with disabilities	Added provisions in Human Rights, Community Health and Safety, Displacement, Assessment, Stakeholder Engagement, Access to Information sections
Emphasis on resilience	Incorporated throughout Programming Principle 3 and in Standard 2 Climate Change and Disaster Risks
Disaster Risk Reduction	Mainstreamed across SES to reflect multi-hazard approach of Sendai Framework, and a dedicated focus in Standard 2
Biodiversity Conservation and Sustainable Natural Resource Management	Include risks of incidental take, illegal trade in protected species; revised mitigation measures for Natural Habitats, increased emphasis on management of risks to ecosystem services, added provisions on soil management, animal welfare and antibiotic use in agriculture/livestock management, and sustainable procurement (primary suppliers)
Climate Change and Disaster Risk	Strengthened provisions on disaster risks, strengthened section on risk analysis, rephrased GHG estimation language
Community Health Safety and Security	Broadened range of potential risks and impacts, strengthened focus on health and safety assessments, broader coverage of health risk exposure, revisions and additions on infrastructure safety, hazardous materials, antimicrobial stewardship, influx of project worker risks, impacts on ecosystem services, risk of reprisals

Cultural Heritage	Strengthened community participation provisions, confidentiality and restricted access, strengthened provisions of use of CH, and added provisions on additional measures for various types of CH
Displacement and Resettlement	Added emphasis on ensuring that any resettlement activities provide sufficient resources that seek to improve livelihoods. Also added exceptions where Standard does not apply, strengthened assessment provisions, strengthened monitoring and completion provisions
Indigenous Peoples	Strengthened provisions on engagement processes, assessment, appropriate benefits, Indigenous Peoples Plan
Labour and Working Conditions	New Standard (drafted in collaboration with ILO)
Pollution Prevention and Resource Efficiency	Various strengthening throughout, updated provisions on pesticides management
Policy Delivery Process:	Renamed "Social and Environmental Management System Requirements"
<ul style="list-style-type: none"> <li>Screening and Categorization</li> </ul>	Alignment of programme risk screening with Quality Assurance Framework and revised ERM Policy, including addition of Substantial Risk category
<ul style="list-style-type: none"> <li>Assessment and Management</li> </ul>	Reframed assessment criteria to apply to all assessments, expanded range of potential risks, added provisions re gender-based violence, persons with disabilities, risk of reprisals, and contractors and primary suppliers
<ul style="list-style-type: none"> <li>Stakeholder Engagement and Response Mechanisms</li> </ul>	Added provision on risk of reprisals
<ul style="list-style-type: none"> <li>Access to Information</li> </ul>	Added provision on making public record of consultations available
<ul style="list-style-type: none"> <li>Monitoring, Reporting and Compliance</li> </ul>	Added provisions on third party monitoring and on corrective actions

## Table of Contents

<b>Acronyms</b> .....	<b>2</b>
<b>Policy Objectives and Scope of Application</b> .....	<b>3</b>
<b>PART A: Programming Principles</b> .....	<b>5</b>
Leave No One Behind .....	5
Human Rights .....	6
Gender Equality and Women’s Empowerment .....	7
Sustainability and Resilience .....	8
Accountability.....	9
<b>PART B: Project-Level Standards</b> .....	<b>10</b>
Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management .....	11
Standard 2: Climate Change and Disaster Risks.....	18
Standard 3: Community Health, Safety and Security.....	22
Standard 4: Cultural Heritage.....	27
Standard 5: Displacement and Resettlement .....	32
Standard 6: Indigenous Peoples.....	38
Standard 7: Labour and Working Conditions .....	44
Standard 8: Pollution Prevention and Resource Efficiency.....	51
<b>PART C: Social and Environmental Management System Requirements</b> .....	<b>56</b>
Programming Quality Assurance and Risk Management .....	56
Project-Level Screening, Assessment and Management of Social and Environmental Risks and Impacts .....	56
Stakeholder Engagement and Response Mechanisms .....	61
Access to Information .....	64
Monitoring, Reporting and Compliance.....	64

## Acronyms

CPD	Country Programme Document
DIM	Direct Implementation Modality
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
FPIC	Free Prior and Informed Consent
GBV	Gender-Based Violence
GHG	Greenhouse Gas
GMO	Genetically Modified Organism
GRM	Grievance Redress Mechanism
HRBA	Human Rights-based Approach to Development Programming
ILO	International Labour Organization
IPCC	Intergovernmental Panel on Climate Change
IPP	Indigenous Peoples Plan
IPM	Integrated Pest Management
IVM	Integrated Vector Management
LAP	Livelihood Action Plan
LMO	Living Modified Organism
NGO	Nongovernmental Organization
NIM	National Implementation Modality
OAI	Office of Audit and Investigations
POPP	Programme and Operations Policies and Procedures
RAP	Resettlement Action Plan
SECU	Social and Environmental Compliance Unit
SEA	Strategic Environmental Assessment
SES	Social and Environmental Standards
SESA	Strategic Environmental and Social Assessment
SESP	Social and Environmental Screening Procedure
SRM	Stakeholder Response Mechanism
UNFCCC	United Nations Framework Convention on Climate Change
UNSDG	United Nations Sustainable Development Group
UNDP	United Nations Development Programme
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
WHO	World Health Organization

## Policy Objectives and Scope of Application

1. UNDP's Strategic Plan<sup>1</sup> and policy framework articulate the organization's strategic commitment to promoting the 2030 Agenda for Sustainable Development.<sup>2</sup> The SES underpin this commitment by ensuring social and environmental sustainability is mainstreamed across all programming. The SES are UNDP policy and require that all UNDP programming maximizes social and environmental<sup>3</sup> opportunities and benefits as well as ensures that adverse social and environmental risks and impacts are avoided, minimized, mitigated and managed. The SES do not define the substantive development outcomes and results orientation of UNDP's programming, as this is elaborated in UNDP's Strategic Plan and programming instruments.
2. Through application of the SES, UNDP enhances the consistency, transparency and accountability of its decision-making and actions, improves performance, and strengthens achievement of sustainable development outcomes. The SES assist UNDP staff, implementing partners and responsible parties to manage social and environmental risks and impacts of UNDP programmes and projects.<sup>4</sup>
3. The SES objectives are to: (i) strengthen the quality of programming by ensuring a principled approach; (ii) maximize social and environmental opportunities and benefits; (iii) avoid adverse impacts to people and the environment; (iv) minimize, mitigate, and manage adverse impacts where avoidance is not possible; (v) strengthen UNDP and partner capacities for managing social and environmental risks; and (vi) ensure full and effective stakeholder engagement, including through a mechanism to respond to complaints from project-affected people.

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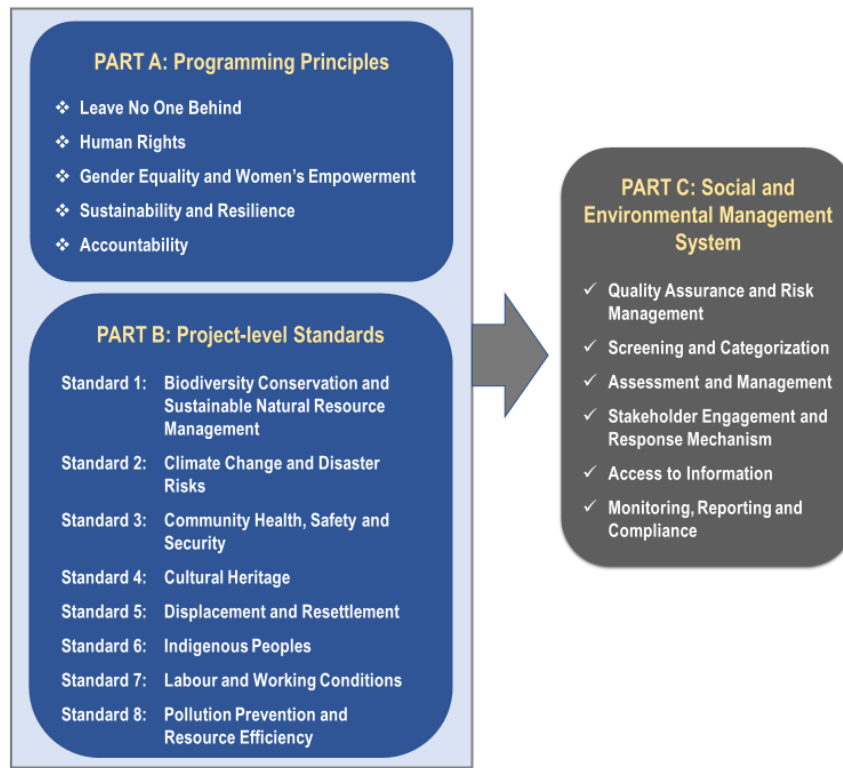
<sup>1</sup> UNDP Strategic Plan, 2018-2021, available at <http://strategicplan.undp.org/>.

<sup>2</sup> See [Transforming Our World: the 2030 Agenda for Sustainable Development](#), UN Doc. A/RES/70/1.

<sup>3</sup> The term 'social and environmental' should be understood to include the breadth of issues in the Programming Principles and Project-level Standards.

<sup>4</sup> UNDP "programming" comprises the planning, implementation, reporting and evaluation of development results achieved with partners through UNDP support. A UNDP "programme" is a plan for effectively contributing to outcome-level development results through UNDP's "project modalities:" development projects, the engagement facility and development services.

Figure 1: Key Elements of UNDP’s Social and Environmental Standards (SES)



4. UNDP ensures adherence to the SES for programming activities implemented using funds channeled through UNDP’s accounts,<sup>5</sup> regardless of implementation modality. In cases where implementation of the SES is found not to be adequate, UNDP will undertake appropriate measures to address shortcomings.
5. UNDP programmes and projects may involve partners that contribute in-kind resources or parallel funding and apply their own policies and procedures to achieve common objectives. Therefore, while UNDP does not ensure compliance with the SES beyond those activities funded through UNDP’s accounts, the entire programme or project is reviewed for consistency with the requirements of the SES.
6. When the implementing partner<sup>6</sup> is a government institution (National Implementation Modality or “NIM”), UN entity, inter-governmental organization, or nongovernmental organization (NGO), it is

<sup>5</sup> Excluding pass-through funds where UNDP serves only as the Administrative Agent.

<sup>6</sup> The “implementing partner” is the entity responsible and accountable for the overall management of a UNDP-supported project. It is the entity to which the Administrator has entrusted the implementation of UNDP assistance specified in a signed project document along with the assumption of full responsibility and accountability to UNDP for the effective use of UNDP resources and the delivery of expected outputs. The Implementing Partner enters into an agreement with UNDP to manage the project and achieve the results defined in the signed project documents. The accountability of an Implementing Partner is: to report, fairly and accurately, on project progress against agreed work

responsible and accountable to UNDP for overall management of the project. UNDP remains ultimately accountable to its Executive Board and respective donor(s) for the sound use of financial resources channeled through UNDP accounts and must ensure the quality of its support. Implementation of the SES is therefore integral to UNDP's quality assurance responsibilities.

7. UNDP supports sustainable practices in contracting and procuring goods and services. Procurement of certain goods and services may at times present social and environmental risks. UNDP's Sustainable Procurement Policy<sup>7</sup> seeks to identify such risks and to maximize environmental, social and economic considerations in the procurement process whenever possible. UNDP promotes sourcing from responsible suppliers and requires contractors to comply with, among other policies, the SES.<sup>8</sup>
8. UNDP is responsible for informing all implementing partners, responsible parties<sup>9</sup> and relevant contract holders of their obligations to address the SES in their respective activities.

## PART A: Programming Principles

9. UNDP applies the United Nations Sustainable Development Group (UNSDG) guiding principles for UN Sustainable Development Cooperation Frameworks (Cooperation Frameworks).<sup>10</sup> These principles form the normative foundation for the Cooperation Framework and integrated programming in all country contexts, with **“leave no one behind”** as the overarching and unifying principle. Leaving no one behind and reaching the furthest behind first is at the core of programming and advocacy efforts across all UN agendas. This principle is further elaborated through the guiding principles of human rights; gender equality and women's empowerment; sustainability and resilience; and accountability. The SES reinforce a “principled”<sup>11</sup> approach to all UNDP programming.

### Leave No One Behind

10. 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 UNDP 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. All persons living in extreme poverty, in any form, are left behind, together with those enduring disadvantage(s) that

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plans in accordance with the reporting schedule and required formats; and to maintain documentation and evidence that describes the proper and prudent use of project resources in conformity to the signed project document and in accordance with applicable regulations and procedures (e.g. SES). Possible Implementing Partners include government institutions (National Implementation Modality), eligible UN agencies, inter-governmental organizations (IGOs), eligible civil society organizations (CSOs), and UNDP (Direct Implementation Modality).

<sup>7</sup> See [UNDP Sustainable Procurement Policy](#).

<sup>8</sup> See [UNDP General Terms and Conditions for Contracts](#) (September 2017), para. 31.

<sup>9</sup> An implementing partner may enter into a written agreement with other organizations, known as responsible parties, to provide goods and/or services to the project, carry out project activities and/or produce outputs using the project budget. Responsible parties are directly accountable to the implementing partner in accordance with the terms of their agreement or contract with the implementing partner.

<sup>10</sup> UNSDG, [UN Sustainable Development Cooperation Framework](#), June 2019.

<sup>11</sup> “Principled” is one of UNDP's 7 [quality standards for all programming](#).



deny or limit their choices and opportunities relative to others in society. In identifying who is being left behind, UNDP considers five key factors: discrimination, geography, vulnerability to shocks, governance and socio-economic status.<sup>12</sup> At the intersection of these factors, people face multiple reinforcing sources of deprivation and inequalities. Programming to leave no one behind should follow the rights-based approach to development, including the application of a gender perspective. Actions and decisions that improve the lives of poor, excluded and marginalized groups and that address inequalities and discrimination include advocacy, creating enabling environments, capacity development and support for civil society, community empowerment, and enhancing the quality and accessibility of services.<sup>13</sup>

## Human Rights

11. UNDP recognizes the centrality of human rights to sustainable development, poverty alleviation, sustaining peace and ensuring fair distribution of development opportunities and benefits and is committed to supporting “universal respect for, and observance of, human rights and fundamental freedoms for all.”<sup>14</sup>
12. UNDP adheres to the United Nations Development Group (UNDG) Statement of Common Understanding of the Human Rights-Based Approach to Development Cooperation and Programming (UN Common Understanding)<sup>15</sup> which outlines that development programmes and policies should further the realization of human rights as laid down in the Universal Declaration of Human Rights and other human rights instruments. UNDP’s Strategic Plan 2018-2021 also recognizes the protection of human rights as a core development need central to addressing key development challenges.<sup>16</sup>
13. In furthering the realization of rights, UNDP refrains from providing support for activities that may contribute to violations of a State’s human rights obligations and the core international human rights treaties,<sup>17</sup> and seeks to support the protection and fulfillment of human rights. UNDP programmes and projects are required to be informed by human rights analysis, including from the UN human rights mechanisms (the relevant human rights treaty bodies, the Universal Periodic Review process and Special Procedures).
14. In its programmes and projects, UNDP upholds the principles of accountability and the rule of law, participation and inclusion, and equality and non-discrimination, noting that prohibited grounds of

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<sup>12</sup> See [UNSDG, Leaving no one behind – A UNSDG operational guide for UN Country Teams](#) (interim draft April 2019).

<sup>13</sup> Ibid, page 35ff.

<sup>14</sup> Charter of the United Nations, Article 1, para. 3.

<sup>15</sup> More information on the UN Common Understanding is available at <https://unsdg.un.org/resources/human-rights-based-approach-development-coordination>

<sup>16</sup> UNDP Strategic Plan 2018-2021, para. 22ff.

<sup>17</sup>These include the following: International Convention on the Elimination of All Forms of Racial Discrimination (1969), International Covenant on Civil and Political Rights (1976), International Covenant on Economic, Social and Cultural Rights (1976), Convention on the Elimination of All Forms of Discrimination against Women (1981), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1987), Convention on the Rights of the Child (1990), International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (2003), International Convention for the Protection of All Persons from Enforced Disappearance (2010), Convention on the Rights of Persons with Disabilities (2008).

discrimination include race, ethnicity, sex, age, language, disability, sexual orientation, gender identity, religion, political or other opinion, national or social or geographical origin, property, birth, health status or other status including as an indigenous person or as a member of a minority. UNDP also ensures the meaningful, effective and informed participation of stakeholders in the formulation, implementation, monitoring and evaluation of programmes and projects.

15. UNDP programmes and projects are inclusive of and accessible to persons with disabilities, with reasonable accommodations<sup>18</sup> provided to ensure that persons with disabilities can exercise all human rights and fundamental freedoms on an equal basis with others.
16. UNDP seeks to support governments to adhere to their human rights obligations and empower individuals and groups, particularly the most marginalized, to realize their rights and to ensure that they fully participate throughout UNDP's programming cycle. UNDP seeks to support State efforts to meet their human rights obligations as requested. UNDP does not have a monitoring role with respect to human rights. In the context of UNDP programmes and projects, UNDP's due diligence obligations require UNDP to monitor compliance with its policies.

## Gender Equality and Women's Empowerment

17. Gender equality is a fundamental human right and a necessary foundation for a peaceful, prosperous and sustainable world. Gender equality is central to UNDP support to countries to implement and achieve the 2030 Agenda for Sustainable Development and the Sustainable Development Goals as well as other commitments agreed by Member States. The promotion of gender equality and the empowerment of women are intrinsic to UNDP's human rights-based approach to development programming. This effort includes advocating for women's and girls' human rights, combating discriminatory practices, and challenging the roles and stereotypes that create inequalities and exclusion.<sup>19</sup>
18. UNDP programmes and projects are informed by gender analysis in their design and implementation. UNDP seeks to identify and integrate the different needs, constraints, contributions and priorities of women, men, girls and boys into its programming.<sup>20</sup> Both women and men are able to participate meaningfully and equitably, have equal access to programme and project resources, and receive comparable social and economic benefits.
19. UNDP programmes and projects promote gender equality and the empowerment of women. UNDP strengthens interventions tackling structural changes and remove the institutional, societal, political and legal barriers to accelerate gender equality and women's empowerment and will go beyond

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<sup>18</sup> Article 2 of the Convention on the Rights of Persons with Disabilities defines reasonable accommodations as "[n]ecessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms."

<sup>19</sup> See UNDP Gender Equality Strategy 2018-2021, available at <https://undocs.org/DP/2018/21>, and UNDP Strategic Plan (including signature solution 6 on strengthening gender equality and the empowerment of women and girls).

<sup>20</sup> References in SES to "women and men" or similar is understood to include "girls and boys" and other groups discriminated against based on their gender identities, such as transgender or transsexual people.

counting numbers of beneficiaries by sex. UNDP focuses on empowering and creating agency for women and men and closing gender gaps.

20. UNDP ensures that its programmes and projects do not discriminate against women or girls or reinforce gender-based discrimination and/or inequalities.
21. UNDP programmes and projects ensure allocation of financial resources for gender equality accordingly with its corporate target established in its Gender Equality Strategy 2018-2021.
22. UNDP uses sex-disaggregated data and gender sensitive indicators in its programming.
23. UNDP seeks to identify and address any risk of potential exposure of affected people to gender-based violence (GBV) and other abuse that may occur in connection with any of its supported activities. This includes a zero-tolerance policy for sexual exploitation and abuse involving UNDP personnel as well as personnel of the UNDP implementing partner and responsible parties. UNDP requires that appropriate prevention and response measures be adopted to prevent and to respond effectively to GBV, including designing activities to prevent and address potential exposure of project-affected people to GBV risks; screening of personnel; provision of training on prevention and response to GBV; effective reporting and response protocols; referrals for safe and confidential survivor assistance; and prompt investigation of allegations of GBV related to project activities.

## Sustainability and Resilience

24. Strengthening the resilience of societies to the impact of shocks, disasters, conflict and emergency situations, and the sustainable management, conservation and rehabilitation of natural habitats (and their associated biodiversity and ecosystem functions) are fundamental to UNDP's efforts to develop and implement sustainable development pathways. UNDP seeks to address poverty and inequality and to reduce vulnerabilities while maintaining and enhancing natural capital.
25. UNDP acknowledges that conflicts and environmental and disaster related risks and their effects hinder the implementation of the 2030 Agenda and integrates social, environmental and economic resilience and sustainability considerations into its programmes and projects to build resilience and achieve sustainable development. In line with its Strategic Plan, UNDP supports Programme Country efforts to reduce risks and vulnerabilities associated with shocks and hazards (whether from socioeconomic or natural causes), climate change, violence, conflict, political and social instability, or economic volatility.
26. In designing development cooperation activities, UNDP seeks to support Programme Countries and implementing partners to identify opportunities to advance sustainability and resiliency dimensions of development initiatives and to strengthen environmental management and protection.
27. UNDP uses and promotes a precautionary approach<sup>21</sup> to significant social and environmental challenges and requires application of the mitigation hierarchy to first avoid potential adverse

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<sup>21</sup> See Principle 15 of the [Rio Declaration on Environment and Development](#), (1992) noting that the lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent serious threats of environmental degradation.

impacts to people and the environment, or where avoidance is not possible, to then minimize, mitigate, and as a last resort, offset and compensate for potential residual adverse impacts.

28. UNDP assists Programme Countries, implementing partners and responsible parties to integrate low-emission, climate-resilient objectives into national and sectoral development plans, and ensures that supported programmes and projects enhance climate resiliency and avoid unwarranted increases in greenhouse gas (GHG) emissions, instead enhancing efficiency and reducing GHG intensity.
29. UNDP's disaster risk reduction and recovery work aims to deliver risk-informed development through actionable risk information, risk governance, early warning systems and preparedness, recovery and local (urban and community level) action. By working with Governments and partners towards 'risk-informed' national, local and sectoral development planning processes, UNDP helps build the resilience of communities and nations. This includes identifying and addressing the interconnections among issues related to the environment, human rights, conflict, crises and vulnerability, where relevant.

## Accountability

30. UNDP does not support activities that do not comply with national law and obligations under international law, whichever is the higher standard (hereinafter "Applicable Law").
31. UNDP promotes accountability to programme and project stakeholders by (i) enabling active local community engagement and participation in decision-making, particularly those at risk of being left behind; (ii) ensuring transparency of programming interventions through provision of timely, accessible and functional information regarding supported activities, including on potential environmental and social risks and impacts and management measures; (iii) ensuring stakeholders can communicate their concerns and have access to rights-compatible complaints redress processes and mechanisms; and (iv) ensuring effective monitoring—and where appropriate, participatory monitoring with stakeholders—and reporting on implementation of social and environmental risk management measures.
32. UNDP's SES are underpinned by an Accountability Mechanism with two key components: (i) the Stakeholder Response Mechanism (SRM) that ensures individuals, peoples, and communities affected by projects have access to appropriate grievance resolution procedures for hearing and jointly addressing complaints and disputes related to the social and/or environmental impacts of UNDP-supported projects; and (ii) the Social and Environmental Compliance Unit (SECU) which investigates alleged non-compliance with UNDP's Social and Environmental Standards and screening procedure from project-affected stakeholders and recommends measures to address findings of non-compliance.<sup>22</sup>

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<sup>22</sup> For further information, visit [www.undp.org/secu-srm](http://www.undp.org/secu-srm).

## PART B: Project-Level Standards

### Introduction

1. At the project level, UNDP Standards 1-8 further support implementation of UNDP's commitments to promoting that no one is left behind; human rights; gender equality and women's empowerment; sustainability and resilience; and accountability (collectively, the SES Programming Principles). The Standards set out specific requirements relating to different social and environmental issues.
2. UNDP's Project-level Standards relate to the following areas:
  - Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management
  - Standard 2: Climate Change and Disaster Risks
  - Standard 3: Community Health, Safety and Security
  - Standard 4: Cultural Heritage
  - Standard 5: Displacement and Resettlement
  - Standard 6: Indigenous Peoples
  - Standard 7: Labour and Working Conditions
  - Standard 8: Pollution Prevention and Resource Efficiency
3. Application of relevant SES requirements is determined during application of UNDP's Social and Environmental Screening Procedure (SESP) and social and environmental assessment requirements.
4. The SES Social and Environmental Management System (see Part C) describes the requirements regarding (i) screening, assessment and management of social and environmental risks and impacts; (ii) stakeholder engagement and response mechanisms; (iii) access to information; and (iv) monitoring, reporting and compliance.

## Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management

### Introduction

1. Conserving biodiversity,<sup>23</sup> maintaining ecosystem services,<sup>24</sup> and sustainably managing natural resources are fundamental to sustainable development. Biodiversity and healthy ecosystems strengthen our resilience to address environmental and social changes and shocks, including climate change impacts and disaster risks. UNDP seeks to maintain and enhance the goods and services provided by biodiversity and ecosystems in order to secure livelihoods, food, water and health, enhance resilience, conserve threatened species and their habitats, and increase carbon storage and sequestration.
2. UNDP is committed to integrating biodiversity and ecosystem management into development planning and production sector activities, strengthening protected areas systems, and managing and rehabilitating ecosystems for adaptation to and mitigation of climate change. UNDP seeks to strengthen effective governance and decision-making systems affecting biodiversity and ecosystems, including strengthening the rights of affected populations including women,<sup>25</sup> indigenous peoples and local communities to sustainable use of resources.
3. This Standard reflects the objectives of the Convention on Biological Diversity<sup>26</sup>—including the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the use of genetic resources—and other international

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<sup>23</sup> The Convention on Biological Diversity (CBD) defines biological diversity (i.e. biodiversity) as “the variability among living organisms from all sources including, *inter alia*, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part: this includes diversity within species, between species, and of ecosystems.” CBD, Article 2, available at <http://www.cbd.int/>.

<sup>24</sup> Ecosystem services are the benefits that people derive from ecosystems. Ecosystem services are organized into four types: (i) provisioning services, which are the goods people obtain from ecosystems (i.e. food, freshwater, timber, fibers, medicinal plants); (ii) regulating services, which are the benefits people obtain from the regulation of ecosystem processes (e.g. surface water purification, carbon storage and sequestration, climate regulation protection from natural hazards); (iii) cultural services, which are the nonmaterial benefits people obtain from ecosystems (e.g. sacred sites, areas of importance for recreation and aesthetic enjoyment); and (iv) supporting services, which are the natural processes that maintain the other services (e.g. soil formation, nutrient cycling, primary production).

<sup>25</sup> Women often face socio-cultural barriers to equitable access to resources and decision-making processes on resource use. With strong reliance on natural resource livelihoods, women are often on the front lines of risks posed by degradation of, and restricted access to, ecosystems and ecosystem services.

<sup>26</sup> UNDP supports implementation of national commitments under the CBD, including CBD’s Strategic Plan for Biodiversity 2011-2020 and the “Aichi Targets” at <http://www.cbd.int/sp/>. UNDP’s Biodiversity and Ecosystems Global Framework 2012-2020 outlines UNDP’s priorities and programs to conserve biodiversity and maintain ecosystem services, available at [http://www.undp.org/content/undp/en/home/librarypage/environment-energy/ecosystems\\_and\\_biodiversity/biodiversity-and-ecosystems-global-framework-2012-to-2020.html](http://www.undp.org/content/undp/en/home/librarypage/environment-energy/ecosystems_and_biodiversity/biodiversity-and-ecosystems-global-framework-2012-to-2020.html).

conventions and agreements.<sup>27</sup> UNDP promotes an ecosystem approach to biodiversity conservation and sustainable management of natural resources.<sup>28</sup>

## Objectives

- To conserve biodiversity
- To maintain and enhance the benefits of ecosystem services
- To promote sustainable management and use of living natural resources
- To ensure the fair and equitable sharing of the benefits from the utilization of genetic resources
- To respect, preserve, maintain and encourage 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

## Scope of Application

4. The applicability of this Standard is established during the social and environmental screening and categorization process. Requirements of this Standard apply to projects that (i) are located in modified, natural, and critical habitats; and/or (ii) potentially impact or are dependent on the ecosystem services of modified, natural, or critical habitats; and/or (iii) include production of living natural resources (e.g. agriculture, animal husbandry, fisheries, forestry).

## Requirements

5. **Precautionary approach:** UNDP ensures that a precautionary approach is applied to the use, development, and management of natural habitats, the ecosystem services of such habitats, and living natural resources.
6. **Risk identification and assessment:** As an integral part of the social and environmental assessment process, UNDP will ensure that direct and indirect impacts on natural resources, biodiversity, ecosystems and ecosystem services in the project's area of influence<sup>29</sup> are identified and addressed as early as possible. The assessment process will consider, *inter alia* (i) risks of habitat and species loss, degradation and fragmentation, invasive species, overexploitation, hydrological changes, nutrient loading, pollution, incidental take, potential climate change impacts, and (ii) differing values (e.g. social, cultural, economic) attached to biodiversity and ecosystem services by potentially affected communities. Potential cumulative, indirect and induced impacts will be assessed. Potential impacts across landscapes and seascapes will be considered to ensure that any adopted mitigation strategy aligns with regional conservation goals.

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<sup>27</sup> 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](#).

<sup>28</sup> The ecosystem approach is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. See Ecosystem Approach, Convention of Biological Diversity, available at <https://www.cbd.int/ecosystem/>.

<sup>29</sup> See the section on assessment and management for a definition of a project's area of influence.

7. **Use of experts:** For projects that may adversely affect biodiversity and ecosystems, UNDP ensures that qualified professionals assist in conducting assessments and in the design and implementation of mitigation and monitoring plans.
8. **Siting preference:** As far as possible, UNDP projects that may have adverse impacts under this Standard are sited in areas of low value for biodiversity and ecosystem services, and of low sensitivity to the anticipated impacts. In particular, whenever feasible, such projects are sited on lands where natural habitats have already been converted to other land uses. However, UNDP seeks to avoid siting projects on lands that were converted in anticipation of the project.
9. **Modified habitats:** In areas of modified habitat,<sup>30</sup> UNDP ensures that measures are adopted to minimize further unwarranted conversion or degradation of the habitat and resident species populations and identifies opportunities to enhance the habitat as part of the project.
10. **Natural habitats:** Where avoidance of adverse impacts on natural habitats<sup>31</sup> is not possible, UNDP proceeds only if viable alternatives are not available and if appropriate conservation and mitigation measures or plans<sup>32</sup> are in place that describe the conservation outcomes, implementation actions, and monitoring and evaluation arrangements (e.g. a Biodiversity Action Plan).
11. **Mitigation hierarchy:** Risk reduction measures follow a mitigation hierarchy that favours avoidance of potential adverse impacts over minimization, mitigation where adverse residual impacts remain, and, as a last resort, application of offset and compensation measures.<sup>33</sup> Mitigation measures are designed to achieve at least no net loss of biodiversity<sup>34</sup> and preferably a net gain over the long term, where possible.<sup>35</sup> 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, UNDP explores alternative designs to avoid the adverse impacts on biodiversity.
12. **Use of biodiversity offsets:** Biodiversity offsets<sup>36</sup> may be considered only after appropriate avoidance, minimization, and restoration measures have been applied. A biodiversity offset must be designed and implemented to achieve measurable conservation outcomes (demonstrated *in situ* and

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<sup>30</sup> Modified habitats are areas that may contain a large proportion of plant and/or animal species of non-native origin, and/or areas where human activity has substantially modified an area's primary ecological functions and species composition. Modified habitats may include areas managed for agriculture, forest plantations, reclaimed coastal zones, reclaimed wetlands, and regenerated forests and grasslands.

<sup>31</sup> 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.

<sup>32</sup> Including measures required to maintain affected ecological services.

<sup>33</sup> UNDP recognizes that compensation and offsets may eventually be incorporated as elements of a mitigation strategy; however, avoidance and minimization measures must first be fully considered.

<sup>34</sup> "No net loss" is defined as the point at which project-related impacts on biodiversity are balanced by measures taken to avoid and minimize the project's impacts, to undertake on-site restoration and finally to offset significant residual impacts, if any, on an appropriate geographic scale.

<sup>35</sup> Mitigation measures may include a combination of actions, such as project redesign, use of financial guarantees, post-project restoration, set-asides, and, as a last resort, offsets. Set-asides are land areas within the project area excluded from development and are targeted for the implementation of conservation enhancement measures. Set-asides will likely contain significant biodiversity values and/or provide ecosystem services of significance.

<sup>36</sup> Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development and persisting after appropriate avoidance, minimization and restoration measures have been taken.



on an appropriate geographic scale) that can reasonably be expected to result in no net loss and preferably a net gain<sup>37</sup> of biodiversity. In the case of critical habitats, biodiversity offsets are considered only in exceptional circumstances, and in such circumstances a net gain is required. The design of a biodiversity offset adheres to the “like-for-like or better” principle<sup>38</sup> and is carried out with best available information and current best practices. External experts with knowledge in offset design and implementation are involved.<sup>39</sup>

13. **Critical habitats:** UNDP seeks to ensure that project activities have no adverse impacts on critical habitats.<sup>40</sup> No project activities are implemented in areas of critical habitats, unless all of the following are demonstrated: (i) there are no measurable adverse impacts on the criteria or biodiversity values for which the critical habitat was designated, and on the ecological processes supporting those biodiversity values (determined on an ecologically-relevant scale); (ii) there is no reduction of any recognized Endangered, Vulnerable or Critically Endangered species,<sup>41</sup> (iii) any lesser impacts are mitigated, and (iv) a robust, appropriately designed, and long-term Biodiversity Action Plan is in place to achieve net gains of those biodiversity values for which the critical habitat was designated. Existing protected area management plans are reviewed to ensure alignment with this requirement.
14. **Illegal trade:** UNDP seeks to ensure that supported activities do not increase the risk of illegal trade of protected species.<sup>42</sup>
15. **Protected areas:** In circumstances where some project activities are located within a legally protected area<sup>43</sup> or an internationally recognized area,<sup>44</sup> UNDP ensures that, in addition to the

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<sup>37</sup> Net gains are additional conservation outcomes that can be achieved for the biodiversity values for which the critical habitat was designated.

<sup>38</sup> The principle of “like-for-like or better” indicates that biodiversity offsets must be designed to conserve the same biodiversity values that are being impacted by the project.

<sup>39</sup> For additional guidance on biodiversity offsets, see the Business and Biodiversity Offset programme Standard on Biodiversity Offsets (2012), available at <https://www.forest-trends.org/publications/standard-on-biodiversity-offsets/>

<sup>40</sup> Critical habitats are a subset of both modified and natural habitats that require special attention. Critical habitats are areas with high biodiversity value, including any of the following features: (i) habitat of significant importance to Critically Endangered and/or Endangered 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, (iii) identified by authoritative sources for their high conservation value (such as areas that meet criteria of the World Conservation Union classification, the Ramsar List of Wetlands of International Importance, and the United Nations Scientific and Cultural Organization’s world heritage sites), or (iv) recognized as protected by traditional local communities.

<sup>41</sup> As listed on the International Union for the Conservation of Nature (IUCN) Red List of Threatened Species or equivalent national or regional listings.

<sup>42</sup> 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.

<sup>43</sup> This Standard recognizes legally protected areas that meet the IUCN definition: “A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values.” Areas proposed by governments for such designation are included. UNDP may also consider ‘legitimate protected areas’ that are not legally established but are recognized as protected by local communities.

<sup>44</sup> Including UNESCO Natural World Heritage Sites and UNESCO Man and Biosphere Reserves, wetlands designated under the Convention on Wetlands of International Importance (the Ramsar Convention), indigenous protected areas (IPAs) or indigenous and community conserved areas (ICCAs).

requirements specified in paragraph 13 of this Standard, the following requirements also apply: (i) act in a manner consistent with any existing protected area management plans; (ii) consult protected area sponsors and managers, local communities, and other key stakeholders on the proposed activities; (iii) implement additional activities, as appropriate, to promote and enhance the conservation aims and effective management of the area. Where restrictions of access to protected areas may have potential adverse impacts on livelihoods of local communities, the requirements of Standard 5: Displacement and Resettlement apply.

16. **Management of ecosystem services:** UNDP requires that supported activities seek to avoid adverse impacts on ecosystem services of relevance to affected communities. If avoidance of adverse impacts is not possible, then mitigation and management measures aim to maintain the value and functionality of affected ecosystem services. Affected communities are involved and consulted on activities that may affect their ecosystem services.
17. **Invasive species:** UNDP requires that under no circumstances will species known to be invasive be introduced into new environments. Further, UNDP requires that no new alien species (i.e. species not currently established in the country or region of the project) will be intentionally introduced unless it is subjected to a risk assessment to determine the potential for invasive behavior, in accordance with the existing regulatory framework, if such a framework exists. Prior assessment of the possibility of accidental or unintended introduction of invasive species is undertaken, and appropriate mitigation measures adopted.
18. **Biosafety and genetic resources:** For projects that may involve the transfer, handling and use of genetically modified organisms/living modified organisms (GMOs/LMOs) that result from modern biotechnology and that may have adverse effects on biological diversity, UNDP ensures that a risk assessment is carried out in accordance with Annex III of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity. UNDP ensures that projects involving GMOs/LMOs include measures to manage any risks identified in the risk assessment.
19. **Forests:** project activities:
  - a. are consistent with the conservation of natural forests and biological diversity, ensuring that they are not used for the conversion of natural forests;
  - b. incentivize the protection and conservation of natural forests and their ecosystem services, and enhance other social and environmental benefits;
  - c. enhance the sustainable management of forests, including the application of independent, credible certification for commercial, industrial-scale timber harvesting;
  - d. maintain or enhance biodiversity and ecosystem functionality in areas where forest restoration is undertaken; and/or
  - e. ensure that plantations are environmentally appropriate, socially beneficial and economically viable, and utilize native species wherever feasible.

UNDP gives preference to small-scale community-level management approaches where they best reduce poverty in a sustainable manner.

20. **Water resources:** For projects that affect water resources, UNDP promotes an integrated water resources management approach that seeks the coordinated development and management of water, land and related resources in order to maximize the economic and social welfare in an equitable manner and without compromising the sustainability of ecosystems. UNDP seeks to ensure that projects avoid significantly altering flow regimes in ways that prevent water resources from fulfilling their functions for upstream and downstream ecosystems and their services to local communities.<sup>45</sup> Social and environmental risk assessments should address, among other issues, potential effects and impacts related to climate variability, water pollution, sedimentation, water-related disasters, drinking water supply, energy production, agriculture, and fisheries. Environmental flow analysis and management should be carried out to the extent feasible in the context of river basin planning.<sup>46</sup> See also Standard 8 regarding efficient use of water resources.
21. **Soil Management:** Projects avoid, and where avoidance is not possible, minimize adverse impacts on soils, their biodiversity, organic content, productivity, structure, water-retention capacity.
22. **Sustainable management of living natural resources:** Living natural resources<sup>47</sup> are managed in a sustainable manner. Sustainable resource management is the management of the use, development, and protection of resources in a way, or at a rate, that enables people and communities, including indigenous peoples, to provide for their social, economic, and cultural well-being while also sustaining the potential for those resources to meet the needs of future generations. This includes safeguarding biodiversity and the life-supporting capacity of air, water, and soil ecosystems. Sustainable management also ensures that people who are dependent on these resources are properly consulted, women and men have opportunities to equally participate in development, and benefits are shared equitably.
23. UNDP ensures sustainable resource management through the application of appropriate, industry-specific best management practices, and where codified, through application of one or more relevant credible standards as demonstrated by an independent verification or certification system.<sup>48</sup> Adopt appropriate measures, where relevant, to promote animal welfare, control for potential invasiveness or escape of production species, and minimization of antimicrobial resistance.

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<sup>45</sup> Potential adverse impacts on natural and critical habitats and ecosystem services will be addressed per the requirements of this Standard.

<sup>46</sup> Notification to Riparians on International Waterways: When a UNDP project could negatively affect the quality or quantity of water in an international waterway, UNDP or its partner will notify all riparian states in writing, at least 90 days prior to a decision on whether or not to proceed with the project, so that the riparians have the opportunity to raise objections or concerns or to request additional information. In situations where there is an international body that coordinates management of the waterway, such as a river basin commission, formal presentation of the proposed project at a meeting of that body will meet this notification requirement. Otherwise, notification should be directly to the appropriate ministry or agency of each riparian state. Documentation of the riparian notifications and any responses received should be included when the project is presented to management for approval.

<sup>47</sup> "Living natural resources" are defined as being the plants and animals cultivated for human or animal consumption and use, whether in the wild or in a cultivated situation. It includes all types of forestry, biofuels, agriculture, including both annual and perennial crops and animal husbandry, including livestock; and both wild and capture fisheries including all types of marine and freshwater organisms, both vertebrate and invertebrate.

<sup>48</sup> A credible certification system would be one which is independent, cost-effective, based on objective and measurable performance standards and developed through consultation with relevant stakeholders such as local people and communities, indigenous peoples, and civil society organizations representing consumer, producer and

24. For projects that involve the production, harvesting, and/or management of living natural resources by small-scale landholders and/or local communities, UNDP supports adoption of appropriate and culturally sensitive sustainable resource management practices.
25. **Access and Benefits Sharing:** For projects that involve the utilization of genetic resources, UNDP ensures that the collection of such resources is conducted sustainably and that benefits derived from their utilization are shared in a fair and equitable manner. UNDP ensures such projects are consistent with the Convention on Biological Diversity and its Nagoya Protocol.<sup>49</sup> Where genetic resources are collected from traditional or customary lands of indigenous peoples, the provisions of Standard 6: Indigenous Peoples apply, including the requirement of free, prior and informed consent (FPIC).
26. **Primary Suppliers:** When purchasing natural resource commodities, where possible, UNDP limits 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 adversely impacting these areas. UNDP encourages application of eco-labels and Environmental Product Descriptions (EPDs)<sup>50</sup> where available.

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conservation interests. Such a system has fair, transparent, and independent decision-making procedures that avoid conflict of interest.

<sup>49</sup> Convention on Biological Diversity can be found at <http://www.cbd.int/>. The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity can be found at <http://www.cbd.int/abs/>.

<sup>50</sup> 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."

## Standard 2: Climate Change and Disaster Risks

### Introduction

1. Climate change and disaster risks pose an increasing threat to sustainable development and the fight against poverty. They have the potential to stall and even reverse human development through impacts on key development sectors and activities, including agriculture and food production, water, ecosystems and other natural resources, and health. Climate change has become a key driver of hydro-meteorological disasters and has the potential to produce negative impacts through gradual environmental changes and may exacerbate extreme weather events, increasing the risk of slow and sudden-onset, high-impact disasters. Climate variability is contributing to the increasing frequency and impact of small-scale localized disasters with far-reaching long-term socio-economic and developmental impacts. Communities that are already subjected to impacts from climate change may experience an acceleration and/or intensification of impacts due to project activities that do not integrate and anticipate climate change and disaster risks.
2. UNDP supports countries to integrate disaster and climate risk concerns into national and sectoral development plans; advance low-emission and risk-informed development pathways; identify priority disaster risk reduction, risk governance, climate mitigation and adaptation<sup>51</sup> measures; and implement measures to reduce exposure and vulnerabilities and to increase adaptive capacity and build resilience.
3. UNDP ensures that its projects are sensitive to climate change and disaster risks and do not contribute to increased vulnerability to climate change and natural hazards.<sup>52</sup> UNDP mobilizes resources to support programme countries to address the whole spectrum of issues related to climate change and disaster risk reduction including financing their national adaptation costs and to advance risk-informed development in order to reduce disaster risks.
4. Reducing the negative impacts of climate change is pursued through two complementary strategies: mitigation (reducing greenhouse gas emissions<sup>53</sup> 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).
5. Disaster risks encompass a broad range of potential hazards, including biological, environmental, geological, hydrometeorological, and technological processes and phenomena. The Sendai

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<sup>51</sup> Adaptation is an adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.

<sup>52</sup> At times referred to as maladaptation, defined as “business-as-usual development which, by overlooking climate change impacts, inadvertently increases exposure and/or vulnerability to climate change. Maladaptation could also include actions undertaken to adapt to climate impacts that do not succeed in reducing vulnerability but increase it instead.” OECD, Integrating Climate Change Adaptation into Development Co-operation: Policy Guidance 2009, available at <http://www.oecd.org/env/cc/44887764.pdf>.

<sup>53</sup> “Greenhouse Gases” (GHGs) are 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 (CO<sub>2</sub>); methane (CH<sub>4</sub>); nitrous oxide (N<sub>2</sub>O); hydrofluorocarbons (HFCs); perfluorocarbons (PFCs); sulfur hexafluoride (SF<sub>6</sub>); nitrogen trifluoride (NF<sub>3</sub>) 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) and the phasedown of controlled hydrofluorocarbons (HFCs).

Framework for Disaster Risk Reduction<sup>54</sup> calls for decision-making to be inclusive and risk-informed while using a multi-hazard approach. Disaster risk reduction requires integrated analysis and planning to prevent, reduce, manage and strengthen resilience to potential hazards, including applying the concept of “build back better” after a disaster to increase the resilience of communities. Disaster risk reduction measures are integrated across the sections of the SES.<sup>55</sup> Under Standard 2, risks associated primarily with weather-related or hydrometeorological hazards are addressed.

6. UNDP strengthens the participation of women in decision-making processes on climate adaptation, mitigation and disaster risk reduction. UNDP supports countries to ensure that disaster risk reduction, climate mitigation and adaptation programmes specifically support women to strengthen their resilience, in part by securing rights and tenure to land and access to finance, housing livelihood diversification and other socio-economic assets and skills.

### Objectives

- To ensure that UNDP projects are sensitive to climate change and disaster risks in order to strengthen resilience and to achieve sustainable development outcomes
- To reduce project-related greenhouse gas (GHG) emissions and intensity

### Scope of Application

7. The applicability of this Standard is established during the social and environmental screening and categorization process. Requirements of this Standard apply to all projects that (i) have development outcomes that may be threatened by climate change or disaster risks; (ii) may contribute to increased exposure and/or vulnerability to climate change or disaster risks; or (iii) may produce significant GHG emissions.

### Requirements

8. **Climate change and disaster risk analysis, planning and implementation:** As an integral part of the social and environmental assessment process, UNDP ensures that proposed activities are screened and assessed for climate change and disaster risks and their impacts to project activities and outputs as well as the possibility that project activities could increase exposure to such risks. UNDP ensures that the status and adequacy and applicability of relevant climatic and disaster risk information is identified. If significant potential risks are identified, then further scoping and assessment of vulnerability, potential impacts, and avoidance and mitigation measures, including consideration of alternatives to reduce potential risks, will be required. The climate change and disaster risk assessment and related management planning will:
  - a. Examine potential exposure and sensitivity of relevant communities, ecosystems, and critical infrastructure to climate change impacts and hazards, both natural and human-made,

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<sup>54</sup> Available at <https://www.unisdr.org/we/coordinate/sendai-framework>.

<sup>55</sup> See for example the SES sections on Biodiversity Conservation and Sustainable Natural Resource Management; Community Health, Safety and Working Conditions; and Pollution Prevention and Resource Efficiency.

including extreme weather events and natural hazard-triggered technological (or “Natech”) accidents.<sup>56</sup>

- b. Analyse physical, social, economic and environmental factors or processes which increase the susceptibility and vulnerability of relevant communities to potential climate change impacts and hazards—with a particular focus on marginalized and disadvantaged groups and individuals. Consider potential specific gender-, age- and social vulnerabilities and differentiated impacts.
  - c. Examine the viability or longer-term sustainability of project outcomes due to potential climate change impacts and disaster risks. This will involve the identification of components that are sensitive or vulnerable to emerging or anticipated manifestations of climate change.
  - d. Assess whether activities may increase exposure or exacerbate vulnerability of communities to climate change impacts or disasters (e.g. maladaptation) and avoid activities that may exacerbate such risks. Project components must be assessed for potential unintended or unforeseen increases in vulnerability to impacts of climate change and potential hazards.
  - e. Identify potential project-related increases in emissions that may exacerbate climate change, such as GHG emissions and black carbon emissions.<sup>57</sup>
  - f. Ensure that appropriate climate and disaster risk management plans are in place, including but not limited to emergency and response plans and ensure appropriate monitoring and, where necessary, adoption of corrective measures.
  - g. Integrate where relevant climate change adaptation and disaster risk reduction considerations in planning (risk informing and “climate proofing”) and seek to identify opportunities for strengthening resilience and reducing vulnerabilities, including where possible through ecosystem-based approaches.<sup>58</sup> Seek synergies with existing or planned activities for generating climate change mitigation co-benefits (e.g. reduction in GHG emissions) where possible and exploiting potentially beneficial changes in climatic or environmental conditions to deliver developmental benefits.
  - h. 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.
9. **Greenhouse gases (GHGs):** UNDP seeks to minimize and avoid unwarranted increases in greenhouse gas emissions or other drivers of climate change from supported activities. UNDP ensures that

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<sup>56</sup> See UNISDR, [Words into Action Guidelines: 9. Natech Hazards and Risk Assessment \(2017\)](#).

<sup>57</sup> Black carbon (BC) is a primary aerosol emitted directly at the source from incomplete combustion processes such as fossil fuel and biomass burning.

<sup>58</sup> Among other measures, conserving biodiversity and promoting healthy ecosystems strengthens resilience to potential adverse climate change impacts and disaster risks and may facilitate effective adaptation strategies. See CBD/SBSTTA, [Guidelines for Ecosystem-Based Approaches to Climate Change Adaptation and Disaster Risk Reduction](#), January 2018 (draft); and E Cohen-Shacham, G Walters, C Janzen, S Maginnis (eds.) [Nature-based Solutions to Address Global Societal Challenges](#), IUCN 2016.

alternatives are considered and that technically and financially feasible and cost-effective options<sup>59</sup> to reduce project-related GHG emissions and intensity are adopted, in a manner appropriate to the nature and scale of the project's operations and impacts. Alternative options may include, but are not limited to, alternative project locations, adoption of renewable or low-carbon energy sources, energy efficiency (see Standard 8), use of low-global-warming-potential coolants for air-conditioning and refrigeration, and climate-smart agricultural, forestry, and livestock management practices, and ecosystem-based adaptation and mitigation measures (including potential integration of carbon sinks).

10. For projects that are expected to produce significant quantities of greenhouse gases, UNDP characterizes and estimates the potential sources of GHG emissions related to project activities to form a baseline for developing measures to reduce such emissions, providing such estimation is technically and financially feasible. UNDP ensures that relevant projects' emissions are tracked and reported in accordance with provisions of the UNFCCC and GHG minimization measures are implemented.<sup>60</sup>

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<sup>59</sup> Technical feasibility means the proposed measures and actions can be implemented with commercially viable skills, equipment and materials, taking into consideration prevailing local factors such as climate, geography, demography, infrastructure, security, governance, capacity and operational reliability. Financial feasibility means the ability to apply sufficient financial resources to install the measures and maintain them in operation in the long term. Cost-effectiveness is determined according to the capital and operational costs and also the financial benefits of the measure, considered over its lifespan.

<sup>60</sup> Estimation methodologies are provided by the Intergovernmental Panel on Climate Change, various international organizations, and relevant national agencies. Sectors most likely to emit significant quantities of GHGs include energy, transport, cement production, iron and steel manufacturing, aluminum smelting, petrochemical industries, petroleum refining, fertilizer manufacturing, agriculture, forestry and waste management.



## Standard 3: Community Health, Safety and Security

### Introduction

1. The Community Health and Safety Standard recognizes that project activities, equipment, and infrastructure can increase community exposure to risks and impacts. Potential negative impacts affecting health and safety may arise from a broad range of supported activities, including from infrastructure development and 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 labour, and potential abuses by security personnel. This Standard addresses the need to avoid or minimize the risks and impacts to community health, safety and security that may arise from project-related activities, with particular attention given to disadvantaged and marginalized groups. Measures to ensure occupational health and safety issues are addressed in Standard 7: Labour and Working Conditions.

### Objectives

- To anticipate and avoid adverse impacts on the health and safety of affected communities during the project life cycle from both routine and non-routine circumstances
- To ensure quality and safety in the design and construction of project-related infrastructure, preventing and minimizing potential safety risks and accidents
- To avoid or minimize community exposure to disaster risks, diseases and hazardous materials associated with project activities
- To ensure that the safeguarding of personnel and property minimizes risks to communities and is carried out in accordance with international human rights standards and principles
- To have in place effective measures to address emergency events, whether human-made or natural hazards

### Scope of Application

2. The applicability of this Standard is established during the social and environmental screening and categorization process. Requirements of this Standard apply to projects that may pose significant risks to human health and safety. Further requirements to avoid or minimize impacts on human health and the environment due to pollution are included in Standard 8: Pollution Prevention and Resource Efficiency.

### Requirements

3. **Community health and safety:** Community health and safety refers to protecting local communities from hazards caused and/or exacerbated by project activities (including flooding, landslides, contamination or other natural or human-made hazards), disease, and the accidental collapse or failure of project structural elements such as dams. Project-related activities may directly, indirectly or cumulatively change community exposure to hazards. A significant concern with major development projects is the spread of communicable diseases from the workforce to the surrounding communities.

4. **Assessments and management plans:** UNDP ensures that projects assess the risks to, and potential impacts on, the safety of affected communities during the design, construction, operation, and decommissioning of projects and establish preventive measures and plans to address them in a manner commensurate with the identified risks and impacts. These measures<sup>61</sup> will favour the prevention or avoidance of risks and impacts over their minimization and reduction. Appropriate health and safety assessments are undertaken<sup>62</sup> and management plans and systems adopted based on good international practice, tailored to the specific sector or activities in question, and designed and carried out with appropriate health and safety expertise. The assessment and adopted management measures take into account differences in risk exposure and sensitivity of women and men, as well as marginalized and disadvantaged groups, including children, older persons, persons with disabilities, minorities and indigenous people.
5. Consideration is given to potential exposure to both accidental and natural hazards, especially where the structural elements of supported activities are accessible to members of the affected community or where their failure could result in injury to the community. UNDP ensures that projects avoid or minimize the exacerbation of impacts caused by natural or human-made hazards, such as landslides or floods that could result from land use changes due to project activities.
6. **Community exposure to health issues:** UNDP ensures that projects avoid or minimize the potential for 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<sup>63</sup> and vector-borne diseases, and communicable and noncommunicable diseases, injuries, nutritional disorders, mental health, and well-being that could result from project activities, taking into consideration the differentiated exposure to and higher sensitivity of marginalized groups, including communities living in voluntary isolation. UNDP ensures that projects avoid or minimize transmission of communicable diseases that may be associated with the influx of temporary or permanent project labour. Where endemic diseases exist in the project area (e.g. malaria), UNDP explores ways to improve environmental conditions that could minimize the incidence of such diseases. Where projects involve the provision of health services and/or use of antibiotics, incorporate antimicrobial stewardship.<sup>64</sup>
7. **Infrastructure design and safety:** Structural elements and services (e.g. transportation) are designed, constructed, operated and decommissioned in accordance with national legal requirements, good international practice, and any relevant international obligations and standards by competent professionals and certified or approved by competent authorities or professionals. Structural elements of any infrastructure that may pose significant health and/or safety risks shall: (i) be designed and constructed by qualified engineers and professionals, (ii) be certified and approved

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<sup>61</sup> Preventive and control measures shall be consistent with good international practice, such as the World Bank Group Environmental, Health and Safety Guidelines (EHS Guidelines), available at <http://www.ifc.org/ehsguidelines>.

<sup>62</sup> For example, a hazard assessment, health risk assessment (including where relevant an environmental health risk assessment or a chemical health risk assessment), health impact assessment, or a health needs assessment.

<sup>63</sup> See for example the UNECE/WHO [Protocol on Water and Health](#).

<sup>64</sup> Antimicrobial stewardship is a coordinated program that promotes the appropriate use of antimicrobials (including antibiotics) that improves patient outcomes, reduces microbial resistance, and decreases the spread of infections caused by multidrug resistant organisms.

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.<sup>65</sup> Geological and geophysical hazards are considered, and appropriate risk assessments are undertaken where needed. If structural elements must be situated in a high-risk location (e.g. seismic activity, risk of extreme weather or slow onset events), then independent experts with relevant experience are engaged to review the relevant project activities as early as possible prior to construction and throughout the project cycle.

8. In addition, for project-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. Construction personnel will have appropriate qualifications and training. Where public access is intended, incremental risks of public's potential exposure to operational accidents or natural hazards are considered. Where relevant, potential traffic and road safety risks associated with project activities will be identified, evaluated and monitored. Ensure that contractors working on project sites appropriately manage health and safety risks and address the requirements herein.
9. **Universal access:** Wherever feasible, UNDP ensures the concept of universal access is applied in the design and construction of facilities and services open to or provided to the public on an equal basis with others.<sup>66</sup>
10. **Hazardous materials management and safety:** UNDP ensures that actions are taken to avoid, or where avoidance is not possible, minimize potential community exposure to hazardous materials and substances that may be utilized in or released by project activities. Where potential exposure exists to health-and life-threatening hazards, including to workers and their families, special care to

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<sup>65</sup> Note on dams: UNDP will not propose or implement any project or program supported by the Global Environment Facility (GEF) that would involve the construction or rehabilitation of large or complex dams. In the unlikely event that UNDP provides support for such dams in other programming, UNDP will ensure that best practice policies and/or guidelines are followed, such as those of the World Commission on Dams report "Dams and Development: A New Framework for Decision-Making," and the World Bank ESS4 Annex 1 Safety of Dams. Large dams are defined as those of 15 meters or more in height. Dams that are between 5 and 15 meters high and have a reservoir of more than 3 million cubic meters are also classified as large dams. Complex dams are those of a height between 10 and 15 meters that present special design complexities, including an unusually large flood-handling requirement, location in a zone of high seismicity, foundations that are complex and difficult to prepare, or retention of toxic materials. For large dams and dams that may pose significant safety risks, an independent panel of experts will be appointed 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), UNDP will ensure confirmation 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 (e.g. FAO's "Manual on Small Earth Dams," available at <http://www.fao.org/docrep/012/i1531e/i1531e00.pdf>). If the project relies on an existing dam or a dam under construction, an independent dam specialist will be engaged (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.

<sup>66</sup> Universal access means unimpeded access for people of all ages and abilities in different situations and under various circumstances. The Convention on the Rights of Persons with Disabilities requires adoption of "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" (Article 9).

avoid such exposure is taken by modifying, substituting, and eliminating the condition or material causing potential hazard. Hazardous material exposure risks from natural hazard-triggered accidents are considered. If hazardous materials are part of the existing project-related infrastructure, then due care will be exercised during construction, implementation and decommissioning in order to avoid exposure. Appropriate due diligence is undertaken to control the safety of deliveries and transportation and disposal of hazardous materials and wastes.

11. **Emergency preparedness:** UNDP ensures that the implementing partner, in collaboration with appropriate and relevant authorities and third parties, is prepared to respond to accidental and emergency situations in a manner appropriate to prevent and mitigate any harm to people and/or the environment. Emergency events include 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. Emergency preparedness, reflected in planning documents, includes the identification of areas where accidents and emergency situations may occur, communities and individuals that may be impacted, response procedures, provision of equipment and resources, designation of responsibilities, communication and notification channels, and periodic training to ensure effective response. The emergency preparedness and response activities is periodically reviewed and revised, as necessary to reflect changing conditions. UNDP considers the differential impacts of emergency situations on women and men, the elderly, children, persons with disabilities, and potentially marginalized groups, and strengthen the participation of women in decision-making processes on emergency preparedness and response strategies. Appropriate information about emergency preparedness and response activities, resources, and responsibilities is disclosed to affected communities.
12. **Risks associated with influx of project workers:** UNDP ensures that appropriate measures are taken, including by project contractors, to avoid, mitigate and manage the risks and potential adverse impacts on health and safety of communities arising from the influx of project-related workers into project areas. 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 of communities due to increased pressure on already scarce natural resources. Measures are implemented that seek to protect community members from such risks.<sup>67</sup> Project workers are provided training, awareness raising programmes and codes of conduct. Where relevant, alternative means to remedy significant stress on natural resources caused by increased population numbers are identified.
13. **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). UNDP ensures that measures are taken to avoid, or where avoidance is not possible, minimize such adverse impacts and implement appropriate mitigation measures that aim to maintain the value and

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<sup>67</sup> UNDP requires that appropriate prevention and response measures be adopted to prevent and to respond effectively to gender-based violence (GBV), including designing activities to prevent and address potential exposure of project-affected people to GBV risks; screening of personnel; provision of training on prevention and response to GBV; effective reporting and response protocols; referrals for safe and confidential survivor assistance; and prompt investigation of allegations of GBV related to project activities.

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, potential risks and impacts on ecosystem services that may be exacerbated by climate change are identified. See also Standard 1 regarding measures to conserve ecosystems and maintain ecosystem services.

14. **Security-related issues:** Where UNDP projects involve engagement of security personnel to protect facilities and personal property or to otherwise engage in project activities, security arrangements are provided in a manner that does not violate international human rights standards or principles,<sup>68</sup> or jeopardize the community's safety and security. UNDP ensures that potential risks posed by security arrangements to those within and outside the project area are assessed, that those providing security are appropriately vetted, trained and supervised, and that security arrangements are appropriately monitored and reported.<sup>69</sup> Reasonable inquiries are undertaken to verify that potential security personnel have not been implicated in past abuses and all allegations of unlawful or abusive acts will be reviewed and actions taken to prevent recurrence and reprisals against individuals and communities. Where necessary, UNDP reports unlawful and abusive acts to relevant authorities.

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<sup>68</sup> 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.

<sup>69</sup> UNDP applies the "Human rights due diligence policy on United Nations support to non-United Nations security forces" by which UN agencies ensure that any support that they may provide to non-United Nations forces is consistent with the purposes and principles of the Charter of the United Nations and with their responsibilities to respect, promote and encourage respect for international humanitarian, human rights and refugee law. See <http://www.ohchr.org/EN/NewYork/Pages/Resources.aspx>. For additional guidance, see also the Voluntary Principles on Security and Human Rights, available at <http://www.voluntaryprinciples.org/>.

## Standard 4: Cultural Heritage

### Introduction

1. UNDP recognizes that Cultural Heritage is central to individual and collective identity and memory, providing continuity between the past, present and future. Cultural Heritage reflects and expresses people's constantly evolving values, beliefs, knowledge, traditions and practices. Cultural Heritage also serves a crucial role within the sustainable development process through enhancing social cohesion, diversity, well-being and the quality of life; supporting cultural rights by protecting the heritage of minority and indigenous groups; fostering socio-economic regeneration; enhancing the appeal and creativity of cities and regions; boosting long-term tourism benefits; and enhancing sustainable practices. Cultural Heritage resources are often unique and irreplaceable, and may be particularly fragile due to neglect, exploitation, or even destruction given their symbolism.
2. UNDP seeks to ensure that Cultural Heritage is preserved, protected and promoted in project activities in a manner consistent with UNESCO Cultural Heritage conventions or any other national or international legal instruments that might have a bearing on the use of Cultural Heritage.<sup>70</sup>

### Objectives

- To protect Cultural Heritage from damage, inappropriate alteration, disruption, removal or misuse
- To preserve and safeguard Cultural Heritage
- To promote the equitable sharing of benefits from the use of Cultural Heritage
- To promote meaningful consultation with stakeholders regarding preservation, protection, utilization and management of Cultural Heritage

### Scope of Application

3. The applicability of this Standard is established during the social and environmental screening and categorization process. The Standard applies to projects that may adversely impact Cultural Heritage, including projects that meet any of the following criteria: (i) located in, or in the vicinity of, a Cultural Heritage site;<sup>71</sup> (ii) involving significant excavations, demolitions, movement of earth, flooding, or other environmental changes; (iii) proposes to utilize tangible or intangible forms of Cultural Heritage for commercial or other purposes.

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<sup>70</sup> These conventions include [The Hague Convention \(for Protection of Cultural Property in the Event of Armed Conflict\) \(1954\)](#), [The Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property \(1970\)](#), [The Convention on the Protection of the World Cultural and Natural Heritage \(1972\)](#), [The Convention for the Protection of the Underwater Cultural Heritage \(2001\)](#), [The Convention on the Safeguarding of the Intangible Cultural Heritage \(2003\)](#) and [the Convention for the Protection and Promotion of the Diversity of Cultural Expressions \(2005\)](#). See also the work of the [WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore \(IGC\)](#) relating to intellectual property and the protection of traditional knowledge and traditional cultural expressions.

<sup>71</sup> Examples may include UNESCO World Heritage Sites, legally protected areas, including areas proposed for such designation, and areas recognized by national governments. However Cultural Heritage sites may be unknown and not visible.

4. The requirements of this Standard apply to Cultural Heritage regardless of whether it has been legally protected or previously disturbed.
5. For projects that may impact the Cultural Heritage of indigenous peoples, the requirements of Standard 6: Indigenous Peoples apply. This Standard shall be interpreted in a manner to be consistent with the Standard 6.
6. The term “Cultural Heritage” includes tangible and intangible heritage which may be recognized and valued at the local, regional, national, or global level,<sup>72</sup> as follows:
  - *Tangible Cultural Heritage* includes moveable or immovable objects, sites, structures, groups of structures, human settlements and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Tangible Cultural Heritage may be located in any setting and in any environment (e.g. above or below ground or under water).
  - *Intangible Cultural Heritage*, also referred to as living 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, but is not limited to,: 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; or e) traditional craftsmanship.

## Requirements

7. **Avoidance, assessment and mitigation of adverse impacts:** UNDP projects seek to avoid supporting activities that may lead to significant adverse impacts to Cultural Heritage. UNDP considers potential direct, indirect, irreversible and cumulative risks and impacts to Cultural Heritage from project activities. Relevant projects implement globally recognized practices for field-study, inventorying, documentation, and protection of Cultural Heritage, including where appropriate a Heritage Impact Assessment.<sup>73</sup> Where avoidance is not possible—ensuring that all viable and feasible alternatives have been explored—UNDP minimizes potential impacts per the mitigation hierarchy and adopts appropriate mitigation measures (e.g. relocating or modifying the footprint of supported activities, in situ conservation and rehabilitation). Where potential adverse impacts may be significant, a Cultural Heritage Management Plan should be developed as part of the overall Environmental and Social Management Plan (ESMP). The impacts on Cultural Heritage resulting from project activities,

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<sup>72</sup> The listed elements and features do not need to be ancient in order to be considered Cultural Heritage and the minimum requirements do not apply an age limitation.

<sup>73</sup> For example, see the [ICOMOS Guidance on Heritage Impact Assessments for Cultural World Heritage Properties](#). Where supported activities may affect natural World Heritage sites, see [IUCN World Heritage Advice Note on Environmental Assessment](#).

including mitigating measures, may not contravene the country's national legislation, or its obligations under relevant international treaties and agreements.<sup>74</sup>

8. **Chance find procedures:** UNDP projects ensure that chance find procedures are included in all plans and contracts regarding project-related construction, including excavations, demolitions, movement of earth, flooding, or other changes in the physical environment; such procedures establish how chance finds of tangible Cultural Heritage shall be managed, including notification of relevant authorities and stakeholders, avoidance of further disturbance or damage, protection, documentation and assessment of found objects by relevant experts.
9. **Community participation, stakeholder consultations and use of experts:** For projects with potential adverse impacts, qualified and experienced Cultural Heritage experts and relevant stakeholders assist in the identification, documentation and appropriate management (e.g. 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 activities, ensure that the requirements of the Standard 6: Indigenous Peoples are followed.
10. **Continued access:** UNDP projects avoid restricting access to Cultural Heritage sites and to the instruments, objects, artefacts, cultural and natural spaces and places of memory necessary for expressing intangible Cultural Heritage. However, where this is not possible, projects ensure continued access based on stakeholder consultations and alternative routes are provided if access is blocked, subject to overriding safety and security considerations.
11. **Confidentiality and restricted access by communities:** Together with stakeholders UNDP projects 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 communities affected by project activities hold the location, characteristics or traditional use of Cultural Heritage in secret, then the project will support measures to maintain confidentiality and to respect customary practices of communities that limit access to specific aspects of their Cultural Heritage.
12. **Integration and use of Cultural Heritage:** Where a project proposes to integrate and/or utilize Cultural Heritage, including the knowledge, innovations, or practices of local communities, the project will engage in meaningful consultations and inform affected communities of their rights under Applicable Law, the scope and nature of the proposed development, and the potential consequences of such integration and utilization.
13. Where project activities seek to facilitate commercial use of Cultural Heritage by relevant communities as an option for them to consider (including alternative livelihood development), UNDP projects ensure that communities are informed of their rights and the options available to them.

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<sup>74</sup> See earlier footnote listing relevant conventions.



Project activities that envisage supporting specific commercial activities involving Cultural Heritage will not proceed without meaningful, effective participation of affected communities and unless good faith negotiations with affected communities result in a documented outcome that provides for fair and equitable sharing of benefits from such commercial use and appropriate mitigation and safeguarding measures per the mitigation hierarchy. The project will seek to ensure that any such commercial use does not distort the meaning and purpose of the community's Cultural Heritage.<sup>75</sup> For projects that propose to utilize Cultural Heritage of indigenous peoples, the requirements of Standard 6: Indigenous Peoples also apply.

14. **Intangible Cultural Heritage:** UNDP projects ensure respect for the dynamic and living nature of intangible Cultural Heritage and the right of communities, groups and, where applicable, individuals to continue the practices, representations, expressions, knowledge and skills necessary to ensure the viability of their intangible Cultural Heritage. Where projects may involve or affect intangible Cultural Heritage, they will ensure the meaningful participation of concerned parties in identifying risks and impacts to their intangible Cultural Heritage—including its decontextualization, commodification and misrepresentation—and in determining appropriate mitigation and safeguarding measures. This includes in the identification, inventorying, documentation, research, preservation, protection, promotion, enhancement, transmission, and revitalization of the various aspects of such heritage.
15. **Legally protected Cultural Heritage areas:** UNDP projects identify and avoid adverse impacts to legally protected Cultural Heritage areas; comply with defined national or local Cultural Heritage regulations, protected area management plans and/or conservation master plans; consult area sponsors and managers, local communities, local governments, local and national heritage authorities and other key stakeholders; and implement additional programs, as appropriate, to enhance conservation aims of those areas. A Heritage Impact Assessment may be necessary, particularly for sites with an international designation such as cultural World Heritage sites.

#### ***Further Provisions for Specific Types of Cultural Heritage***

16. **Archaeological sites and materials:** Where there is evidence or high probability of past human activity in the project area, UNDP projects require desk-based research and field surveys to document, map and investigate archaeological remains, document location and characteristics of sites and materials discovered during the project cycle, provide documentation to Cultural Heritage authorities, and provide documentation, with guidance on due obligations, to relevant authorities undertaking project activities (e.g. departments of waterworks, agriculture, tourism, transportation and energy). Projects will determine in consultation with Cultural Heritage experts whether discovered material requires (a) documentation only, (b) excavation and documentation, or (c) conservation in place (in situ); and will ensure management of the site accordingly. Most archaeological features are best protected by preservation in situ. If not possible, the transfer of the Cultural Heritage to another location shall be conducted in consultation with and agreement of project-affected people and appropriate national partners, in accordance with good international

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<sup>75</sup> For projects that also propose utilization of genetic resources, see Standard 1 requirements regarding upholding provisions of the Convention on Biological Diversity and its Nagoya Protocol.

practice. UNDP projects will determine ownership and custodial responsibility for discovered material. Until custody is transferred, UNDP will ensure identification, conservation, labeling, secure storage and accessibility for study and analysis.

17. **Built heritage:** UNDP projects identify appropriate mitigation measures to address potential impacts on built heritage, which may include (a) documentation; (b) conservation or rehabilitation in situ; and/or (c) relocation, reconstruction and conservation or rehabilitation. Most built heritage features are best protected by preservation in situ. If not possible, then the transfer of the Cultural Heritage to another location shall be conducted in consultation with and agreement of project-affected people, in accordance with good international practice. During any rehabilitation, UNDP projects maintain authenticity of form, construction materials and techniques of structures according to laws, regulations and good international practice. UNDP projects preserve physical and visual context of individual or groups of historic structures by considering appropriateness and effect of supported infrastructure proposed for the location within sight range.
18. **Landscapes and natural features with cultural significance:** UNDP projects identify through research and consultation with affected persons and communities the landscape elements and natural features with cultural significance, the people that value such elements and features, and individuals or groups with authority to represent and negotiate regarding their location, protection, and use. Landscapes and natural features derive much of their significance from their location and their holistic environmental context, and often can only be protected by preservation in situ. UNDP projects preserve physical and visual integrity of landscapes by considering appropriateness and effect of project activities (e.g. infrastructure) proposed for the location within sight range. In cases where natural features can physically be relocated and cannot be preserved in situ, their transfer to another location is conducted with participation and agreement of project-affected people, in accordance with good international practice. Project activities and any agreement reached regarding the transfer of natural features shall respect and enable continuation and transmission of the traditional practices associated with the landscape elements and natural features. See also Standard 1 regarding conservation of biodiversity and maintenance of ecosystem services.
19. **Movable Cultural Heritage:** UNDP projects include measures to guard against theft and illegal trafficking of movable Cultural Heritage (e.g. books, paintings, sculptures, costumes, jewelry, textiles) and artefacts stored and displayed in museums (or their equivalent) that are affected by project activities and notify relevant authorities if any such activity occurs. UNDP projects identify items that may be endangered and make provision for their protection throughout the project cycle. UNDP projects inform religious or secular authorities or other responsible Cultural Heritage custodians of project activities, schedule and alert them regarding potential vulnerability of movable Cultural Heritage items.

## Standard 5: Displacement and Resettlement

### Introduction

1. UNDP seeks to avoid physical and economic displacement in its projects. In exceptional circumstances and where avoidance is not possible, displacement may occur only with full justification, appropriate forms of legal protection and compensation, and according to the following requirements.
2. Activities that involve physical and economic displacement, including through land acquisition or restrictions on land use or access to resources, pose impoverishment risks. Potential impacts may include loss of livelihoods, homelessness, food insecurity, social cohesion, well-being and other adverse impacts. These impacts may lead to social unrest and political instability.

### Objectives

- To recognize and respect the prohibition on forced evictions
- To anticipate and avoid, or, when avoidance is not possible, minimize adverse social and economic impacts from land or resource acquisition or restrictions on land or resource use
- To enhance and restore the livelihoods of all displaced persons, and to improve the standards of living and overall socioeconomic status of displaced poor and other displaced groups and to support efforts to progressively realize the rights to adequate housing and adequate standards of living for displaced populations
- To ensure that resettlement activities are planned and implemented collaboratively with the meaningful and informed participation of those affected

### Scope of Application

3. The applicability of this Standard is established during the social and environmental screening and categorization process. It applies to all UNDP activities that may involve physical displacement (i.e. relocation or loss of shelter), whether full or partial and permanent or temporary, or economic and occupational displacement (i.e. loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land or resource acquisition or restrictions on land use or access to resources (including through project externalities such as pollution and impacts to biodiversity or ecosystem services) that people depend on for physical, economic, social, cultural, or spiritual well-being.
4. This Standard also applies to displacement activities occurring for associated facilities, displacement activities significantly related to the project, and displacement activities that have occurred in anticipation of a UNDP project.<sup>76</sup>
5. The Standard does not apply to voluntary, legally recorded market transactions in which the seller is fully informed about available choices and has the genuine right to retain the land and refuse to sell

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<sup>76</sup> As part of UNDP's commitment to ensure that potential cumulative impacts of multiple projects in a given area or landscape are identified and addressed, UNDP may require that impacts of displacement activities being planned or carried out contemporaneously with the project are also addressed.

it.<sup>77</sup> However, if the sale may displace people other than the seller, who occupy, use, or claim rights to the land in question, then these requirements shall apply. The Standard also does not apply to restrictions of access to natural resources under community-based natural resource management arrangements (e.g. the establishment of a community conserved area) where the relevant community decides to restrict its own access to these resources based on an appropriate community-decision making process that reflects voluntary, informed consensus.

6. For displacement and resettlement activities that may impact indigenous peoples, Standard 6: Indigenous Peoples shall also apply. This Standard shall be interpreted in a manner to be consistent with Standard 6.

## Requirements

7. **Prohibit forced evictions, allowing evictions in exceptional circumstances only:** 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. Forced evictions constitute gross violations of a range of internationally recognized human rights.<sup>78</sup> Any evictions that may be associated with project activities shall occur only in exceptional circumstances and be carried out lawfully with full justification and meet all of the following criteria: (a) authorized by national law; (b) carried out in full accordance with relevant provisions of international human rights and humanitarian law; (c) undertaken solely for the purpose of promoting the general welfare; (d) are reasonable and proportional, and (e) follow due process standards and are regulated so as to ensure full and fair compensation and rehabilitation. The protection provided by the requirements herein applies to all affected persons and groups, irrespective of whether they hold title to home and property under domestic law.
8. **Avoid, minimize and mitigate physical and economic displacement:** UNDP projects seek to avoid physical and economic displacement, and minimize and mitigate displacement impacts and inherent risks when displacement cannot be avoided. To this end, projects that may involve displacement<sup>79</sup> include the following measures and others identified as necessary:
  - a. As part of the social and environmental assessment, consider all feasible project alternatives and measures to avoid displacement. Where a comprehensive options assessment, including the “no action” option, indicates that displacement is unavoidable, minimize its potential scale and demonstrate that any project-related land acquisition and/or restrictions on land use are limited to direct project requirements.

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<sup>77</sup> Due diligence is required to ensure that the seller truly has the right to retain the land and is not compelled to sell it and that the accepted price is in line with the existing replacement cost. This may involve reviewing relevant agreements and meeting relevant parties.

<sup>78</sup> See UN Committee on Economic, Social and Cultural Rights, [General Comment No. 7: The right to adequate housing \(Art. 11\(1\): Forced evictions \(1997\)\)](#). Forced evictions are also prohibited by the [UN Basic Principles and Guidelines on Development-based Evictions and Displacement](#) (2007). See also UN Habitat/OHCHR, [Forced Evictions, Fact Sheet No. 25/Rev.1](#) (2014).

<sup>79</sup> Including activities undertaken by third parties (e.g. contractors) engaged by UNDP-supported projects that may lead to physical or economic displacement.

- b. Where displacement cannot be avoided, utilize experienced professionals in establishing baseline information, designing displacement activities and assessing potential risks and impacts. Identify potentially affected persons, lands, and assets through census, socio-economic surveys and evaluations, and asset inventories, including claims of affected groups not present as part of census (e.g. seasonal resource users). Clarify the tenure rights and relationships of potentially affected persons to affected lands and resources, including recognition of customary rights and collective or communal forms of land tenure.
  - c. Where potential displacement may be significant 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. Pay particular attention to the needs of directly-affected persons who are marginalized and disadvantaged. Risks posed by natural and human-made hazards should be considered and minimized in the selection of any potential resettlement sites or alternative livelihood areas. 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.
  - d. Public dissemination in accessible form and language of a written justification for the displacement activity and public disclosure of an action plan (e.g. Resettlement Action Plan, Livelihood Action Plan) sufficiently in advance of displacement activities.<sup>80</sup>
  - e. Access to effective remedies and to timely and affordable expertise, including legal counsel, to provide an understanding of rights and options.
  - f. Effective and informed consultations with affected populations and good faith efforts to secure negotiated settlements, even when expropriation options are available.
  - g. Ex-post evaluation of livelihood levels to examine if objectives of this Standard were met.
9. **Develop plans for displacement:** When physical displacement or economic displacement is unavoidable, UNDP integrates into the project documentation an action plan that has been developed transparently with the individuals and communities to be displaced, and meets the objectives and requirements of this Standard.
10. Action plans to address displacement impacts are proportionate to the risks and impacts associated with project activities. The degree of potential impacts is largely determined by the scope of physical and economic displacement and the vulnerability of affected persons.
11. A Resettlement Action Plan will typically be developed for physical displacement and a Livelihood Action Plan for economic displacement (noting that a combined plan may also be required). Displacement activities may also at times be conceptualized as a community development plan. Where the specific locations and magnitude of potential land acquisition and restrictions of land use

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<sup>80</sup> The UN Basic Principles and Guidelines on Development-Based Evictions and Displacement calls for at least 90 days' notice prior to the date of displacement.

are not fully known during preparation of project activities, a Resettlement or and/or Livelihood planning framework is required that specifies how further specific action plans will be developed once project components are defined and assessed. In all cases, action plans addressing project-related displacement impacts are to address the requirements of this Standard.

12. Where impacts on the entire displaced population are minor, an abbreviated action plan may be developed that establishes eligibility criteria for affected persons; compensation procedures and standards at full replacement cost designed at a minimum to restore affected persons assets and livelihoods; and arrangement for participation and collaboration of affected persons. Impacts are considered “minor” if affected persons are not physically displaced, are relatively few in number, and if activities involve minor land acquisition (affecting less than 10 percent of productive assets) and do not have significant livelihood impacts.
13. Action plans for activities involving physical displacement or economic displacement with significant social and economic impacts on affected persons are to provide sufficient resources and opportunities to enable displaced persons to benefit directly from programming activities with the aim to improve affected persons livelihoods and living standards in real terms compared to pre-displacement levels or to levels prevailing prior to the start of implementation, whichever is higher. Such plans will at a minimum address the following relevant elements, taking into account the full social and economic costs to displaced persons:
  - Establish eligibility criteria, cutoff dates, and entitlements for all categories of affected persons;
  - Provide (a) fair and just compensation at full replacement cost (based where relevant on the cost of replacement at resettled sites and locations) prior to displacement for any losses of personal, real or other property or goods, noting that compensation and support may be collective in nature; (b) transitional support (both financial and in-kind) based on reasonable estimates of the time required to restore and improve income-earning capacity, production levels, and standards of living; and (c) development assistance such as land development, credit facilities, direct benefits, training or employment opportunities, and provision of expertise, as appropriate. The combination of compensation, transitional support and development assistance will seek to improve pre-displacement productive capacity and earning potential of displaced persons;
  - Provide to displaced individuals and communities secure access to necessary services, shelter, food, water, energy, and sanitation, as applicable;
  - Consider gender aspects, recognizing women and men as co-beneficiaries and providing single women with their own compensation; and
  - Ensure impoverished individuals and marginalized or disadvantaged persons and groups are provided equal access to programming benefits and resources.
14. **Physical displacement:** Where project activities involve physical displacement, the action plan shall 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 a choice of replacement property with secure tenure<sup>81</sup> of higher value and better characteristics wherever possible<sup>82</sup> for affected persons or communities with formal land rights or recognizable claims.<sup>83</sup> Land-based resettlement strategies are utilized when affected livelihoods are land-based or where land is collectively owned;<sup>84</sup>
- Ensure resettlement sites provide adequate housing with improved living conditions, necessary civic infrastructure and services. 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;<sup>85</sup>
- 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;
- Stipulate that compensation is not required for encroachers after the established cut-off date, provided that the date has been well publicized.

15. **Economic displacement:** Where project activities involve economic displacement with significant social and economic impacts, the action plan shall 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 of improved value where legitimate tenure rights (both formal and informal) are restricted. Provide replacement agricultural sites of superior productive potential wherever possible, including through investments in increasing productivity. If it is clearly demonstrated that replacement land and resources are

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<sup>81</sup> Security of tenure means that resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. Activities that involve physical displacement should adhere to the [Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests \(VGGT\)](#).

<sup>82</sup> Replacement property must at a minimum be of equal value of lost assets, with additional investment provided by supported activities to improve its value and characteristics.

<sup>83</sup> It may be appropriate to negotiate in situ land development arrangements whereby displaced persons or communities accept partial loss of land for improvements that increase property value.

<sup>84</sup> Cash compensation for replacement property and assets is discouraged. Payment of cash compensation for lost land and other assets may be appropriate where livelihoods are not land-based or livelihoods are land-based but the land taken is a small fraction of the affected asset and the residual land is economically viable.

<sup>85</sup> See OHCHR/UN Habitat, [The Right to Adequate Housing, Fact Sheet 21/Rev. 1](#).

unavailable, offer cash compensation at full replacement cost and options and support for alternative income earning with evidence of mutual agreement;

- Compensate economically displaced persons who are without legally recognizable claims to land for lost assets other than land (e.g. crops, irrigation infrastructure, other improvements made to the land), at full replacement cost;
- 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 improved livelihood-earning potential and accessibility, wherever feasible. Provide alternative income earning opportunities and support if it is demonstrably not possible to provide replacement land and resources;
- If the programming activities restrict access to resources in legally designated parks or protected areas or other common property resources, establish a collaborative process with affected persons and communities to negotiate and determine appropriate restrictions and mitigation measures to improve affected livelihoods while maintaining the sustainability of the park or protected area.

16. **Addressing prior displacement:** When displacement has occurred in anticipation of a UNDP project, requirements of this Standard apply. When an unoccupied site from which prior residents were displaced is provided for a project, but not in anticipation of a project, UNDP shall determine if requirements of this Standard were met and, if not, if corrective action is feasible. If corrective action is feasible and would improve the standard of living of the displaced persons, UNDP ensures that corrective measures are pursued prior to, or if not feasible, then during implementation of the project.

17. **Monitoring and completion analysis:** UNDP projects with significant displacement impacts provide for independent monitoring by qualified experts of implementation of any action plans. Directly-affected persons are consulted on implementation of plans and collaborative monitoring with affected persons and communities is considered. Projects with significant displacement impacts prepare periodic monitoring reports and inform affected persons about monitoring results. A long-term monitoring plan is developed to assess impacts on standards of living of displaced persons and whether objectives of action plans have been achieved, taking into account baseline conditions. Project activities involving displacement are not considered complete until adverse impacts are addressed and plans are fully implemented. Utilizing experienced independent experts, undertake a completion analysis of whether livelihoods and living standards of affected persons were improved or at least restored, and where necessary, propose corrective actions.



## Standard 6: Indigenous Peoples

### Introduction

1. Indigenous peoples, as distinct people, are equal to all other peoples. Indigenous individuals and indigenous peoples or communities are entitled to enjoy and exercise their human rights without 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, resources, and Cultural Heritage 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, tangible and intangible Cultural Heritage, are necessary to achieve UNDP's goals of advancing human rights, respecting indigenous peoples identities and improving their well-being.

### Objectives

- To recognize and foster full respect for indigenous peoples' human rights as recognized under Applicable Law, including but not limited to their rights to self-determination, their lands, resources and territories, traditional livelihoods and cultures
- To support countries in their promotion and protection of indigenous peoples' rights, through implementation of domestic laws, policies, and project activities consistent with the State's human rights obligations
- To ensure that UNDP projects that may impact indigenous peoples are designed in a spirit of partnership with them, with their full and effective participation, with the objective of securing their free, prior, and informed consent (FPIC) where their rights, lands, territories, resources, traditional livelihoods may be affected
- To promote greater control and management by indigenous peoples over developments affecting them, including their lands, resources and territories, ensuring alignment of projects with indigenous peoples' distinct vision and self-identified development priorities
- To avoid adverse impacts on the rights of indigenous peoples, their lands, territories, resources, to mitigate and remedy residual impacts, and to ensure provision of just and equitable benefits and opportunities for indigenous peoples in a culturally appropriate manner

### Scope of Application

3. The applicability of this Standard is established during the social and environmental screening, categorization and assessment process. This Standard applies to all projects that may affect the human rights, lands, natural resources, territories, Cultural Heritage and/or traditional livelihoods of indigenous peoples regardless of whether (i) the project is located within or outside of the lands and territories inhabited by the indigenous peoples in question, (ii) a title is possessed by the affected indigenous peoples over the lands and territories in question, or (iii) the indigenous peoples are recognized as indigenous peoples by the country in question.

## Requirements

4. **Respect for domestic and international law:** UNDP does not participate in a project that violates the human rights of indigenous peoples as affirmed by Applicable Law and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).<sup>86</sup> UNDP ensures that social and environmental assessments for projects involving indigenous peoples include an assessment of their substantive rights, as affirmed in Applicable Law.
5. **Identification of indigenous peoples:** There is no one universally accepted definition of indigenous peoples. For purposes of this Standard, "indigenous peoples" refers to distinct collectives, regardless of the local, national and regional terms applied to them,<sup>87</sup> who satisfy any of the more commonly accepted definitions of indigenous peoples.<sup>88</sup> These definitions include, among other factors, consideration of whether the collective: has pursued its own concept and way of human development in a given socio-economic, political and historical context; has tried to maintain its distinct group identity, languages, traditional beliefs, customs, laws and institutions, worldviews and ways of life; has exercised control and management of the lands, territories and natural resources that it has historically used and occupied, with which it has a special connection, and upon which its physical and cultural survival as indigenous peoples typically depends; self-identifies as indigenous peoples; and/or pre-dates those who colonized the lands within which the collective was originally found or of which it was then dispossessed. When considering the factors above, no single one shall be dispositive. 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/or resources (regardless of their present physical location).
6. **Land, territories and resources:** UNDP projects recognize that indigenous peoples have collective rights to own, use, and develop and control the lands, resources and territories that they have traditionally owned, occupied or otherwise used or acquired, including lands and territories for which they do not yet possess title. Project activities that may undermine or inadvertently weaken such rights are avoided. If the project involves activities that are contingent on establishing legally recognized rights to lands, resources, or territories that indigenous peoples have traditionally owned, occupied or otherwise used or acquired, then an action plan is developed to outline the steps and timetable for achieving legal recognition of such ownership, occupation, or usage (see

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<sup>86</sup> This requirement is consistent with UNDP's obligations as per Article 42 of UNDRIP, which provides that the "United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration." See UN Declaration on the Rights of Indigenous Peoples, available at <http://undesadspd.org/IndigenousPeoples/DeclarationontheRightsofIndigenousPeoples.aspx>.

<sup>87</sup> For example, "tribal people", "first peoples", "scheduled tribes", "pastoralist", "hill people."

<sup>88</sup> Including but not limited to those provided for in the Convention concerning Indigenous and Tribal Peoples in Independent Countries (ILO Convention No. 169), the Study on the Problem of Discrimination against Indigenous Populations (the "Martínez Cobo Study"), and the Working Paper on the Concept of "Indigenous People" prepared by the Working Group on Indigenous Populations.

paragraph 16 below).<sup>89</sup> In such cases, UNDP, with the consent of the relevant authority or implementing partner, supports such activities aimed at delimiting, demarcating and titling such lands, resources, and territories with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.<sup>90</sup>

7. **Legal personality:**<sup>91</sup> UNDP recognizes that indigenous peoples' right to legal personality is critical to the protection, respect and fulfillment of their human rights. If a UNDP project involves activities that are contingent on the recognition of such legal personality, and such legal personality is not provided for in national laws consistent with the norms, values and customary laws of the peoples concerned, the action plan (see paragraph 16 below) outlines the steps and timetables for securing such recognition. In such cases, UNDP, with the consent of the relevant agency or implementing partner, supports such activities aimed at achieving such recognition.
8. **Involuntary resettlement:** No project supported by UNDP will result in the forcible removal of indigenous peoples from their lands and territories.
9. **Relocation:** No relocation of indigenous peoples will take place without the free, prior and informed consent (FPIC) of the indigenous peoples concerned and only after agreement on just and fair compensation and, where possible, with the option of return. Without prejudice to this requirement, for further guidance see the Standard 5: Displacement and Resettlement.
10. **Full, effective and meaningful participation and FPIC:** At the earliest stage of project conceptualization and design, and iteratively throughout implementation and closure, mechanisms are identified and implemented to guarantee the meaningful, effective and informed participation of indigenous peoples on all matters. Culturally appropriate consultation are carried out with the objective of achieving agreement and FPIC is ensured on any matters that may affect—positively or negatively—the indigenous peoples' rights and interests, lands, territories (whether titled or untitled to the people in question), resources, traditional livelihoods, and/or tangible and intangible Cultural Heritage. This includes any potential relocation and activities proposing the development, utilization or exploitation of mineral, forest, water or other resources on lands and territories traditionally owned, occupied or otherwise used or acquired by indigenous peoples, including lands and territories for which they do not yet possess title. Project activities that may adversely affect the

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<sup>89</sup> Legal recognition as discussed in paragraphs 6 and 7 is not a pre-requisite to the approval or implementation of all project activities. However, the term "contingent" in these two paragraphs is to be understood to mean where in the absence of such recognition and as a result of implementation of project activities there is a likelihood of adverse impacts to the rights, lands, resources and territories of indigenous peoples.

<sup>90</sup> See the [Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests \(VGGT\)](#).

<sup>91</sup> Legal personality of an indigenous people is not to be confused with the identification of indigenous peoples in paragraph 5. Legal personality refers to whether an individual or an entity that is legally formed and recognized under Applicable Law has the rights to sue, be sued and to contract. The lack of legal personality of indigenous peoples may prevent them from entering into binding agreements or holding title to lands. A group may be recognized by a State as an indigenous people, but still lack formal recognition of its 'legal personality' under the laws of that State.

existence, value, use or enjoyment of indigenous lands, resources or territories are not conducted unless agreement has been achieved through the FPIC process.<sup>92 93</sup>

11. **Documentation:** Engagement processes with indigenous peoples 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 programming design.
12. **Prior social and environmental impact study:** All projects that may impact the rights, lands, resources and territories of indigenous peoples require prior review and/or assessment of potential impacts and benefits.<sup>94</sup> Such reviews and assessments will be conducted transparently and with the full, effective and meaningful participation of the indigenous peoples concerned. The perspective of the indigenous peoples concerned is a critical starting point for impact assessment and the indigenous peoples concerned will have ample opportunities as early as possible to participate in the assessment and development of avoidance and mitigation measures. Indigenous and traditional knowledge is a valuable resource for identifying and addressing potential risks, including hazards and disaster risks, and should be incorporated throughout the project cycle. Projects with potentially significant adverse impacts require a full social and environmental assessment conducted by an independent and capable entity.<sup>95</sup> Assess all potential direct, indirect, social, cultural, spiritual environmental impacts on indigenous peoples, including potential impacts on their rights, lands, territories, and resources.<sup>96</sup> 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 programming strategies, designs and locations or consideration of not proceeding with the activities.

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<sup>92</sup> UNDP seeks to provide technical and financial support to the indigenous peoples concerned in order to increase the awareness of their rights and strengthen their participation in accordance with their own norms, values and customs and through representatives designated by them.

<sup>93</sup> To guide in the implementation of this requirement, UNDP will encourage Implementing Partners and relevant authorities to refer to the SES Guidance Note Standard 6 Indigenous Peoples in the [SES Toolkit](#).

<sup>94</sup> For projects without adverse impacts on rights, lands, resources and territories of indigenous peoples but which still affect indigenous peoples, UNDP ensures that such projects are reviewed to identify any potential other impacts. Reviews may take the form of a limited social and environmental impact assessment, social assessment, or mitigation and management plan.

<sup>95</sup> Where the American Convention on Human Rights is applicable, such study will be conducted by an independent and capable entity as per the Inter-American Court of Human Rights. This requirement is consistent with the decision of the Inter-American Court of Human Rights interpreting the American Convention. See *Saramaka People v. Suriname*. Preliminary Objections, Merits, Reparations and Costs. Judgment of 28 November 2007, Series C No. 172, at para. 129, available at: [http://www.corteidh.or.cr/docs/casos/articulos/seriec\\_172\\_ing.pdf](http://www.corteidh.or.cr/docs/casos/articulos/seriec_172_ing.pdf).

<sup>96</sup> 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.

Where avoidance of adverse impacts is not possible, minimize and mitigate residual impacts in a culturally appropriate manner per the mitigation hierarchy.

13. **Appropriate benefits:** UNDP ensures that arrangements, evidenced in a documented outcome, are concluded with indigenous peoples for the equitable sharing of benefits to be derived by the project in a manner that is culturally appropriate and inclusive giving full consideration to options preferred by the indigenous peoples concerned. The provision of compensation and benefits takes 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. Indigenous peoples affected by project activities 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.
14. **Support rights implementation:** UNDP projects are conducted in a manner consistent with UNDP's commitment to support countries to implement their duties and obligations under domestic and international law regarding the rights of indigenous peoples, including relevant treaty obligations. Without prejudice to paragraphs 6 and 7 above, whenever possible, and at the request of the relevant government, projects will include activities that support legal reform of domestic laws to strengthen compliance with the country's duties and obligations under international law with respect to the rights of indigenous peoples, and these steps and timetable are included in the Indigenous Peoples Plan.
15. Special considerations:
  - a. *Gender:* While respecting the norms, values and customs of the indigenous peoples and communities concerned, UNDP ensures that projects which may affect or involve indigenous peoples pay particular attention to the rights and special needs of women and girls, do not discriminate against women and girls and ensure that women and girls have equal opportunities to participate and benefit.
  - b. *Vulnerable and marginalized indigenous peoples:* Particular attention is paid to the rights and special needs of indigenous elders, youth, children, persons with disabilities, including consideration of special measures to improve their participation in decision-making and their general well-being.
  - c. *Uncontacted and voluntarily isolated indigenous peoples:* Where projects may directly or indirectly impact uncontacted or voluntarily isolated indigenous peoples, their lands, resources, territories or their way of life, this Standard requires that such projects respect and protect the right of these peoples to remain in isolation and to live freely in that condition according to their culture. Such projects include the appropriate necessary measures to (i) safeguard the collective and individual physical, territorial, and cultural integrity of these peoples, (ii) recognize, respect and protect their lands and territories, environment, health and culture, and (iii) prohibit and therefore avoid contact with them as a direct or indirect consequence of the project. Where relevant, UNDP supports countries to regularize the lands and territories of these peoples and establish buffer zones, to limit

access to such territories, and to develop monitoring and emergency response measures, making avoidance of contact a priority.

- d. *Cultural Heritage*: UNDP respects, protects, conserves and does not take or appropriate the cultural, intellectual, religious and spiritual property of indigenous peoples without their free, prior and informed consent. If indigenous peoples affected by project activities hold the location, characteristics or traditional use of Cultural Heritage in secret, measures to maintain confidentiality are put in place.<sup>97</sup> Without prejudice to this requirement, Standard 4: Cultural Heritage applies where Cultural Heritage of indigenous peoples may be affected by a project.
16. **Indigenous Peoples Plan**: If it is determined that the proposed project may affect the rights, lands, resources or territories of indigenous peoples, an "Indigenous Peoples Plan" (IPP) or "Indigenous Peoples Plan Framework" is elaborated and included in the project documentation.<sup>98</sup> This plan is developed in accordance with the effective and meaningful participation of indigenous peoples and in accordance with UNDP Guidelines.<sup>99</sup> The IPP is integrated into the design and implementation of the project. It must have a level of detail proportional to the complexity of the nature and scale of the proposed project and its potential impacts on indigenous peoples and their lands, territories, resources, traditional livelihoods, and/or Cultural Heritage. The IPP identifies potential risks and impacts, risk avoidance and mitigation measures, and specifies 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 programming activities are designed solely to benefit indigenous peoples, a separate action plan may not be required, provided that programming documentation addresses the above elements. In no case shall project activities that may adversely affect indigenous peoples, including the existence, value, use or enjoyment of their lands, resources or territories take place before the action plan is carried out.
  17. **Monitoring**: With the meaningful collaboration and contributions of indigenous peoples, methods are developed and implemented for verifying and reporting that the project has been designed and implemented in a manner consistent with this Standard. Transparent participatory monitoring arrangements are put in place wherein indigenous peoples will jointly monitor project implementation with the implementing partner.

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<sup>97</sup> See Convention on Biological Diversity: The [Tkarihwaï:ri Code of Ethical Conduct](#) to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities (CBD Decision X/42).

<sup>98</sup> An Indigenous Peoples Planning Framework may be required in cases where specific activities and locations have not yet been determined.

<sup>99</sup> See the UNDP SES Guidance Note Standard 6 Indigenous Peoples in the [SES Toolkit](#).

## Standard 7: Labour and Working Conditions

### Introduction

1. 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. Project activities seek to enhance employment promotion benefits, development outcomes and sustainability by ensuring sound worker-management relationships and cooperation in their design and implementation. The SES requirements have been guided by a number of international conventions and instruments, including those of the International Labour Organization (ILO) and the United Nations (UN).<sup>100</sup>

### Scope of Application

2. The applicability of this Standard is established during the social and environmental screening and categorization process. The requirements of this Standard are to be applied in an appropriately-scaled manner based on the nature and scale of the project, its specific activities, the project's associated social and environmental risks and impacts, and the type of contractual relationships with project workers.
3. The requirements regarding labour and working conditions apply to all project workers, including full-time, part-time, temporary, seasonal and migrant workers. Project workers are those workers who work on a project site or perform work related to the core functions<sup>101</sup> of the project regardless of location, including those workers employed or engaged by third parties<sup>102</sup> (see paragraphs 29-31) and the project's primary suppliers<sup>103</sup> (see paragraphs 32-34).
4. The requirements of this Standard are to be addressed by the party or parties responsible for implementing the relevant project activities, including implementing partners, responsible parties, contractors and subcontractors (referred to as "applicable parties" herein).

### Objectives

- To promote, respect and realize fundamental principles and rights at work<sup>104</sup> through:

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<sup>100</sup> These conventions (see [link](#)) 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 32.1* *UN Convention on the Protection of the Rights of all Migrant Workers and Members of their Families*.

<sup>101</sup> "Core functions" of a project constitute those production and/or service processes essential for a specific activity without which the project cannot continue.

<sup>102</sup> "Third parties" may include contractors, subcontractors, brokers, agents or intermediaries.

<sup>103</sup> "Primary suppliers" are those suppliers who, on an ongoing basis, provide directly to the Project goods or materials essential for the core functions of the Project.

<sup>104</sup> [ILO Declaration on Fundamental Principles and Rights at Work](#) (1998).

- 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
- To protect and promote the safety and health of workers
- To ensure applicable parties comply with employment and labour laws, applicable rules and regulations and international commitments
- To 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

## Requirements

5. **Terms and conditions of employment:** Written labour management procedures are established<sup>105</sup> that set out the conditions in which project workers will be employed or engaged and managed, in accordance with the requirements herein and applicable labour laws, rules and regulations.<sup>106 107</sup> The procedures are appropriate to the size, locations and workforce of project activities.
6. Project workers are provided information and documentation that is clear and understandable regarding their terms and conditions of employment, including information that sets out their rights under applicable labour laws, rules and regulations (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.<sup>108</sup> This information and documentation is provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment or engagement occur.
7. Project workers are paid on a regular basis as required by applicable labour laws, rules and regulations.<sup>109</sup> Deductions from payment of wages are only made as allowed by human resources management policies and applicable labour laws, rules and regulations. Project workers are informed of the conditions under which such deductions will be made. Project workers are provided with adequate periods of rest per week, annual holiday and sick, maternity and family leave, as required by applicable labour laws, rules and regulations.
8. Project workers receive written notice of termination of employment and details of severance payments in a timely manner as required by applicable labour laws, rules and regulations. All wages that have been earned, social security benefits, pension contributions and any other entitlements

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<sup>105</sup> Labour management procedures include relevant human resources policies and procedures for the engagement of contractors.

<sup>106</sup> The requirements, whether herein or in national law, that are the most protective of workers shall apply unless the application of requirements herein would violate national law.

<sup>107</sup> For project workers who are employed or engaged by the United Nations and its specialized agencies, conditions of employment are governed by the respective entity's internal rules, in accordance with the relevant provisions of the Convention on the Privileges and Immunities of the United Nations, 1946.

<sup>108</sup> Ibid.

<sup>109</sup> Ibid.



are paid, either directly to the project workers or, where appropriate, for the benefit of the project workers, with evidence of such payments.

9. **Non-discrimination and equal opportunity:** Decisions relating to the employment or treatment of project workers are not made on the basis of personal characteristics unrelated to inherent job requirements.<sup>110</sup> The employment of project workers is based on the principle of equality of opportunity and treatment, and there shall 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 shall receive equal remuneration for work of equal value. The labour management procedures shall set out measures to prevent and address violence, harassment, intimidation and/or exploitation. Where applicable labour laws, rules and regulations are inconsistent with this paragraph, activities are carried out in a manner that is consistent with these requirements to the extent possible.
10. Neither special measures of protection and assistance to remedy discrimination nor selection for a particular job based on the inherent requirements of the job are not deemed as discrimination.
11. Appropriate measures of protection and assistance are provided to address the vulnerabilities of project workers, including specific groups of workers, such as women, persons with disabilities, migrant workers and young workers.
12. Appropriate measures will be taken to prevent and address any form of violence and harassment, bullying, intimidation and/or exploitation, including any form of gender-based violence (GBV).
13. **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 applicable parties subject to national law who have engaged project workers must comply. In such circumstances, the role of legally established workers' organizations and legitimate workers' representatives is respected and they will be provided with information needed for meaningful negotiation in a timely manner. Where national law restricts workers' organizations, the applicable parties subject to national law shall not restrict project workers from developing alternative mechanisms to express their grievances and protect their rights regarding working conditions and terms of employment and shall not seek to influence or control these alternative mechanisms. The applicable parties shall not discriminate or retaliate against project workers who participate, or seek to participate, in such workers' organizations and collective bargaining or alternative mechanisms.
14. **Forced labour:** Forced labour, which consists of any work or service not voluntarily<sup>111</sup> performed that is exacted from an individual under threat of force or penalty, shall not be used in connection with

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<sup>110</sup> 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.

<sup>111</sup> Work is on a voluntary basis when it is done with the free and informed consent of a worker. Such consent must exist throughout the employment relationship and the worker must have the possibility to revoke freely given consent. In particular, there can be no "voluntary offer" under threat or other circumstances of restriction or deceit. To assess the authenticity of a free and informed consent, it is necessary to ensure that no external constraint or indirect coercion has been carried out, either by an act of the authorities or by an employer's practice.

the project.<sup>112</sup> This prohibition covers any kind of involuntary or compulsory labour, such as indentured labour, bonded labour, or similar labour-contracting arrangements. No trafficked persons may be employed in connection with the project activities.<sup>113</sup>

15. Where cases of forced labour are identified, immediate steps must be taken by the applicable parties to correct and remedy them.
16. **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), may not be used in connection with or arising from the project activities.
17. A minimum age for employment shall be specified in connection with the project activities, as determined by national law for applicable parties subject to national law and consistent with the ILO Convention No. 138.<sup>114</sup>
18. Notwithstanding paragraph 16 above, a child under the age of 18 may not perform work in connection with or arising from the project activities 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 should derive from the relevant ILO instruments.<sup>115</sup> In addition, a child under the age of 18 may not, in connection with project activities, 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.
19. Where cases of child labour are identified, immediate steps shall be taken by applicable parties to correct and remedy them, including the rehabilitation and social integration of the child where necessary.
20. **Occupational safety and health (OSH):** Necessary processes and measures that address the safety and health of project workers shall be in place to support project design, planning and implementation. These processes and measures may be encompassed and implemented through

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<sup>112</sup> See the Forced Labour Convention, 1930 (No.29), as well as the Protocol of 2014 to the Forced Labour Convention.

<sup>113</sup> 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, 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.

<sup>114</sup>To 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.

<sup>115</sup> 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.

the applicable party's occupational safety and health management system<sup>116</sup> or processes and shall 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) Elimination of hazards and minimization of risks through implementation of preventive and protective measures in the following order of priority: elimination or substitution, engineering and organizational controls, administrative controls, and where residual 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.<sup>117</sup>
21. All applicable parties who employ or engage project workers shall put in place the above safety and health processes and measures to prevent and protect workers from chemical, physical, biological and psychosocial hazards and to establish and maintain safe and healthy workplaces including the work environment, organization, processes, tools machinery and equipment.<sup>118</sup> Such parties actively consult and collaborate with project 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 are used for consultation and participation of project workers, such as worker safety representatives or joint worker-management safety and health committees.
22. Workplace mechanisms are made available for project 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 workers who remove themselves from such situations are not required to return to work until necessary remedial action to correct the situation has been taken, and are not retaliated against or otherwise subject to reprisal or negative action.
23. Project workers are 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

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<sup>116</sup> [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

<sup>117</sup> 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.

<sup>118</sup> See also *ILO Conventions 167, 184, and 176 on OSH in Construction, Agriculture and Mining*

appropriate on the basis of the work performed. Where accommodation services are provided to project workers, policies are 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 workers, and to provide access to or provision of services that accommodate their physical, social and cultural needs.

24. 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 shall collaborate in applying the OSH measures, without prejudice to the responsibility of each applicable party for the safety and health of its own workers. The design and implementation of OSH measures shall be reviewed and necessary action taken in the event of significant changes in the working conditions or workers.
25. A process for conducting accident investigations and regular evaluation of preventive and protective measures and OSH performance shall be put in place and necessary corrective actions adopted based on the results of such investigations and evaluations.
26. **Workplace grievance mechanism:** A workplace grievance mechanism (distinct from any general project-level grievance mechanism) is provided for all project workers (and, where relevant, their organizations) to raise workplace concerns (including potential violations of existing rights and entitlements as provided for in legislation, collective agreements, employment contracts and human resources policies). The mechanism will be easily accessible to project workers who are to be informed of the grievance mechanism at the time of recruitment and the measures to protect them against any reprisal for its use.
27. The grievance mechanism shall 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 shall operate in an independent and objective manner. The grievance mechanism may utilize existing grievance mechanisms, providing that they meet the above criteria. Existing grievance mechanisms may be supplemented as needed with project-specific arrangements.
28. The grievance mechanism shall not impede access to other judicial or administrative remedies that might be available under applicable laws, regulations or rules or through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements, if applicable. The mechanism ensures workers' rights to be present and to participate directly in the proceedings and to be represented by a trade union, if applicable, or person of their choosing.
29. **Contractor/Third Party Workers:** Due diligence is conducted to ascertain that third parties who engage project workers are legitimate and reliable entities and have in place appropriate policies, processes and systems that allow them to operate in accordance with the minimum requirements herein.
30. Procedures are established for managing and monitoring the performance of such third parties in relation to the minimum requirements herein, including incorporation of the minimum requirements into contractual agreements with such third parties, together with appropriate noncompliance

remedies. In the case of subcontracting, third parties are required to include equivalent requirements and remedies in their contractual agreements with subcontractors.

31. Contractor workers shall 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 workers shall be made available.
32. **Primary Supplier Workers.** Potential risks of violations of primary supplier workers' fundamental rights<sup>119</sup> and safety and health issues which may arise in relation to primary suppliers (at a minimum) are to be identified. Roles and responsibilities for monitoring primary suppliers are established. If child labour or forced labour cases or breaches of other fundamental rights are identified, the applicable party will require the primary supplier to take appropriate steps to remedy them.
33. Additionally, where primary supplier workers are exposed to hazards that present a risk of serious injury, ill health or death, the relevant primary supplier is required to have procedures in place to address such safety and health issues. Such procedures and mitigation measures shall be reviewed periodically to ascertain their effectiveness.
34. The ability to address these risks shall depend upon the applicable party's level of control or influence over its primary suppliers. Where prevention and remedy are not possible, shift the project'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 applicable party shall 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.

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<sup>119</sup> Freedom of association and the right to collective bargaining; the abolition of child and forced labour and non-discrimination and equal opportunity.

## Standard 8: Pollution Prevention and Resource Efficiency

### Introduction

1. The Pollution Prevention and Resource Efficiency Standard recognizes that increased industrial activity, urbanization, and intensive agricultural development often generate increased levels of pollution<sup>120</sup> 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 UNDP projects must meet good international practice in this regard.
2. This Standard outlines a project-level approach to pollution prevention and resource efficiency. Reduction of greenhouse gas emissions that contribute to climate change is addressed in Standard 2: Climate Change and Disaster Risks.

### Objectives

- To avoid or minimize adverse impacts on human health and the environment by avoiding or minimizing pollution from project activities
- To promote more sustainable use of resources, including energy, land and water
- To avoid or minimize programming-related emissions of short and long-lived climate pollutants<sup>121</sup> and ozone-depleting substances<sup>122</sup>
- To avoid or minimize generation of hazardous and non-hazardous substances and wastes, and promote a human rights-based approach to the management and disposal of hazardous substances and wastes<sup>123</sup>
- To promote safe, effective, environmentally sound pest management

### Scope of Application

3. The applicability of this Standard is established during the social and environmental screening and categorization process. Requirements of this Standard apply to projects that (i) aim to improve existing waste management practices; (ii) generate or cause generation of solid, liquid or gaseous waste; (iii) use, cause use of, or manage the use, storage or disposal of hazardous materials and

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<sup>120</sup> For the purposes of this Standard, 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, nuisance odors, noise, vibration, radiation, electromagnetic energy, and the creation of potential visual impacts including light.

<sup>121</sup> This includes GHGs (see Standard 2 Climate Change and Disaster Risks and black carbon).

<sup>122</sup> According to the Scientific Assessment Panel of the Montreal Protocol, an ozone depleting substance (ODS) is a substance that leads to stratospheric ozone depletion. Under the Montreal Protocol, most of the widely used ODSs are controlled. These include, among others, chlorofluorocarbons (CFCs), carbon tetrachloride (CCl<sub>4</sub>), methyl chloroform (CH<sub>3</sub>CCl<sub>3</sub>), halons, methyl bromide (CH<sub>3</sub>Br) and hydrochlorofluorocarbons (HCFCs).

<sup>123</sup> 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.

chemicals, including pesticides; and (iv) that significantly consume or cause consumption of water, energy, or other resources.

## Requirements

4. **Pollution prevention:** UNDP ensures that projects avoid the release of pollutants, and when avoidance is not feasible, minimize and/or control the intensity and mass flow of their release. This applies to the release of pollutants to air, water, and land due to routine, non-routine, and accidental circumstances.<sup>124</sup> UNDP projects ensure that pollution prevention and control technologies and practices are applied during the project life cycle, utilizing performance levels and measures specified in national law or in good international good practice,<sup>125</sup> whichever is more stringent. If less stringent measures (as compared to good international practice) are appropriate, the project will fully justify the chosen alternative through the assessment process, demonstrating that the alternative is consistent with these requirements. The technologies and practices applied will be tailored to the hazards and risks associated with the nature of the project.
5. Upon request, UNDP will support countries to strengthen management and systems for improved pollution prevention, waste reduction, and chemicals management.<sup>126</sup>
6. **Ambient considerations:** To address adverse impacts on existing ambient conditions (such as air, surface water, groundwater, and soils), a number of factors will be considered, including the finite assimilative capacity of the environment,<sup>127</sup> existing and planned land use, existing ambient conditions, the project's proximity to ecologically sensitive or protected areas (see Standard 1), the potential for cumulative impacts with uncertain and irreversible consequences, and strategies for avoiding and minimizing the release of pollutants. If the project activities will generate significant pollutants in already degraded/polluted areas, adopt measures that avoid and minimize potential negative effects, including potential alternative locations. The project will control runoff of contaminated water from project sites and ensure polluted wastewater is treated.
7. **Wastes:** UNDP ensures that projects avoid the generation of hazardous and non-hazardous waste materials. Where waste generation cannot be avoided, projects reduce the generation of waste—including plastics—and recover and reuse waste in a manner that is safe for human health and the environment. Where waste cannot be recovered or reused, it is treated, destroyed, or disposed of in an environmentally sound manner that includes the appropriate control of emissions and residues

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<sup>124</sup> Including those covered under the Convention on Long-range Transboundary Air Pollution, available at [https://unece.org/fileadmin/DAM/env/lrtap/lrtap\\_h1.htm](https://unece.org/fileadmin/DAM/env/lrtap/lrtap_h1.htm)

<sup>125</sup> As reflected in internationally recognized standards such as the World Bank Group's *Environmental, Health and Safety Guidelines*, available at <http://www.ifc.org/ehsguidelines>. These standards contain performance levels and measures that will normally be acceptable and applicable to projects. When national regulations differ from these levels and measures, the Implementing Partner will achieve whichever are more stringent. If less stringent levels or measures are appropriate in view of specific project circumstances, the Implementing Partner will provide full and detailed justification for any proposed alternatives, provided that such alternatives are consistent with the requirements of UNDPs SES.

<sup>126</sup> For example, assistance with applying the UNDP's Guide for Integrating the Sound Management of Chemicals into Development Planning, available at [http://www.undp.org/content/undp/en/home/librarypage/environment-energy/chemicals\\_management/Guide\\_for\\_integrating\\_SMC\\_into\\_development\\_planning/](http://www.undp.org/content/undp/en/home/librarypage/environment-energy/chemicals_management/Guide_for_integrating_SMC_into_development_planning/).

<sup>127</sup> Assimilative capacity of the environment refers to the capacity of the environment for absorbing an incremental load of pollutants while remaining below a threshold of unacceptable risk to human health and the environment.

resulting from the handling and processing of the waste material. UNDP projects develop waste management plans where waste generation and handling may be significant.

8. If the generated waste is considered hazardous,<sup>128</sup> reasonable alternatives for its environmentally sound disposal will be adopted while adhering to the limitations applicable to its transboundary movement.<sup>129</sup> When hazardous waste disposal is conducted by third parties, UNDP will ensure the use of contractors that are reputable and legitimate enterprises licensed by the relevant government regulatory agencies and that chain of custody documentation to the final destination is obtained. UNDP projects will ascertain if licensed disposal sites are being operated to acceptable standards; if this is not the case, the project will minimize waste sent to such sites and consider alternative disposal options.
9. **Hazardous materials:** UNDP projects will avoid or, when avoidance is not feasible, minimize and control release and exposure to hazardous materials resulting from their production, transportation, handling, storage and use. Where avoidance is not possible, the health risks—including potential differentiated effects on men, women and children—of the potential use of hazardous materials will be addressed in the social and environmental assessment. UNDP projects will consider the special vulnerabilities faced by workers as well as low-income communities, peoples with disabilities, indigenous peoples and minorities to hazardous materials. The project will develop hazardous materials management and safety measures/plans per good international practice.<sup>130</sup> UNDP projects will consider the use of less hazardous substitutes for such chemicals and materials and will avoid supporting the manufacture, trade, and use of chemicals and hazardous materials subject to international bans, restrictions or phase-outs due to their high toxicity to living organisms, environmental persistence, potential for bioaccumulation, or potential for depletion of the ozone layer, unless for acceptable purposes as defined by the conventions or protocols (e.g. the [Montreal Protocol](#), [Minamata Convention](#), [Basel Convention](#), [Rotterdam Convention](#), [Stockholm Convention](#)).<sup>131</sup>
10. **Pesticide use and management:** UNDP seeks to avoid use of pesticides in supported activities. Integrated Pest Management (IPM) and Integrated Vector Management (IVM) approaches are to be utilized that entail coordinated use of pest and environmental information along with available pest/vector control methods, including cultural practices, biological, genetic and, as a last resort, chemical means to prevent unacceptable levels of pest damage. If after having considered such approaches recourse to pesticide use is deemed necessary, adopt safe, effective and

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<sup>128</sup> As defined by international conventions or local legislation. Where local legislation and international conventions may diverge, the higher standard will apply.

<sup>129</sup> Transboundary movement of hazardous materials should be consistent with national, regional and international law, including the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, available at [www.basel.int](http://www.basel.int), and the London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, available at [www.imo.org](http://www.imo.org). For further guidance, the Strategic Approach to International Chemicals Management (SAICM) is a policy framework to foster the sound management of chemicals, available at <http://www.saicm.org/>.

<sup>130</sup> 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.

<sup>131</sup> Similar considerations will apply to certain World Health Organization (WHO) classes of pesticides.



environmentally sound pest management in accordance with the WHO/FAO International Code of Conduct on Pesticide Management<sup>132</sup> for the safe labelling, packaging, handling, storage, application and disposal of pesticides. Hazards of pesticide use are to be carefully considered and the least toxic pesticides selected 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. A Pest Management Plan is developed where use of a significant volume of pesticides is foreseen to demonstrate how IPM will be promoted to reduce reliance on pesticides and describes measures to minimize risks of pesticide use.

11. UNDP projects 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.<sup>133</sup> Users of any pesticides shall be trained to handle pesticides in a proper and responsible manner and utilize appropriate application equipment and adequate personal protective equipment.
12. **Resource efficiency:** UNDP projects are designed and implemented in a manner that promotes the efficient use and consumption of land/soils, energy, water, and other resources and material inputs.<sup>134</sup> Technically and financially feasible and cost-effective efficiency measures are implemented.<sup>135</sup> Such measures integrate the principles of cleaner production into product design and production processes with the objective of conserving raw materials, energy, and water. For resource intensive projects, benchmarking data are utilized to establish the relative level of efficiency. Principles of green design, circular economy, sustainable infrastructure and sustainable procurement are considered where feasible.
13. **Water usage:** For projects with high water demand (generally greater than 5,000 m<sup>3</sup>/day in non-arid climates), in addition to applying the resource efficiency requirements of this Standard, measures are adopted that avoid or reduce water usage so that the project's water consumption does not have significant adverse impacts on communities, other users or on the environment and ecosystems (see Standard 1 on conserving ecosystems). Cumulative impacts of water use are assessed and appropriate mitigation measures implemented, such as water demand management,

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<sup>132</sup> FAO/WHO, [The International Code of Conduct on Pesticide Management](#) (2014).

<sup>133</sup> 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.

<sup>134</sup> Projects that may generate significant GHG emissions will also address the requirements of Standard 2: Climate Change and Disaster Risks.

<sup>135</sup> Technical feasibility means the proposed measures and actions can be implemented with commercially viable skills, equipment and materials, taking into consideration prevailing local factors such as climate, geography, demography, infrastructure, security, governance, capacity and operational reliability. Financial feasibility means the ability to apply sufficient financial resources to install the measures and maintain them in operation in the long term. Cost-effectiveness is determined according to the capital and operational costs and also the financial benefits of the measure, considered over its lifespan.

efficiency measures, benchmarking usage, alternative supplies, resource contamination avoidance, mitigation of impacts on downstream users, and water use offsets. Good international practice for water conservation and efficiency is applied, including for irrigation activities and wastewater usage.

## **PART C: Social and Environmental Management System Requirements**

1. The objectives and requirements of the SES are considered throughout UNDP’s programming cycle. Opportunities to strengthen social and environmental sustainability are identified at the earliest stage of programme and project design,<sup>136</sup> realized through implementation and tracked through monitoring and evaluation. Social and environmental opportunities and risks are addressed in an integrated manner, recognizing the interrelatedness of social and environmental issues.
2. UNDP’s social and environmental management system ensures the SES are applied through the programming cycle and includes the following elements: (a) quality assurance and risk management; (b) screening, assessment and management of social and environmental risks and impacts; (c) stakeholder engagement and response mechanisms; (d) access to information; and (e) monitoring, reporting and compliance.

### **Programming Quality Assurance and Risk Management**

3. The SES are included in the “Principled” quality criteria within the Quality Assurance Framework for UNDP Programming. Therefore, compliance with the SES are reviewed by UNDP throughout the programme and project management cycle as part of the Programming Quality Assurance system.
4. Programme and project documents incorporate appropriate management and budgetary resources to address associated social and environmental risks. For programmes that include a set of activities which pose potentially significant adverse social and environmental risks, a Strategic Social and Environmental Assessment (SESA)<sup>137</sup> may need to be integrated into the programme.
5. Programme and project level social and environmental risks will be tracked and monitored using UNDP’s Risk Register and escalated where needed. Refer to UNDP’s ERM Policy.

### **Project-Level Screening, Assessment and Management of Social and Environmental Risks and Impacts**

#### *Screening and Categorization*

6. Project screening and categorization is conducted at the earliest stage of project preparation when sufficient information is available for this purpose. Screening is undertaken (i) to identify and reflect the significance of potential impacts or risks that project activities might present, and (ii) to identify

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<sup>136</sup> UNDP “programming” comprises the planning, implementation, reporting and evaluation of development results achieved with partners through UNDP support. A UNDP “Programme” is a plan for effectively contributing to outcome level development results through UNDP’s “Project modalities:” development projects, the engagement facility and development services.

<sup>137</sup> SESA or Strategic Environmental Assessment (SEA) refers to a range of analytical and participatory approaches that aim to integrate social and environmental considerations into policies, plans and programmes and evaluate the interlinkages with economic and social considerations. For guidance see the OECD DAC guidelines “Applying Strategic Environmental Assessment” (2006), available at <http://www.oecd.org/environment/environment-development/37353858.pdf>.

opportunities to enhance benefits and to support stakeholders. Categorization is undertaken to reflect the level of review and resources required for addressing such impacts and risks.

7. UNDP utilizes its Social and Environmental Screening Procedure (SESP) to identify potential social and environmental risks and opportunities associated with the project.<sup>138</sup> The SESP screens projects for all environmental and social risks and impacts associated with the SES Programming Principles (i.e. leave no one behind; human rights; gender equality and women’s empowerment; sustainability and resilience; and accountability) and Project-level Standards, including direct, indirect, cumulative, transboundary risks and impacts and those related to associated facilities (see paragraph 16 below).
8. UNDP’s SESP applies a project-level categorization system to reflect the significance of potential social and environmental risks and impacts and to determine the appropriate type and level of social and environmental assessment. Each proposed project is scrutinized as to its type, location, scale, sensitivity and the magnitude of its potential social and environmental impacts. UNDP screens project activities, including planning support, policy advice, and capacity-building (often referred to as “upstream” activities), as well as site-specific, physical interventions (“downstream” activities) and those that will be implemented through procurement.<sup>139</sup>
9. Based on the screening, UNDP categorizes projects according to the degree of potential social and environmental risks and impacts. In some cases, applicability of specific requirements will need to be determined through additional scoping, assessment, or management review. The screening process results in one of the following four categories for the proposed project:
  - **Low Risk:** Projects that include activities with minimal or no adverse social or environmental risks and impacts. Further assessment of potential adverse social and environmental risks and impacts is not required. However, the SES Programming Principles and stakeholder engagement requirements still apply to project activities.
  - **Moderate Risk:** Projects that include activities with potential adverse social and environmental risks and impacts that are limited in scale, are largely reversible and can be identified with a reasonable degree of certainty and readily addressed through application of recognized good international practice, mitigation measures and stakeholder engagement during project implementation.
  - **Substantial Risk:** Projects that include activities with potential adverse social and environmental risks and impacts that are more varied or complex than those of Moderate Risk projects but remain limited in scale and are of lesser magnitude than those of High Risk projects (e.g. reversible, predictable, smaller footprint, less risk of cumulative impacts).

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<sup>138</sup> See UNDP Social and Environmental Screening Procedure, including guidance in applying the SESP, in the SES Toolkit, at [https://info.undp.org/sites/bpps/SES\\_Toolkit/Pages/Homepage.aspx](https://info.undp.org/sites/bpps/SES_Toolkit/Pages/Homepage.aspx).

<sup>139</sup> A limited range of project types are exempt from screening as listed in the UNDP Social and Environmental Screening Procedure (SESP), namely projects that consist solely of any of the following functions or activities: (a) UNDP serves as Administrative Agent; (b) Preparation and dissemination of reports, documents and communication materials; (c) Organization of an event, workshop, training; (d) Strengthening capacities of partners to participate in international negotiations and conferences; (e) Partnership coordination (including UN coordination) and management of networks; (f) Global/regional projects with no country level activities (e.g. knowledge management, inter-governmental processes); (g) Development Effectiveness projects and Institutional Effectiveness projects. These projects are assumed to be Low Risk.

Substantial Risk projects may also include those with a varied range of risks rated as “Moderate” that require more extensive assessment and management measures. Scoping and assessment may determine that a scoped, fit-for-purpose Environmental and Social Impact Assessment (ESIA) or Strategic Environmental and Social Assessment (SESA) may be required in order to ensure that the SES requirements are appropriately addressed.

- **High Risk:** Projects that include activities with potential significant adverse social and environmental risks and impacts that are irreversible, unprecedented and/or which raise significant concerns among potentially affected communities and individuals as expressed during the stakeholder engagement process. High Risk activities may involve significant adverse impacts on physical, biological, socioeconomic, or cultural resources, and may have the potential to aggravate existing situations of fragility or conflict, adversely affect human rights, lead to extensive environmental degradation and/or contribute to cumulative impacts.<sup>140</sup> High Risk projects typically involve a range of issues regarding the SES Programming Principles and Project-level Standards. Activities that promote plans and policy reforms (“upstream” activities) that may lead to significant adverse social and environmental risks and impacts shall be analyzed and addressed, utilizing a potential range of tools, including Strategic Environmental and Social Assessment (SESA). A comprehensive environmental and social impact assessment (ESIA), including development of applicable social and environmental management plans, is required for physical interventions (“downstream” activities) with potentially significant adverse risks and impacts.<sup>141</sup> Such assessments are required, for example, for projects that (i) may adversely impact critical habitats, (ii) involve significant displacement and/or resettlement,<sup>142</sup> (iii) produce significant quantities of greenhouse gases, (iv) may adversely impact the rights, lands, resources and territories of the indigenous peoples, or (v) other circumstances that reflect potentially significant adverse impacts. Projects will adhere to the requirements and recommendations of the applicable management plan (e.g. ESMP or ESMF). High Risk projects require enhanced internal and external support.<sup>143</sup>

10. The Social and Environmental Screening is updated as needed during implementation as part of project risk management and monitoring. At a minimum, projects that undergo substantive revision or experience a change in context that affects the risk profile will be re-screened and potentially re-categorized.

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<sup>140</sup> UNDP’s Social and Environmental Screening Procedure contains an indicative list of potential “High Risk” projects.

<sup>141</sup> For example, an Environmental and Social Management Plan (ESMP) or an Environmental and Social Management Framework (ESMF). An ESMF is a document that establishes a mechanism to determine and assess future potential social and environmental impacts of a project or programme when uncertainty remains on the project’s forthcoming components or exact locations.

<sup>142</sup> Significant displacement and/or resettlement refers here to its potential scale. UNDP typically requires a full ESIA for all projects involving displacement or/resettlement; however where potential displacement and/or resettlement may be minimal, UNDP may determine that its requirements could be met without a full ESIA.

<sup>143</sup> For High Risk projects for which assessments have been commissioned or completed prior to UNDP’s support, UNDP reviews the assessment (and/or its terms of reference) and works with Implementing Partners to ensure that it fulfills UNDP’s requirements.

## Assessment and Management

11. Potential social and environmental risks, impacts and opportunities of supported activities are systematically identified and assessed in an integrated manner. The type and scale of assessment and the agreed management measures should be proportionate to the level of social and environmental risks and impacts.
12. UNDP supports countries through a wide range of services, including policy advisory services and capacity building. UNDP applies a social and environmental mainstreaming approach to these types of services. UNDP will seek entry points for strengthening capacities for integrated approaches to development policies and planning that consider social and environmental risks and opportunities.<sup>144</sup>
13. Projects with potential adverse risks and impacts, including potential impacts which may undermine the realization of human rights, require appropriately-scaled forms of assessment and management measures/plans to avoid and minimize adverse impacts and to improve social and environmental performance.
14. In addressing projects with potential adverse social and environmental impacts, UNDP requires that key principles are applied, including a precautionary approach to addressing significant environmental and social challenges; the mitigation hierarchy;<sup>145</sup> the “polluter pays” principle (whereby the cost of mitigation is borne by the polluter, where relevant); and adaptive management techniques (whereby lessons are learned from past management actions and are proactively utilized to predict and improve management as programming progresses).
15. The social and environmental assessment process is undertaken as early as possible, noting that in some cases, it will be undertaken as a component of the project. In no case shall project activities that may cause adverse impacts be carried out until completion of the assessment and adoption of appropriate management measures and plans.
16. The social and environmental assessment process and development of appropriate management measures includes and/or reflects the following criteria and measures:<sup>146</sup>
  - Impacts on physical, biological, socioeconomic and cultural resources, including direct, indirect, and cumulative impacts in the project’s area of influence,<sup>147</sup> including those related

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<sup>144</sup> UNDP applies a range of tools to support social and environmental mainstreaming; these approaches and tools are outlined in [Toolkit for UNDP’s Social and Environmental Standards](#).

<sup>145</sup>The mitigation hierarchy is applied 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.

<sup>146</sup> See UNDP’s SESP and the SES Guidance Note on Social and Environmental Assessment and Management, available at the [UNDP SES Toolkit](#).

<sup>147</sup> A project’s area of influence encompasses (i) the primary project site(s) and related facilities (e.g. access roads, pipelines, canals, disposal areas), (ii) associated facilities (see footnote 151), (iii) areas and communities potentially affected by cumulative impacts from the project or from other relevant past, present and reasonably foreseeable developments in the geographic area (e.g. reduction of water flow in a watershed due to multiple withdrawals), and (iv) areas and communities potentially affected by induced impacts from unplanned but predictable developments or activities caused by the project, which may occur later or at a different location (e.g. facilitation of settlements, illegal logging, agricultural activities by new roads in intact forest areas).

to associated facilities.<sup>148</sup> Potential transboundary and global concerns, including climate pollutants and other emissions, as they relate to project activities. Strategic, sectoral or regional environmental assessment where appropriate

- Relevant environmental and social risks and impacts associated with the SES Programming Principles and Project-level Standards.
- Risks to human security through escalation of conflict, crime and violence, with appropriate response measures. Take into account the risk of reprisals against individuals and communities in relation to project activities.
- Applicable legal and institutional framework, including obligations under Applicable Law and confirm that the project would not be supported if it contravenes international obligations.
- Adequate and recent social and environmental baseline data at an appropriate level of detail, recognizing that variability over time (e.g. seasonal variations, movement of people) may necessitate collection of additional baseline data.
- Feasibility of investment, technical, and siting alternatives, including the “no action” alternative, as well as potential impacts, feasibility of mitigating these impacts, their capital and recurrent costs, their suitability under local conditions, and the institutional, training and monitoring requirements associated with them.
- Enhance positive impacts and avoid, minimize, and/or mitigate adverse impacts through social and environmental planning and appropriately-scaled management measures and plans that are adequately budgeted and resourced. Develop an Environmental and Social Management Plan (ESMP) or equivalent scaled to reflect the nature of the activity and its potential impacts (e.g. from relatively simple plans for projects with few social and environmental risks to comprehensive plans for High Risk activities with potentially significant adverse risks and impacts). The ESMP includes the proposed measures for mitigation, monitoring, institutional capacity development and training (if required), an implementation schedule, and cost estimates. When uncertainty remains regarding specific project components or exact locations (e.g. projects still under development, “upstream” activities), develop an Environmental and Social Management Framework (ESMF) in place of an ESMP.<sup>149</sup>
- Independent experts not directly affiliated with the implementing partner or UNDP must conduct ESIA or SESAs for High Risk projects, and where appropriate, Substantial and Moderate Risk projects. UNDP will ensure that conflicts of interest are avoided. Independent advisory panels are used during preparation and implementation of projects that are highly risky or contentious or that involve serious and multi-dimensional social and/or environmental concerns.

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<sup>148</sup> Associated facilities means facilities or activities that are not funded as part of the project but are directly related to the project, are carried out or planned to be carried out contemporaneously with the project, and are necessary for the project to be viable and would not have been conducted, constructed or expanded if the project did not exist. (e.g. transmission lines to connect UNDP-supported solar energy facility).

<sup>149</sup> UNDP’s SES Guidance Note on Social and Environmental Assessment and Management contains outlines and guidance for preparing ESMPs and ESMFs (see the [SES Toolkit](#)).

- The needs of particular individuals and groups are assessed that may be differentially or disproportionately affected by the project’s potential adverse impacts because of their disadvantaged or marginalized status, due to such factors as race, ethnicity, sex, age, language, disability, sexual orientation, gender identity, religion, political or other opinion, national or social or geographical origin, property, birth, health status or other status including as an indigenous person or as a member of a minority. Where such individuals or groups are identified, recommend targeted and differentiated measures are applied to ensure that the adverse impacts do not fall disproportionately on them and they are not disadvantaged in sharing project benefits and opportunities.
  - Potential adverse gender impacts related to project activities are identified and differentiated measures are adopted to prevent gender-based discrimination. Potential risks of gender-based violence and/or sexual exploitation and abuse of men, women, girls and boys that may occur in connection with any of supported activities are considered.
  - Where potential project-related adverse risks and impacts to persons with disabilities are identified, differentiated measures are adopted that ensure non-discrimination and equality, access, and opportunities for persons with disabilities to participate in and benefit from supported activities on an equal basis with others.
  - Early, iterative and meaningful stakeholder engagement and participation, predicated on timely disclosure of relevant information.<sup>150</sup>
  - Potential environmental and social risks and impacts associated with project contractors and primary suppliers are identified. Specific due diligence should be undertaken to ascertain the performance and reputation of contractors and primary suppliers. Include covenants in legal agreements with project contractors to comply with relevant SES requirements. Risks and impacts associated with project primary suppliers should be addressed in a manner proportionate to UNDP’s control or influence over them.
17. UNDP’s mandatory Social and Environmental Screening Procedure (SESP) provides detailed requirements and guidance on screening and assessment.

## Stakeholder Engagement and Response Mechanisms

18. UNDP ensures meaningful, effective and informed participation of stakeholders<sup>151</sup> in the formulation and implementation of UNDP programmes and projects. Stakeholder engagement is an ongoing process that may involve, to varying degrees, the following elements: stakeholder analysis and planning, disclosure and dissemination of information, consultation and meaningful participation, dispute resolution and grievance redress, ongoing reporting to affected communities and stakeholders, and inclusion of stakeholders in monitoring and evaluation. Stakeholder analysis and engagement is conducted in a gender-responsive, culturally sensitive, non-discriminatory and

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<sup>150</sup> Draft social and environmental assessments, including any draft management plans, are to be disclosed whenever possible before project appraisal formally begins. See the SES Guidance Note on Stakeholder Engagement, including access to information guidance, in the [SES Toolkit](#).

<sup>151</sup> “Stakeholder” refers to individuals or groups or organizations representing them who (a) are affected by the project and (b) may have an interest in the project.



inclusive manner, ensuring that potentially affected vulnerable and marginalized groups are identified and provided opportunities to participate.<sup>152</sup> Measures are undertaken to ensure that effective stakeholder engagement occurs where conditions for inclusive participation are unfavourable.

19. Meaningful, effective and informed stakeholder engagement and participation is undertaken that seeks to build and maintain over time a constructive relationship with stakeholders, with the purpose of avoiding or mitigating any potential risks in a timely manner. The scale and frequency of the engagement reflects the nature of the activity, the magnitude of potential risks and adverse impacts, and concerns raised by affected communities.
20. Meaningful, effective and informed consultation processes in UNDP programmes and projects seeks to identify priorities of stakeholders and provides them with opportunities to express their views at all points in the programme and/or project decision-making process on matters that affect them and allows the programme and/or project teams to consider and respond to them. Meaningful, effective and informed consultation processes will be free of charge and possess the following characteristics:
  - Free of external manipulation, interference, coercion, and intimidation.
  - Gender and age-inclusive and responsive.
  - Culturally appropriate and tailored to the language and accessibility preferences and decision-making processes of each identified stakeholder group, including disadvantaged or marginalized groups. Where applicable, includes differentiated measures to allow effective participation of disadvantaged or vulnerable groups, including persons with disabilities.
  - Based on prior and timely disclosure of accessible, understandable, relevant and adequate information, including draft documents and plans.
  - Initiated early in the programme and/or project design process, continued iteratively throughout the programme and project life cycle, and adjusted as risks and impacts arise.
  - Addresses social and environmental risks and adverse impacts, and the proposed measures and actions to address these.
  - Seeks to empower stakeholders, particularly marginalized groups, and enable the incorporation of all relevant views of affected people and other stakeholders into decision-making processes, such as project goals and design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.
  - Documented and reported in accessible form to participants, in particular the measures taken to avoid or minimize risks to and adverse impacts on the project stakeholders.
  - Consistent with the States' duties and obligations under international law.
21. Stakeholder engagement plans are developed for all programmes and projects, scaled to reflect the nature of the activity and its potential impacts (e.g. from relatively simple measures for

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<sup>152</sup> Vulnerability may be compounded due to discrimination on prohibited grounds including race, ethnicity, sex, age, language, disability, sexual orientation, gender identity, religion, political or other opinion, national or social or geographical origin, property, birth or other status including as an indigenous person or as a member of a minority.

programmes/or projects with few if any social and environmental risks to comprehensive plans for High Risk activities with potentially significant adverse risks and impacts).

22. For projects that may affect the rights and interests, lands, resources, territories and/or traditional livelihoods of indigenous peoples, free, prior and informed consent (FPIC) will be ensured (see also Standard 6: Indigenous Peoples).
23. Stakeholders who may be adversely affected by a UNDP project can communicate their concerns about the social and environmental performance of the project through various entry points, scaled appropriately to the nature of the activity and its potential risks and impacts. Potentially affected stakeholders are informed about available entry points for submitting their concerns as part of the stakeholder engagement process.
24. When necessary, an effective project-level grievance redress mechanism is made available. The mandate and functions of a project-level grievance redress mechanism could be executed by the Project Board<sup>153</sup> or through an implementing partner's existing grievance redress mechanisms or procedures for addressing stakeholder concerns. Where needed, UNDP and implementing partners will strengthen the implementing partners' capacities to address project-related grievances.
25. In addition, UNDP's Stakeholder Response Mechanism is available to project stakeholders as a supplemental means of redress for concerns that have not been resolved through standard project management procedures.<sup>154</sup>
26. Project-level grievance redress mechanisms and UNDP's Stakeholder Response Mechanism address concerns promptly through dialogue and engagement, using an understandable and transparent process that is culturally appropriate, rights-compatible, and readily accessible to all stakeholders at no cost and without retribution. They are gender- and age-inclusive and responsive and address potential access barriers to women, the elderly, persons with disabilities, youth and other potentially marginalized groups as appropriate to the project. These grievance mechanisms and Stakeholder Response Mechanism do not impede access to judicial or administrative remedies as may be relevant or applicable.
27. UNDP seeks to identify, reduce and address the risk of retaliation and reprisals against people who may seek information on and participation in project activities, express concerns and/or access project-level grievance redress processes/mechanisms or UNDPs Stakeholder Response Mechanism or Social and Environmental Compliance Unit.

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<sup>153</sup> Noting that UNDP's programme and Operations Policies and Procedures (POPP) states that the Project Board "... arbitrates on any conflicts within the [P]roject or negotiates a solution to any problems between the [P]rojects and external bodies." Project Boards can play this role in both National Implementation and Direct Implementation contexts.

<sup>154</sup> See UNDP's Stakeholder Response Mechanism: Overview and Guidance, available at [https://info.undp.org/sites/bpps/SES\\_Toolkit/SitePages/Response%20Mechanisms.aspx](https://info.undp.org/sites/bpps/SES_Toolkit/SitePages/Response%20Mechanisms.aspx). The focal point for the Stakeholder Response Mechanism will not bear direct project management responsibilities for the relevant project.

## Access to Information

28. Consistent with UNDP's Information Disclosure Policy,<sup>155</sup> UNDP is committed to ensuring that relevant information about UNDP programmes and projects is disclosed to help affected communities and other stakeholders understand the opportunities, risks and impacts of the proposed activities. UNDP ensures that information on a programmes and/or project's purpose, nature and scale, and duration, and its risks and potential impacts, is made available in a timely manner, in an accessible place, and in a form and language understandable to affected persons and other stakeholders, including the general public, so they can provide meaningful input into programme and/or project design and implementation. Such disclosure considers any special needs of groups that may be disproportionately affected, disadvantaged or groups with specific information needs, such as due to disability, literacy, gender, mobility, language, and accessibility. Such disclosure occurs early in the programme and/or project development process in a timeframe that allows for meaningful effective consultation and on an ongoing basis. Among other disclosures specified by UNDP's policies and procedures, UNDP ensures that:

- A public record of stakeholder engagement throughout the project cycle is maintained and disclosed. In cases where it may be necessary to safeguard the identities of stakeholders, statistical information is recorded and disclosed.
- Stakeholder engagement plans are disclosed early in project development and summary reports of stakeholder consultations are disclosed in an accessible manner.
- Social and environmental screening reports are disclosed with programme and project documentation.
- Draft social and environmental assessments, including any draft management plans,<sup>156</sup> are disclosed whenever possible before project appraisal formally begins and in all cases before any activities are undertaken that may cause adverse social and environmental impacts.
- Final social and environmental assessments and associated management plans are disclosed upon completion.
- Any required social and environmental monitoring reports are disclosed upon completion.

## Monitoring, Reporting and Compliance

29. UNDP monitors and evaluates its overall performance against the objectives and requirements of the Social and Environmental Standards. Monitoring is integrated with UNDP's Quality Assurance reporting system and Risk Register.
30. The extent of monitoring activities is commensurate with the programme's or project's risks and impacts. UNDP requires that (i) the progress of implementation of mitigation/management plans required by the SES is monitored, (ii) complaints/grievances are tracked and monitored; (iii) follow-

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<sup>155</sup> See [UNDP Information Disclosure Policy](#).

<sup>156</sup> Draft and final management plans may include for example Environmental and Social Management Plans, Indigenous Peoples Plans, Resettlement Action Plans, Biodiversity Action Plans, Community Health and Safety Plans, Emergency Response and Preparedness Plans, Hazardous Materials Management Plans, Gender Mainstreaming Plans, Cultural Heritage Plans.

up on any identified corrective actions is tracked; and (iv) any required monitoring reports on SES implementation are finalized and disclosed.

31. Monitoring and reporting should include data disaggregated by categories of potential beneficiary and/or affected groups, and include specific gender indicators.
32. Where appropriate, monitoring shall engage and/or involve stakeholders and third parties, such as affected communities, independent experts, or NGOs, to complement or verify monitoring activities. The role of local governments should also be considered in monitoring activities.
33. Based on the monitoring results, any necessary corrective actions are undertaken. UNDP and stakeholders are to be promptly notified of any incident or accident related to the project activities that has had (or is likely to have) significant adverse impacts on people or the environment. Immediate measures are undertaken to address and remedy the incident or accident, and to prevent any recurrence.
34. **Ongoing reporting to affected communities and individuals:** For projects with potentially significant risks and impacts, periodic reports are provided to the affected communities that describe progress with implementation of project management and action plans and on issues that the consultation process or grievance mechanism has identified as a concern. Any material changes or additions to the mitigation measures or actions plans are communicated to affected communities. Reports are provided at a frequency proportionate to the concerns of affected communities but not less than annually.<sup>157</sup>
35. Monitoring activities involve direct participation of affected stakeholders, where possible, and in particular for projects with potentially significant adverse risks and impacts.
36. Monitoring activities should:
  - Serve the purpose of learning for future improvement and be flexible and adaptable.
  - Balance quantitative and qualitative assessment.
  - Use participatory tools that include target group narratives, especially women’s narratives, which are crucial.
  - Track and assess reversals and capture negative impacts of a project.
  - Assess contribution to change instead of attribution-based frameworks.
  - Be tailored to timeframes to ensure realistic measurement and reporting.
  - Be supplemented by a review by an independent third party whenever possible.
37. **Compliance review:** UNDP’s compliance review process is intended to investigate alleged or potential violations of UNDP’s social and environmental commitments, including the SES, in the context of specific UNDP programmes or projects. Individuals or communities potentially affected by UNDP programmes or projects may submit complaints to the Social and Environmental Compliance Unit (SECU), an independent review body located in UNDP’s Office of Audit and Investigations (OAI).

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<sup>157</sup> Without prejudice to any information sharing requirements under the Project-level Standards, including the free, prior, and informed consent requirement of Standard 6: Indigenous Peoples.

SECU evaluates whether UNDP has complied with its obligations, whether any non-compliance has caused harm to the complainant, and how UNDP can correct the non-compliance. UNDP's Administrator makes the final determination of measures necessary to correct non-compliance.<sup>158</sup>

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<sup>158</sup> For more on UNDP's Social and Environmental Compliance Unit, see <http://www.undp.org/content/undp/en/home/operations/accountability/secu-srm/social-and-environmental-compliance-unit.html>.