



Environmental and Social Management System (ESMS)

Assessment, Management and Monitoring of Environmental and Social Risks - Guidance Note

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Glossary

Cumulative Impacts	Impacts resulting from the successive, incremental, and/or combined effects of a development when added to other existing, planned and/or reasonably anticipated future ones. Examples: reduction of water flows in a watershed due to multiple withdrawals and forest habitat damage due to the combination of logging, road-building, resulting traffic and induced access.
Environmental and Social Impact Assessment (ESIA)	A process to identify, predict and assess the potential environmental and social impacts of a proposed project prior to the making of major decisions or commitments; evaluate alternatives; and design appropriate mitigation, management and monitoring measures.
Environmental and Social Management Framework (ESMF)	Environmental and Social Management Framework is required when the project includes activities or sub-projects that will only be defined during the project. The ESMF explains the procedures for risk identification and management to be applied once the sub-projects are known.
Environmental and Social Management Plan (ESMP)	A plan documenting a project's risk management strategy based on findings of an ESIA. The ESMP delineates the mitigation measures together with an implementation schedule, required resources and responsibilities. It further includes provisions for training and capacity building and institutional arrangements for implementing the Environmental and Social Management System and requirements for monitoring.
Implementing agency	Entity managing a project (see definition chapter 3)
Gender-Based Violence (GBV):	Any harm or potential of harm perpetrated against an individual or group on the basis of gender. GBV has many expressions, including physical, sexual, psychological and economic, which can be underpinned by legal, social and institutional norms and systems. Examples include but are not limited to: physical assault; sexual violence including sexual exploitation / abuse, forced prostitution and rape; domestic violence; trafficking; early/ forced marriage; female genital mutilation; honour killings; property grabbing; and widow disinheritance.
Guidance Note	Provides technical details and specific points that should be considered when applying a task in different situations. It can also include methodological advice, best practice and advice on priority issues and on tackling practical difficulties.
Indigenous People Plan	An IPP outlines how the project will seek Free, Prior and Informed Consent (FPIC), and the actions to minimize and/or compensate for the adverse impacts and identify opportunities and actions to enhance the positive impacts of a project for indigenous peoples in a culturally appropriate manner.
IUCN projects	Projects for which IUCN is the entity legally responsible, irrespective of the project implementation arrangement and the entities involved in its execution (see chapter 3)
Mitigation hierarchy	A sequence of actions to anticipate and avoid risks and impacts, or where avoidance is not possible to minimise and/or compensate for.

Avoidance	Measures taken to avoid creating impacts from the outset, such as careful spatial or temporal placement of infrastructure elements to avoid impacts.
Minimisation	Measures taken to reduce the duration, intensity and/or extent of impacts (including direct, indirect and cumulative impacts, as appropriate) that cannot be completely avoided, as far as is practically feasible.
Compensation	Measures taken to offset or remedy any residual significant adverse impacts that cannot be avoided or minimised.
Non-compliance	Non-fulfilment of a requirement
Procedure	Procedures prescribe and describe specific ways to perform an activity. They provide a series of steps to be followed in a particular order but, most importantly, they specify the entities responsible for taking the steps.
	A Process Framework describes the procedures to be developed when a project proposes to create restrictions of access to natural resources. It is required for projects triggering the Standard on Involuntary Resettlement and Access Restrictions.
Project Manager / Project Management Unit (PMU)	The person or entity in charge of managing the project (generally part of the implementing agency)
Residual impact	Project-related impacts that might remain after minimisation measures have been implemented.
Rights-holder	An individual or group socially endowed with legal or customary rights with respect to land, water and natural resources.
Service provider	Organizations or individuals who are selected through a procurement process to provide a concrete deliverable for the project.
Sexual Exploitation and Abuse	Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another; and, specifically in the case of Sexual Abuse, the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
Stakeholder	An individual or group who is potentially affected by or can influence a project.
Template	A predefined document (such as a contract, letter, form, and so on) that can be customised with variable data or text.
Uncertainty	Uncertainty is the deficiency of information, even partial, related to understanding an event, its consequence, or likelihood.

1. Introduction

IUCN has an Environmental and Management System (ESMS) in place since 2014, designed as an intrinsic part of IUCN's project cycle. It provides systematic steps and operational tools for managing the environmental and social performance of projects implemented or supported by IUCN. The system allows IUCN to screen potential projects for negative environmental or social impacts and develop suitable measures to avoid, minimise, or compensate for these impacts. It also ensures that the implementation and effectiveness of mitigation measures are monitored and that any impacts arising during implementation of the project are addressed.

Biodiversity conservation projects differ substantially from infrastructure and extractive industry development projects that environmental or social risk screening and assessment processes were initially designed for. Conservation projects most often aim to improve environmental management and often aim to also improve community well-being. Because of this, traditionally risk management has not been considered a priority for conservation projects. Environmental risks are also far less likely considering the nature of conservation activities.

Despite this, it has shown that conservation projects can have significant positive and negative social impacts, and unintended environmental impacts. Conservation projects often require access restrictions, for example restrictions to particular areas, restrictions of particular activities, or restrictions during particular seasons, with knock-on impacts on people's income sources. Law enforcement activities can also impact on people, as can increased human-wildlife conflict. The establishment of new forms or institutions for natural resource management, and changes in land tenure can affect rights holders, and influence gender relations.

More often than not these restrictions may affect those people who are most dependent on those ecosystems and their resources being put under more strict management for the purpose of biodiversity conservation, and these people might also be those who are least able to adapt to such changes.

It is therefore the purpose of ESMS risk identification, assessment and management are to:

- Identify and assess social and environmental risks and impacts of a proposed project;
- Identify measures to avoid, minimise and mitigate the negative risks and impacts, and harness opportunities to increase benefits from the proposed project and
- Integrate these measures into project design, or where appropriate, the projects' environmental and social management plan (ESMP) or other project safeguard tools.

During this process, the IUCN Principle on Stakeholder Engagement is central to this risk identification and assessment, in order to ensure effective community and stakeholder engagement, participation and public disclosure, throughout the process. It is also very important throughout that communities have the ability to report grievances if and when they occur in order that they can be addressed by the project.

2. Purpose of the Guidance Note

The overarching ESMS policy, the ESMS principles and ESMS standards as well as procedural steps are established in the ESMS Manual which has been updated in May 2016.¹ This Guidance Note has been developed to complement the ESMS Manual by introducing new elements and by providing more detailed guidance for the identification and management of environmental and social risks. More concretely, the changes include:

- Adjusting the scope of the ESMS by specifying projects for which the ESMS is not applicable
- Adjusting the timing of the screening and introducing the non-mandatory preliminary screening step
- Introducing an fourth risk level (substantial risk)²

This Guidance Note further substantiates the process of identifying environmental and social risks by establishing seven specific risk areas that are common to biodiversity conservation projects but are not explicitly addressed and formulated in the form of an IUCN ESMS Standard. It also provides guidance and requirements for these seven risk areas in terms of the screening process, risk assessment and management of the risk issues.

As a consequence of these additions the process of identifying, assessing and managing environmental and social risks is now aligned with other international standards on E&S risk management such as the International Finance Cooperation's (IFC) Performance Standard on Risk Management (PS1) and the World Bank's Assessment and Management of Environmental and Social Risks and Impacts (ESS1). It also fulfils the requirements of the updated (December 2018) Minimum Standard 1: Environmental and Social Assessment, Management and Monitoring of the Global Environmental Facility (GEF).

3. Scope of the ESMS and this Guidance Note

The scope of application of this guidance note is the same as the scope of application of the ESMS. As defined in the ESMS Manual the provisions of the ESMS are applicable to all projects where IUCN is the entity legally responsible for the project, irrespective of the type of project implementation arrangement in place or the entities involved in its execution (ESMS Manual, Chapter 3.1). Therefore the scope includes projects:

- implemented by the IUCN Secretariat directly – IUCN is the implementing agency,
- implemented by a partner organization where IUCN has an oversight and supervision role and is directly accountable to the donor³ - the partner organization is the implementing agency (also referred to as implementing partner),

¹ Available at: https://www.iucn.org/sites/dev/files/iucn_esms_manual.pdf

² The introduction of this is being tested. Until the validity has been confirmed, all GEF and GCF projects will continue to be classified only with three categories of risk (low, moderate, high).

³ Including projects funded by GEF or GCF for which IUCN acts as the Project Agency (or accredited agency). Note that according to the terminology applied by GEF it is the accredited agency which oversees and supervises projects which is

- developed and implemented by other agencies (grantees), where IUCN acts as a grantor, channelling funding from a donor to the implementing agencies with IUCN assuming the supervision role.

In order to make the ESMS application commensurate to the level of expected risks and taking into consideration the broad range of implementation arrangements of project's executed by the IUCN Secretariat, the scope of ESMS application has been re-defined as of January 2020⁴ specifying that the ESMS is applicable only **for area-based projects**. These are defined as projects where resources are provided in form of technical assistance, physical investments (infrastructure, technology or equipment) or financing to bring about changes in skills, knowledge, attitudes, behaviours and/or practices of institutions or individuals within a defined geographical area.

On the other hand, the following types of projects have been determined as being outside the scope of the ESMS:

Non-area-based projects: A non-area-based project does not provide resources for activities on the ground, it does not deploy inputs such as technical assistance, physical investment or financing in a defined geographical area. The following types of projects are considered non-area based projects:

- a. Global/regional/national projects that contribute to policy, strategy development or planning, advances global knowledge - provided the project does not involve any actions on the ground;
- b. Projects analysing biophysical or spatial data, assessing or monitoring status of ecosystems, biodiversity or species including presentation of data in form of a database, maps or through web-based platforms (e.g. Red List of Species, Red List of Ecosystems, IBAT etc.) - provided the project does not involve any actions on the ground;
- c. Preparation and dissemination of position papers, scientific paper, reports, documents and communication materials;
- d. Organization of events, workshops, stakeholder meetings, conferences or trainings;
- e. Partnership coordination and management of networks;
- f. Strengthening capacities of partners to participate in international negotiations and conferences;
- g. Projects related directly to roles where IUCN provides statutory advisory services to intergovernmental processes with their own oversight policies and procedures in relation to the types of issues covered by ESMS;
- h. Projects that supports the internal development of the IUCN.

Service Agreement Projects: Service Agreement Projects are projects set up to deliver a service to meet the objectives of a client in exchange for consideration (payment). The client has defined the scope of work and outcomes. IUCN clients might use service agreements for routine services provided in a competitive environment. Service Agreement Projects are outside the scope of the ESMS.

also referred to as Implementing Agency; whereas the organization implementing / executing the project in the country(ies) is referred to as Executing Agency (or entity).

⁴ Decision of the IUCN Director General, 19.12.2019

Projects where IUCN is not the Lead Agency: Projects where IUCN is not the Lead Agency of the project and therefore not the prime recipient receiving funding from an originating donor but only the sub-recipient (also referred to as sub-awards or sub-grants). In this position IUCN has responsibility for programmatic decision making over the sub-award, but does not have the primary authority of the award. Examples are consortium partner arrangements where IUCN is only responsible for selected work packages and does not have the role of a consortium coordinator responsible for quality assurance. Another example are GEF projects where IUCN is not the Implementing Agency but only the Executing Entity and therefore not responsible for safeguard screening. The Project Manager should verify that the Lead Agency has a robust environmental and social management system in place that is at least equivalent to IUCN's ESMS and review the respective screening report. Enter the conclusions in the second last row at the bottom of this table. The IUCN ESMS Coordinator or regional ESMS Focal Point should be consulted if the Project Manager believes that the prime recipient's environmental and social risk management seems inadequate or ESMS risks were overlooked.

4. ESMS Policy Framework: Standards, Principles and Risk Areas

The purpose of the ESMS is to identify and manage environmental and social risks which are defined adverse impacts on physical, biological, cultural, socio-economic (including peoples' livelihoods) receptors as well as other social impacts including on social organization, health and human safety. The ESMS is guided by eight overarching ESMS principles and four ESMS standards that reflect key environmental and social areas and issues that are at the heart of IUCN's conservation approach. As illustrated in Figure 1, the standards (marked in purple) and principles (blue) form the core of the ESMS Policy Framework.

The four Standards IUCN ESMS Standards on *Involuntary Resettlement and Access Restrictions*, on *Indigenous Peoples*, on *Cultural Heritage* and on *Biodiversity and Sustainable Use of Natural Resources* on are published as stand-alone documents which describe the Standard's underlying policies and objectives and specific requirements on how to assess and manage associated risks.⁵

While all eight ESMS principles are defined in the ESMS Manual, the principle on *Stakeholder Engagement* which is central to the process of risk identification and assessment, has been established in form of a Guidance Note in order to ensure effective community and stakeholder engagement, participation and public disclosure, throughout the process.⁶ A Guidance Note is further available on the Principle on *Accountability / Grievance* in order to enable implementing agencies to put in place effective, accessible and safe grievance mechanisms to provide people or communities fearing or suffering adverse impacts from a project with the assurance that they will be heard and assisted in a timely manner.⁷

⁵ The four standards are available at: www.iucn.org/esms

⁶ The Stakeholder Engagement Guidance Note is available at:
https://www.iucn.org/sites/dev/files/esms_stakeholder_engagement_guidance_note.pdf

⁷ The Grievance Mechanism Guidance Note is available at:
https://www.iucn.org/sites/dev/files/iucn_esms_grievance_mechanism_guidance_note.pdf

Aside from the environmental and social risks addressed by the four Standards, thematic coverage of the ESMS' risk identification process is much broader and should cover a wide range of potential environmental and social risks. Among those, seven risk areas have gradually emerged as being specifically relevant for conservation projects, which are:

- Adverse gender-related impacts (including gender-based violence)
- Risks of affecting vulnerable groups
- Risks of undermining human rights
- Community health, safety and security risks
- Labour and working conditions
- Resource efficiency, pollution, wastes, chemicals and GHG emissions
- Risk of project design failing to take climate change into account

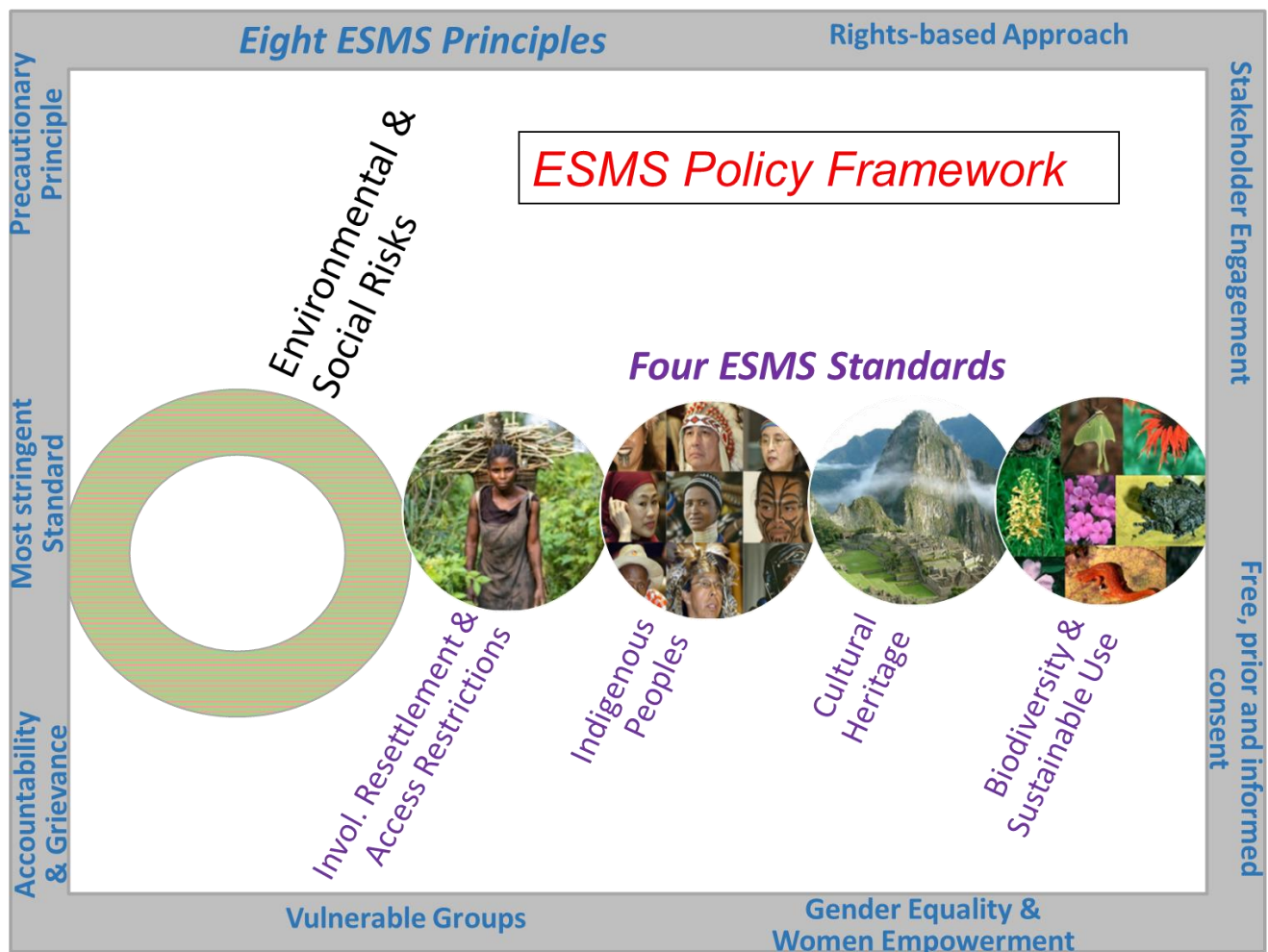


Fig.1: ESMS Policy Framework

Impact identification should consider direct and indirect risks. Risks refer to the negative social or environmental impacts triggered by the project, distinguishable from the negative social or

environmental impacts caused by other actors or initiatives. Risks are not the same as ‘conservation threats’ (such as the biodiversity impacts of uncontrolled clearance of forest), and are often unintended consequences.

The ESMS considers both direct and indirect adverse impacts. Within indirect risks, induced impacts, cumulative impacts, and impacts of associated facilities/ activities are considered. The Table 1 below provides definition for these different impact categories and example to illustrate their application in biodiversity conservation projects

Impacts		Definition	Examples
Direct		Impacts that occur in the primary project site(s) and related facilities during the project (contemporaneously)	<ul style="list-style-type: none"> - Villagers access to protein sources (bush meat) restricted due to increased enforcement that is supported⁸ by the project - Aquaculture project introduced non-native fish that outcompete native species
Indirect	Induced impacts	Impacts on areas and communities from unplanned but predictable activities or developments induced/enabled by the project (incl. impacts that might occur later or in different locations)	<ul style="list-style-type: none"> - Equipment intended for species monitoring (camera traps) used as evidence for illegal use of PA by villagers - Species (re)-introduction with negative knock-on effects in ecosystem or on other species
	Cumulative impact	Project’s incremental impacts added to impacts from past, current, predictable (reasonably foreseen) future developments	<p>Substantial increase in tourism numbers by other developments turns a project-funded PA access road into a major cause for noise and disturbance for wildlife</p> <p>Support for a No-Take Zone (NTZ) in an area with several existing NTZ further restricts fisher’s access to resources and has an impact greater than the impacts of the individual NTZ</p>
	Associated facilities/ activities	Impacts caused by associated facilities/activities which are not funded by project but the project’s viability and existence depend on this	Visitor centre built by the project might require an access road – unintended impacts on areas with high biodiversity value

Table 1: Impacts included in the IUCN ESMS

As the definition for indirect impacts implies, the ESMS considers not only impacts occurring at the project site, but also impacts within the project’s wider area of influence, including transboundary impacts, and impacts that may be triggered after project implementation.

In order to identify and assess environmental and social risks, it is necessary to follow the ESMS principle on taking a precautionary approach, judging potential risks during the project design period, and making predictions (with varying degree of probability) as to the potential significance of risks. Best available information should be used, and as both information and risk context can be constantly

⁸ Support includes that the activity is either directly financed by the project (eg. the project provides salaries, or funds for the activity to take place such as fuel or transport costs), or the project supports the activity in other ways (eg. provision of training, materials etc).

changing, identification, assessment and management should be conducted iteratively using an adaptive management approach.

Finally, environmental and social risks should be confused with other internal risks (such as operational or financial risks) or external risks (such as political risks) which are important for project delivery, but not included in the ESMS.

5. Management of environmental and social risks in the project cycle

The key steps in the E&S risk management process, as illustrated in Figure 1 below, are:

- ESMS Preliminary Screening
- ESMS Screening
- Risk Assessment
- ESMS Clearance
- Management and Monitoring and Evaluation

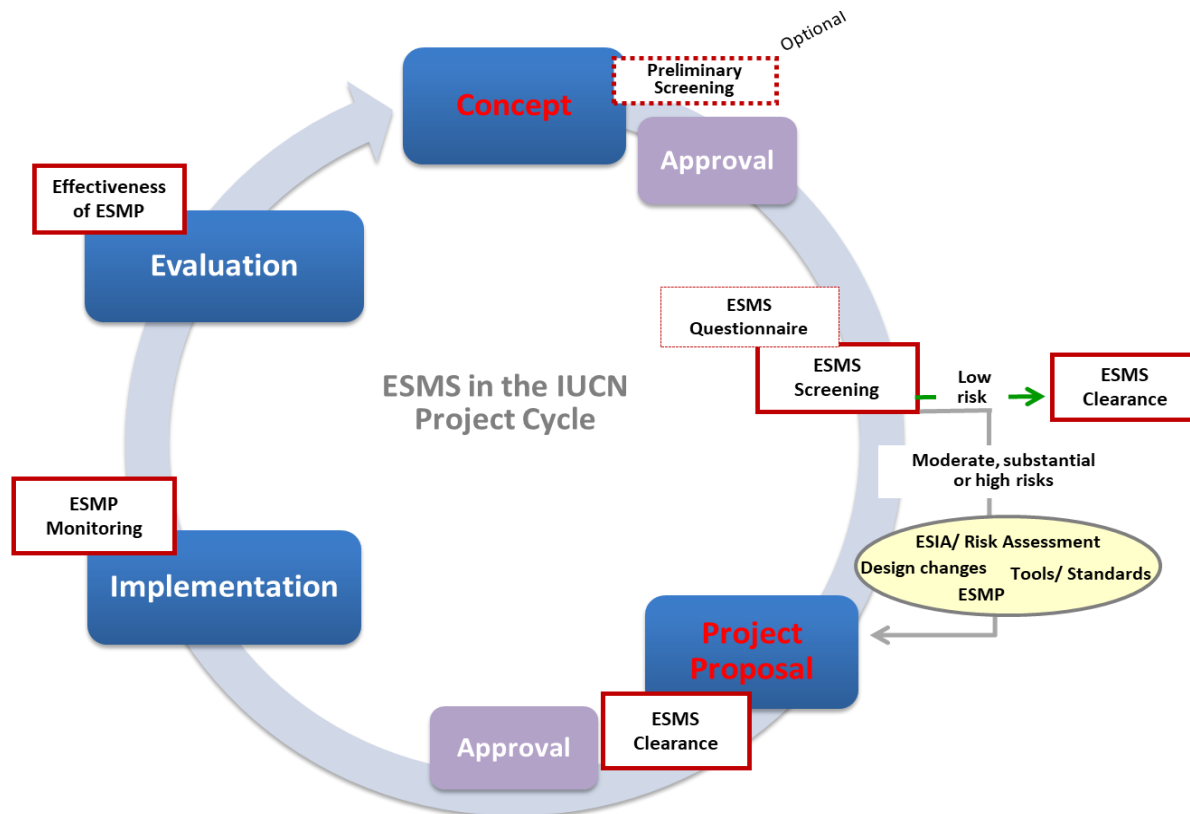


Fig.2: E&S risk management in the project cycle

5.1 Preliminary ESMS Screening

The preliminary screening is an optional step and is recommended in particular for larger projects. The purpose of this step is to ensure that ESMS considerations are integrated into project design at an early stage. While this step is recommended, but still optional within the IUCN project cycle, certain donors require this (e.g. GEF when submitting the Project Information Form).

The preliminary screening is guided by a form which is a shortened version of the ESMS Screening form, without the ESMS questionnaire.

5.2 ESMS Screening

Overview screening: timing, purpose and decisions

The ESMS screening is done as soon as a good enough project design is available with a clear theory of change, the geographical project area, the main activities, and the likely stakeholders and beneficiaries are known. The purpose of the screening is to establish the risk level (low, moderate, substantial or high) of the project based on the significance of the identified risks issues. Projects rated as moderate, substantial or high risks require further assessments while for low risk projects no further action is required. The type of assessments required is different for moderate, substantial and high-risk projects, and it is the screening to determine the nature and scope of these assessments depending on the risk issues identified.

Another output of the screening process is the identification of any IUCN standards triggered. This also influences the scope of the risk assessment. Note that in some cases the decision about triggering a standard may need to be postponed as certain information may not be available at screening. The respective Standard will then marked as TBD.

In summary and as visualized in the diagram below, the Screening leads to the following decisions:

- 1) What are the environmental and social risks and what is their potential significance?
- 2) Are any ESMS standards triggered or likely to be triggered?
- 3) Based on 1 and 2, what is the projects risk level (low, moderate, substantial or high)?
- 4) Based on 1-3, what type of assessment is therefore required and what standard-specific tools?

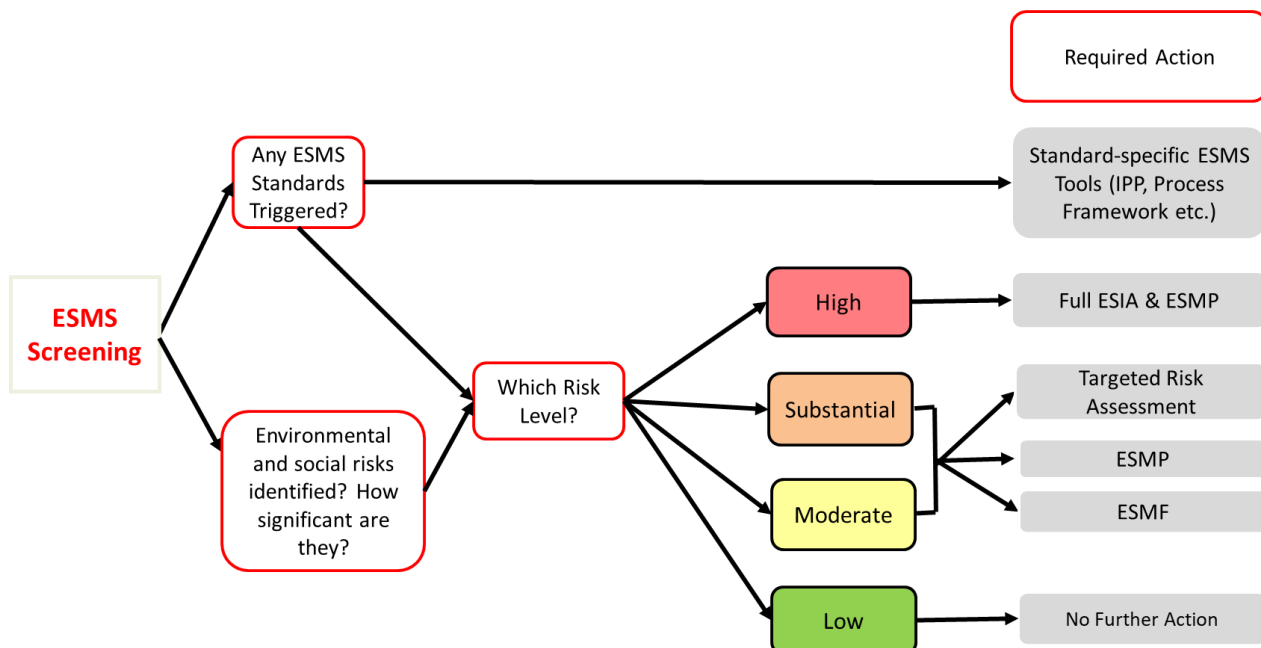


Fig.3: ESMS Screening - main decisions

While the tools are explained in more detail below, ESMP stands for Environmental and Social Management Plan, ESMF for Environmental and Social Management Framework and ESIA for Environmental and Social Impact Assessment, IPP for Indigenous Peoples Plan. Note that this Guidance Note does not explain how to decide whether a standard is triggered as this is covered in the standard documents themselves⁹.

Using the ESMS Questionnaire to inform the screening

The screening is guided by the ESMS Screening Questionnaire which is attached to the ESMS Screening Report template as an Annex. The questionnaire is organized in 4 sections, as illustrated in the Box 1 below¹⁰:

A. Project summary

B. Assessment of social or environmental impacts

Gender equality and risks
Risks of affecting vulnerable groups
Risks of undermining human rights
Community health, safety and security risks
Labour and working conditions
Resource efficiency, pollution, wastes, chemicals and GHG emissions

C. Potential impacts related to ESMS standards

C1: Standard on Involuntary Resettlement and Access Restrictions
C2: Standard on Indigenous Peoples
C3: Standard on Cultural Heritage
C4: Standard on Biodiversity Conservation and Sustainable Use of Natural Resources

D. Adherence to ESMS Principles

To understand to what extent the ESMS Principles have been followed when designing the project (e.g. quality of stakeholder engagement, gender-inclusive consultation etc.)

Box 1: Structure of the ESMS Screening Questionnaire

The questionnaire is completed by the project proponent, with answers provided directly in the questionnaire. This is then reviewed by the IUCN ESMS reviewer, in conjunction with a review of the project proposal, and the reviewer completes the section “reviewer comments”. Comments are made on any discrepancies with the proponent’s answer, additions or considerations to take into account.

⁹ Available at: www.iucn.org/esms

¹⁰ Note that the risk area “Risk of project design failing to take climate change into account” is treated separately from the ESMS Screening Questionnaire as it requires a different methodology

How to determine significance of individual E&S risk areas

At the end of each E&S risk area in Section B of the questionnaire, the IUCN reviewer enters his rating for the likelihood and expected impacts (consequence) of the respective risk area on a scale of 1 (low) to 5 (high). The same is done for each of the four Standards in Section C. The rating is guided by the following methodology:

Likelihood represents the possibility that a given event is expected to occur. The likelihood is rated using the following five categories:

- Very unlikely to occur (1)
- Not expected to occur (2)
- Likely – could occur (3)
- Known to occur - almost certain (4)
- Common occurrence (5)

Impact (or consequence) refers to the extent to which a risk event might affect environmental or social receptors. For analysing this the following factors should be considered:

- Sensitivity of the environmental and social receptors – e.g. areas of high biodiversity value, densely populated areas, areas with significant influx returning returning refugees
- Magnitude of impact
- Manageability - are tools and measures readily available for effective mitigation, are they culturally accepted, or is detailed study required to understand if the impacts can be managed and which management measures are needed?
- Duration: will the adverse impacts be short-term (e.g. exist only during construction) or extend over a longer period?
- Reversibility: is an impact reversible or irreversible?

The impact or consequence are rated using five categories which are defined in the below table based on the above factors:

Severe (5)	Adverse impacts on people and/or environment of very high magnitude , including very large scale and/or spatial extent (large geographic area, large number of people, transboundary impacts), cumulative, long-term (permanent and irreversible) ; receptors are considered highly sensitive ; examples are severe adverse impacts on areas with high biodiversity value ¹¹ ; severe adverse impacts to lands, resources and territories of indigenous peoples; significant levels of displacement or resettlement with long-term consequences on peoples' livelihood; impacts give rise to severe and cumulative social conflicts with long-term consequences.
Major (4)	Adverse impacts on people and/or environment of high magnitude , including large scale and/or spatial extent (large geographic area, large number of people, transboundary impacts), of certain duration but still reversible if sufficient effort is provided for mitigation; receptors are considered sensitive; examples are adverse impacts on areas with high biodiversity value; adverse impacts to lands, resources and territories of indigenous peoples; significant levels of displacement or resettlement with temporary consequences on peoples' livelihood; impacts give rise to social conflicts which are expected to be of limited duration.

¹¹ For the definition see IUCN ESMS Standard on Biodiversity Conservation and Sustainable Use of Natural Resources.

Medium (3)	Adverse impacts of medium magnitude, limited in scale (small area and low number of people affected), limited in duration (temporary), impacts are relatively predictable and can be avoided, managed and/or mitigated with known solutions and straight forward measures.
Minor (2)	Adverse impacts of minor magnitude, very small scale (e.g. very small affected area, very low number of people affected) and only short duration, may be easily avoided, managed, mitigated.
Negligible (1)	Negligible or no adverse impacts on communities, individuals, and/or on the environment.

Table 2: Impact rating of a risk area

The rating should not only take the questionnaire entries of the project proponent into account, but also consider the draft proposal and relevant supporting documentation (including social or environmental baselines). In some case it will also involve consultation with regional or country colleagues to further inform the decision.

The rating of the different E&S risk areas and the ESMS standards is then documented in the summary table in Step 2 of the *ESMS Screening and Clearance* template. The rating summarizes the main findings of the ESMS Screening process and represents a consensus between ESMS reviewers. This includes establishing significance of each risk area by combining **likelihood** and **expected impact** (consequence) as demonstrated in table 3 below. The significance rating signals how much attention the risk area will require during project implementation and informs what level of assessment and what type of safeguard tools will need to be put in place, including the safeguard instruments required by the ESMS Standards that have been triggered.

		Likelihood of occurrence				
		<i>Very unlikely to occur (1)</i>	<i>Not expected to occur (2)</i>	<i>Likely – could occur (3)</i>	<i>Known to occur - almost certain (4)</i>	<i>Common occurrence (5)</i>
Impact	<i>Severe (5)</i>	Moderate	Substantial	High	High	High
	<i>Major (4)</i>	Low	Moderate	Substantial	Substantial	High
	<i>Medium (3)</i>	Low	Moderate	Moderate	Moderate	Substantial
	<i>Minor (2)</i>	Low	Low	Moderate	Moderate	Moderate
	<i>Negligible (1)</i>	Low	Low	Low	Low	Low

Table 3: Rating significance of a risk event

It can be challenging to compare magnitude consistently between different receptors (socio-economic and bio-physical) and risk areas. In the end it will rely quite substantially on professional judgement as well as on considerations of applying the precautionary principle: in case of data gaps and/or if uncertainties are high, a higher risk level should be chosen. Also, the purpose of the screening is to achieve an overall appreciation of risks - a more detailed judgement is undertaken during the subsequent impact assessment which will verify impacts and validate the impact rating, including through input from project-affected people.

Completing the Screening Report and determining the risk category of the project

After completing the rating for the individual risk areas and the four Standards, the IUCN reviewer determines the overall risk category of the project. This will take into account the following factors:

1. The significance rating of the individual risk areas and the standards,

2. Adherence to ESMS principles when designing the project (Section D of the questionnaire) and
3. The type of mitigation measures and safeguard tools required to manage these risks (whether they are standard practices, well known and often practiced by the implementing agency).

In addition, the overall risk rating should also capture the capacity and commitment of the implementing agency in relation to environmental and social risks, including their experience and familiarity with safeguard processes and tools and with the risk topic and potential mitigation measures in general. Previous experience working in the site and in-depth understanding of the bio-physical context and of the social system and interactions could be considered as a factor lowering the risks.

Another factor is the social, political and environmental context in which the project will be implemented. In a social-political context dominated by top-down decisions, staff of the executing agency may not have appropriate awareness or sensitivity to practice inclusive stakeholder engagement and address concerns of local communities. The risk categorization should further take the existing regulatory framework into account including the applicable national and local laws as well as directly relevant provisions of the host country in relation to international treaties and agreements.

The below table provides an overview of the main characteristics of projects for each of the four categories - low, moderate, substantial¹² or high.

Project risk category	Description
High risk	Projects with activities that have the potential to high adverse environmental or social impacts that are diverse, irreversible and unprecedented. These impacts may influence an area broader than the project site, may be related to sensitive receptors – human populations or environmentally important areas – may severely affect the health and quality of life of the receptor, may be of long duration, and may be irreversible. The risks and impacts raise significant concerns among potentially affected communities and individuals as expressed during the stakeholder engagement process. High risk projects are likely to have more than one individual High risk issue, requiring comprehensive forms of assessment and management plans with extensive consultation of affected groups. The mitigation measures required go beyond off-the-shelf standard solutions, and safeguard tools such as Process Frameworks or Indigenous Peoples Plans are required.
Substantial risk	Projects with activities that have potential to cause substantial adverse environmental and/or social risks and impacts, but with impacts that are limited to a specific area, and are of a lesser magnitude than those of High risk projects, and are more severe than moderate risk projects. Substantial risk projects are likely to include individual Substantial risk issues, or a range of Moderate risk issues, requiring a tailored Environmental and Social Assessment. Safeguard tools can include Process Frameworks and Indigenous Peoples Plans.
Moderate risk	Projects with potential environmental and social impacts that are less adverse and fewer in number than those of Substantial or High-risk projects. Typically, these impacts are site-specific, their extent can be determined with a reasonable degree of certainty, few if any of them are irreversible, and standard solutions integrated into the project ESMP can be used as mitigation measures to successfully address these concerns.

¹² The category “Substantial risk” has been introduced in 2019 in order to allow for a more differentiated spectrum of risks. In the initial phase of testing of the new categorization it has not applied to the entire project portfolio (e.g. not applied for GEF and GCF projects).

Low risk	Projects that are likely to have minimal or no environmental or social impacts, and/or when mitigation measures have already been devised as part of the project's activities that appropriately address the risks. No further assessment is required for low-risk projects. The Screening Report might point to good practice guidance in the ESMS standards for proactively addressing minor risks.
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Table 4: Characteristics of projects according to the four risk categories

The categorization of the overall project is based on the assumptions that the mitigation measures documented in the ESMP and safeguard tools (IPP etc.) proposed by the screening are implemented and effective in addressing the risks. While a modification of the rating is theoretically during ESMS Clearance, after having carried out further impact assessments and having adjusted the rating of individual risk areas, in the majority of cases such adjustments do not lead to a change of the project's overall risk category. It should also be taken into consideration that the value of the screening and risk categorization is to identify risks and develop mitigation measures; it is not meant to get overly strained with highly elaborate efforts for the rating and adjusting the rating.

Difference between formal Screening and Self-Assessment

IUCN distinguishes formal screening from screening by Self-Assessment. Formal ESMS Screening is done by one or two IUCN ESMS Reviewers and is required for all IUCN projects with a project budget of over CHF 1,000,000. For projects with a budget below this threshold, the proponent does a self-assessment and screens the project themselves, completing the Screening Questionnaire. The questions are written in a way that the underlying risk issues can be understood intuitively.

For those projects with a budget under CHF 1,000,000, where no risks or only low risks are identified, the proponent enters an explanation in the screening form justifying the risk level as being low and the document serves as the ESMS clearance. In those cases where the proponent identified risk issues when completing the ESMS Questionnaire, the projects will be brought forward to undergo a formal ESMS Screening.

5.3 Impact assessment and development of risk management

All projects that have been categorized as moderate, substantial or high risk project, require a risk assessment to ensure that the risks are analysed in more detail and a strategy will be in place for managing risks and mitigating impacts. Identifying mitigation measures is guided by the '**mitigation hierarchy**'. First all reasonable attempts must be made to avoid negative social or environmental impacts (e.g., by choosing different siting options or adjusting the project's technical design). If avoidance is not possible without challenging the conservation objective of the project, measures should be taken to minimise the impacts to acceptable levels; if this is not possible, remaining residual impacts need to be addressed with adequate and fair compensation measures.

The scope of the impact assessment is based on the analysis carried out during screening and the project's risk category. All high-risk projects require a full ESIA. A full ESIA is a comprehensive risk assessment process that starts with a dedicated scoping exercise and designs and plans an impact assessment that takes into account the full range of potential impacts of a proposed project. An ESIA requires a dedicated methodology for stakeholder analysis and consultation including dedicated steps of disclosing draft reports for seeking informed feed-back. It requires engaging with project

affected people, and with other rights-holders and stakeholders, to be carried through along the entire assessment process (see Box 2 below for further details).

The ESIA also includes an in-depth analysis of the policy, legal, and administrative framework, collection of environmental and social baseline data, impact prediction and assessment, an analysis of alternatives, and development of an environmental and social management plan (ESMP). The process and the findings need to be well document in an ESIA report, the key elements of which are illustrated in Figure 4 below. The full ESIA is always conducted by an external expert, usually a team of consultants. More guidance on the completion of an ESIA can be found in the IUCN ESIA Guidance Note¹³.

<i>Project description</i>	•To communicate the project and its area of influence in a succinct and concise way: geographic, ecological, social, and temporal context
<i>Analysis of policy, legal, and administrative framework *</i>	•To clarify the framework within which the ESIA is carried out and to be adhered to by the project to assure compliance
<i>Stakeholder identification and analysis</i>	•To clarify who should be involved in the ESIA process, in particular groups that might be affected
<i>Environmental and social baseline data *</i>	•To understand what the starting point is including any changes anticipated without the project
<i>Environmental and social impact assessment</i>	•To analyse the social and environmental risks and make rigorous predictions for all significant impacts
<i>Analyses of alternatives *</i>	•To identify other options to achieve project objectives and compare impacts, including the alternative of not implementing the project
<i>Environmental and social management plan</i>	•A set of appropriate measures for avoiding and minimizing impacts and provisions to assure their effectiveness
<i>Results of stakeholder consultations</i>	•To understand stakeholder concerns and what is needed to protect their rights and livelihood

Figure 4: Key elements of an ESIA Report (Note: * = elements not covered in a partial ESIA)

For substantial or moderate-risk projects, a partial ESIA is appropriate, also referred to as targeted environmental and social risk assessment or targeted assessment. While the targeted assessment follows the same structure and approach as the full ESIA, the scope is narrower, focussing mostly on the risk areas identified during the screening assessment (see elements marked with an asterisk). Compared to a full ESIA, it requires less time and resources, but should still be commensurate with the risk issues identified. A targeted assessment could also be focusing on social risks only. While all high-risk projects require a dedicated scoping phase and visit, in some cases this might also be recommended for substantial and moderate risk projects, in particular in regions where IUCN has no previous project experience.

¹³ IUCN ESIA Guidance Note can be found [here](#).

For projects that are not preceded by a scoping visit, the IUCN ESMS reviewer will draft Terms of Reference (ToR) to delineate the scope of the risk assessment. The ToR specifies the identified E&S risks to be focused on, the stakeholders that are likely to be included for each assessment area and in some cases also the required methodology for assessment and consultation. It will also specify the Standards that have been triggered and the respective need for additional requirements to be assessed and met. The ToR should also indicate the skills/ expertise required on the assessment team. It is important that the scope of the assessment is proportionate to the complexity of the project and the nature and scale of risks.

Box 2: Stakeholder Engagement and the ESIA

Stakeholder engagement for the identification, assessment and management of risks does not differ from the guidance provided in the IUCN Guidance Note on Stakeholder Engagement. At the time of conducting the impact assessment, it is expected that the project has conducted stakeholder consultation to generate input into the project design. The ESIA team would validate and improve the project's existing stakeholder identification and analysis, which would order to inform the type and level of engagement required during the ESIA.

In High risk projects conducting a full ESIA, it is expected that formal consultations occur twice at a minimum, first during scoping, and then during the assessment itself, including on a first draft of the assessment report.

Fundamentally, both a full ESIA and the targeted risk assessment will work with both rightsholders (including project affected people) and other stakeholders to understand impacts, and to generate mitigation measures to manage identified risks. This often includes engaging with community-based organisations, community representatives and affected people through meetings, interviews, and focus groups discussions, in socially and culturally appropriate formats. This engagement ensures that local knowledge and expertise for understanding the likelihood and magnitude of impacts, and feasible avoidance, minimisation and mitigation measures. Identification of, and engagement with, women and vulnerable groups is an essential part of the community engagement for an ESIA.

In addition to community stakeholders, other stakeholders should be engaged through the ESIA, and can be prioritised based on their degree of influence, interest, and degree to which the project impacts them. Key decision makers, such as Protected Area authorities, or local government, should be central to ESIA, and validating what mitigation measures can and cannot be implemented. Civil society organisations can be engaged due to their partnership role, or independent perspective of the project and impacts. Private sector actors might be engaged if they are affected or have a key role in the project.

In conclusion, the risk management strategy that results from the ESIA would be expected to have substantial input from affected groups, and the ESIA itself is an opportunity to refine and improve the existing stakeholder engagement plan.

The main output of the risk assessment process is the Environmental and Social Management Plan (ESMP). The ESMP describes the set of mitigation measures developed during the ESIA together with an implementation schedule, required resources and responsibilities. It further includes provisions for training and capacity building and institutional arrangements for implementing the ESMP and requirements for monitoring. The ESMP might also specify adjustments of the grievance mechanism to address specific needs. Refer to the ESMP Guidance Note¹⁴ for detailed instructions and to chapter 4.5 of the ESMS Manual for explanations how the ESMP is monitored.

¹⁴ See ESMS Guidance Note on Developing and Monitoring an ESMP, available at www.iucn.org/esms.

5.4 ESMS Clearance

The ESIA report, safeguard plans and tools will be reviewed and approved by the IUCN ESMS Reviewer as part of ESMS Clearance and prior to approval of the project. The ESMS Clearance stage will also confirm the risk classification that has been established by the ESMS Screening. This analytical process is guided by the following questions:

Have findings from the risk assessment or other final steps of project development triggered any changes to the risk classification of the project? If yes, explain and indicate the risk areas where modifications were made.
Have the ESMS actions requested by the ESMS Screening been completed (assessments or management measures/plans)? Has this been done in a satisfactory manner? Has the implementation of the tools been budgeted for?
Are there ESMS actions requested by the ESMS Screening that still need to be completed during the project? If yes, specify the actions and respective deadlines?
Has the quality of stakeholder consultation during project design been adequate? Have results of the consultations been documented (disaggregated by gender, where relevant)? Does this demonstrate how the consultations were used to inform project design?
Has a Stakeholder Engagement Plan (SEP) been developed that describes how the identified stakeholder will be further engaged during project implementation?
Is the SEP inclusive and provides for active participation of a wide range of stakeholders – particularly women, civil society organizations, indigenous peoples, representatives of the local communities and local groups?
Are provisions made for monitoring the SEP during project implementation?
Has a project-level grievance redress mechanism (GRM) been established that explains the processes for submitting, resolving and escalating grievances? Is the GRM culturally appropriate, readily accessible for local stakeholders and provide appropriate confidentiality protection?
Have stakeholders been informed about the GRM?

Table 5: Questions checked at Clearance stage

If all aspects of the screening have been appropriately covered, the project can be **cleared**. If the safeguard requirements from the screening are not fully met and one or more ESMS action (e.g. assessments) are pending and/or an important re-formulation of management measures/plans, the project might be only *conditionally cleared*. Clearance will be **rejected** if essential ESMS provisions have not been fulfilled (e.g. ESMS assessments or management measures/plans have not been completed, critical management measures have not been incorporated into the project and/or don't seem feasible or sufficient for avoiding or minimizing impacts; or significant data gaps still prevail and additional field assessments are required). The clearance is documented in the ESMS Screening and Clearance form in Step 3: ESMS Clearance of Project Proposal.

5.5 ESMS Monitoring and reporting

Please refer to chapter 4.5 of the ESMS Manual and the ESMP Guidance Note for a description of the ESMS monitoring provisions.

5.6 Serious Incident Reporting

Serious Incident Reporting is a new ESMS tool introduced in March 2020. Serious incidents are unplanned or uncontrolled events that have an adverse effect on project personnel and workers, community members or on the environment within the project's area of influence, as well as events that have adverse effects on the project or that give rise to liabilities or reputational risks that could jeopardize achievement of the project's objectives. Serious incidents can include:

- Fatalities, serious injuries and accidents at work;
- Fatalities, serious injuries and accidents affecting local communities and others;
- Violations of human rights;
- Forced evictions;
- Conflicts, disputes and disturbances leading to loss of life, violence, or the risk of violence.
- Environmental impacts.

The IUCN Guidance Note on Serious Incidents¹⁵ describes how to report on serious incidents, and provides a reporting template for project proponents. All serious incidents must be reported to the IUCN Project Manager and the IUCN ESMS Coordinator within 48 hours of the incident. The level of detail provided depends on whether there is a formal inquiry or legal procedure.

6. Environmental and Social Risk Areas

In this chapter the process of identifying environmental and social risks is further substantiated by establishing six specific risk areas that are common to biodiversity conservation projects. For each of these risk areas guidance is provided and requirements formulated on the screening process, on risk assessment and on management of the risk issues.

6.1 Adverse gender-related impacts, including gender-based violence

Screening for risks

IUCN recognises gender equality as a prerequisite to effective conservation and sustainable development. It is committed to furthering gender equality as a matter of fundamental human rights, with added benefits for the environment, its natural resources and the people who depend on them. This commitment is most recently outlined in IUCN's 2018 Gender Equality and Women's Empowerment Policy for gender-responsive programming.¹⁶

A gender-responsive approach aims to identify, understand and take steps to reduce gender gaps, including the gender-based discriminations, biases, and – in the worst case – abuses that actually undermine effective, equitable, efficient and sustainable conservation and sustainable development. A

¹⁵ Available at: <https://www.iucn.org/sites/dev/files/esms - reporting serious incidents - guidance and template.docx>

¹⁶ IUCN's 2018 Gender Equality and Women's Empowerment Policy for gender-responsive programming is available at: https://www.iucn.org/sites/dev/files/annex_9_to_c_95_8_iucn_gender_equality_and_womens_empowerment_policy.pdf

gender-responsive approach also proactively identifies and builds upon opportunities for women's empowerment and gender equality.

Despite this IUCN policy and the adherence to guidance and tools for supporting gender-responsive project planning, IUCN recognizes that in the practical development and implementation of projects, there is a potential risk to inadvertently contribute to existing gender inequalities and adverse gender-related impacts, both within the direct work environment of the project and in relation to communities with which the project works, including the risk of gender-based violence.

Gender-based violence (or GBV) is defined by IUCN as any harm or potential of harm perpetrated against an individual or group on the basis of gender. Gender-based violence has many expressions, including physical, sexual, psychological and economic, which can be underpinned by legal, social and institutional norms and systems. Examples include but are not limited to: physical assault; sexual violence including sexual exploitation / abuse, forced prostitution and rape; domestic violence; trafficking; early/ forced marriage; female genital mutilation; honor killings; property grabbing; and widow disinheritance. Violence can occur in public or private spheres, against individuals or groups, in person or online.

IUCN recognizes that it is important to understand the relationship between gender inequalities and gender-based violence. Gender-based violence is both a manifestation of inequality and a means to keep inequality intact. It can be used to negotiate power, including in relation to natural resource access and control. Gender-based violence can be perpetrated by anyone, against anyone, although women and girls comprise the majority of victims. In some environmental sectors and situations, men, boys, or gender minorities are more at risk.

Examples of gender-related impacts in conservation projects include activities or outcomes that discriminate or disadvantage men or women, for example restrictions of access to natural resources affecting one gender group disproportionately (e.g., ban of fuel wood collection when women are the principle collectors, or reduced access to water points if women are principally responsible for collecting water for the family) or unequal payment for both genders with equal positions in the context of the project (e.g., staff, consultants, third party, etc.). Examples of situations where project activities perpetuate inequalities include reinforcing any inequality in participation in decision-making about natural resource use, or distribution of development benefits through the creation or formalisation of male-dominated committees. Gender-based violence in conservation projects can include women (staff or stakeholders, etc.) being verbally or sexually harassed by project staff, staff of partner organizations or people employed or contracted through third parties to perform work related to core functions of the project, as well as by individuals engaged by the project in public or community work programs or as volunteers. In projects supporting law enforcement activities, due to the nature of the community-enforcement power relationships, there is a particular risk of sexual and other forms of violence, particularly in contexts where women and girls (predominantly) are collecting natural resources in often remote rural sites, distant to the village. It is further recognized that also environmental defenders can be victims of gender-based violence.

In order to identify gender-related adverse impacts, the ESMS includes a dedicated section in the Screening Questionnaire on such risks (Section B). In this process, projects are checked for the

possibility of the project leading or contributing to unintended direct or indirect impacts (e.g., induced or cumulative impacts or through associated facilities/ activities) focusing on the following risk issues:

1. Discrimination against women or other groups based on gender with regards to access to resources, services, or benefits provided by the project;
2. Creation, exacerbate or perpetuate gender-related inequalities;
3. Adverse impacts on the situation (e.g., livelihood or rights) of women and girls, including restrictions on women's ability to use, develop or protect natural resources, taking into account different roles and positions of women and men in accessing environmental goods and services; and
4. Gender-based violence including risks of sexual exploitation, sexual abuse or sexual harassment (SEAH).

The above list (points 1-4) illustrates actual risks that are checked by the ESMS Screening. In order to ensure that a project not only avoids risks but also adheres to the IUCN Gender Equality and Women Empowerment Policy. The policy is reflected in the ESMS as a dedicated principle to guide project design and impact identification. As such, the last part of the Screening Questionnaire, which is dedicated to checking adherence to the ESMS principles, asks the following gender-relevant questions:

- Has a Stakeholder Analysis been done and documented identifying a project's key stakeholders; assessing their interest in the project; ways in which they may influence the project's outcomes and how they might be impacted by project activities (positively and/or negatively)? *Does the analysis differentiate by gender, and along other key axes of sociocultural differentiation, where relevant?*
- Have *women and men* been provided equal opportunities in terms of participation and decision-making throughout the identification and design of the project? Have provisions been made to ensure the same for implementation (including staffing), monitoring and evaluation of the project? Please provide details.
- Has a *gender analysis*, socio-economic assessment or the equivalent been applied to inform gender-responsive design, implementation, monitoring and evaluation?
- While gender risks have been covered in section B, briefly describe how the project is likely to *improve gender equality and women's empowerment*.

There are some limitations to the ability to achieve a full understanding of potential gender risks through the ESMS Screening given that it is a desk-based exercise and that understanding gender relations, and potential for project activities to influence these, requires specific knowledge of the project context. In addition, conservation projects often include relatively large project sites, with several communities (tens, or sometimes hundreds), with a high degree of community heterogeneity, often including different social groups and cultural norms in which gender relations might play out in different ways. Finally, GBV is often underreported and unknown, particularly when project proponents

are working in a new area. For these reasons, some form of assessment is often identified as being required.

Gender Analysis and Assessment of gender-related adverse impacts

IUCN's 2018 Gender Equality and Women's Empowerment Policy considers gender analysis as a critical step for developing a gender-responsive approach. A gender analysis facilitates the development of the information needed for robust and equitable governance of natural resources and sustainable development. It is a process of collecting and interpreting information to identify, understand and describe gender dynamics with respect to different roles and norms in a given context and among social groups (e.g., as related to caste, class, age, race, ethnicity, indigeneity, ability, sexual orientation and gender identity, etc.). A gender analysis explores the relevance of these dynamics to how women and men access resources, services, opportunities and benefits; how these dynamics are maintained (e.g., cultural norms, beliefs, institutional systems and gaps); and the ways in which women and men challenge and transform existing inequalities. The analysis represents a key opportunity to effectively plan, design and/or modify interventions for more effective and equitable results. It sets a common understanding for partners on gender and inclusion issues and identifies opportunities for reducing gaps that can and should inform a project's theory of change and logical framework.¹⁷Therefore, it is an assessment to be completed ideally during the preparation of the project, to inform the theory of change.¹⁸

A gender analysis can be done as a stand-alone assessment, as part of socio-economic and livelihood assessment or integrated in an ESIA or a targeted risk assessment. It is up to the ESMS Screening to recommend the approach that is appropriate to the identified risk issues and the project context. Generally, a gender analysis is recommended for all area-based projects. A full gender analysis is required for all GEF/GCF funded projects, as well as for projects where high or substantial gender risks have been identified. If the Screening categorized *Gender* as a moderate risk, a targeted assessment around the identified risk issues may be sufficient.

The gender analysis or assessment of gender risks should be carried out by a gender specialists who is familiar with the local conditions. Further guidance on methodology and consultation are provided in the IUCN Guidance quoted above.

The risk issues to be assessed are determined by the screening, but topics may include:

- **Potential for discrimination against women or other groups based on gender:** Assess women's ability to access resources, services or benefits provided by the project through discussing directly with women, and how they perceive any benefits in relation to any adverse impacts or costs that women might incur as a consequence of the project (eg. restrictions regarding access to natural resources). Assess women's representation on committees (eg. gender disaggregated membership lists) and their active participation in decision-making. Explore

¹⁷ For further guidance see IUCN Guidance Conducting a Gender Analysis – forthcoming.

¹⁸ A form of gender analysis can and may be conducted at any stage, including if a gender-related issue or risk has emerged during implementation, requiring investigation and mapping of remedial actions. As this guidance is for ESMS, the emphasis remains on the importance of conducting a gender analysis at the outset.

through these discussions, if there are income generation or employment opportunities linked to the project that might be of interest to women and whether there are any restrictions for accessing these opportunities.

- **Perpetuation of existing inequalities between men and women:** Assess whether project activities might inadvertently create inequalities. Where the inequalities are based on statutory law, analyse the respective law and regulations. If the inequalities are rooted in customary law, institutions or practices, consultations should include meetings with men and women (separately), as well as female leaders (eg. head of a women's association) and traditional leaders to better understand gender norms and relations and the level of potential impact.
- **Adverse impacts on the situation (livelihood or rights) of women and girls, including restrictions to women's access to natural resources:** Assessment follows the requirements of the IUCN ESMS Standard on Involuntary Resettlement and Access Restrictions. Special consideration should be paid to the role of the natural resource(s) in question in the household economy, including for example the levels of income/ subsistence provided by that resource during the course of the year, and the management and use of this income. Participatory natural resource mapping and establishing an Inventory of Natural Resources and Access Restrictions Natural Resource¹⁹ can allow for a disaggregated assessment of the potential impact of this resource use on women and any dependents, and identification of opportunities to avoid impacts or identify livelihood mitigation measures.
- **Gender-based violence (GBV):** For assessing the project on GBV risks the following considerations have proven effective:
 - Reviewing secondary data sources on the prevalence of GBV and any laws, policies and strategies aimed at ending GBV;
 - Identifying and consulting with ministries, institutions, groups and NGOs with local-level expertise to assess GBV risks within institutions, communities and sectors;
 - Require knowledge on GBV mitigation and response measures as qualifications in ToRs for gender experts and specialists;

Note that IUCN's Guidance on Gender Analyses includes specific questions pertaining to GBV. Some of these questions can be evaluated using secondary data sources, and others can be informed through engagement with local gender experts, specialists and groups.

It is extremely important to emphasise that questions about individual experiences of GBV should never be asked directly. Instead, consultations should focus on building an understanding of gender dynamics and norms (including harmful attitudes and beliefs that might permit violence), and the gender-differentiated concerns affecting wellbeing, health and safety in the target area. GBV is a highly complex and very often sensitive issue. In many societies, GBV is a taboo topic, which can impact the willingness of communities – as well as project staff and partners – to talk about experiences and risks. Extreme care needs to be taken to ensure victims are not pressured into disclosing, that they are left without access to resources and services to get out of violent situations,

¹⁹ IUCN Guidance on Access Restrictions can be found [here](#).

and/or that they are not put at risk for more violence. This underscores the importance of identifying and engaging with gender experts, specialists and groups that are knowledgeable about GBV risks, as they can help establish ethical and safety protocols for consultations and research on GBV, including especially from a survivor-centred approach.

Management of risks

The recommendations from the Gender Analysis and the risk issues identified in the gender analysis or through the risk assessment will be translated into action, either by improving gender-responsive and culturally appropriate project design (e.g. project activities) or by developing a gender action plan. A gender action plan is a dedicated planning instrument that takes the information from a gender analysis and acts as a roadmap for strengthening gender-responsive approaches throughout a project, contributing to equitable outcomes.

All GEF and GCF funded projects are required to develop a gender action plan prior to project approval. In addition, all projects where gender risks are confirmed through assessment to be high or substantial, will require a gender action plan. A gender action plan should include²⁰:

- Specific actions based on findings of vulnerabilities, risks and opportunities to close gender gaps, foster equitable engagement in decision making and management, and strengthen women's empowerment.
- Gender-responsive indicators and realistic targets to measure results related to equality and demonstrate commitment to identified priority areas of gender mainstreaming.
- Resources needed for gender-responsive activities, including budget to meet capacity building needs.
- Mechanisms to ensure successful implementation of activities, including responsibilities and design elements.

If gender risk issues are found to be moderate or low, specific identified measures can be incorporated into the environmental and social management plan (ESMP) instead of the gender action plan.

The priority should always be to avoid the identified risks. Where avoidance is not possible, concrete mitigation and response approaches will need to be developed by local experts (including for example local gender and GBV experts) in consultation with the potentially affected groups. While measures differ based on context and the identified risks, some examples are:

- **Potential for discrimination against women or other groups based on gender:** Promote inclusive and active representation and participation on project and natural resource management committees, and monitoring gender representation and active participation in decision making. Improve governance arrangements of a protected area to insure appropriately balanced representation. Ensure project and partner teams themselves are diverse, with

²⁰ Please note that this GN focuses on gender risks. For guidance on gender action plans, see for instance ADB at <https://www.adb.org/sites/default/files/institutional-document/34132/files/tip-sheet-2-preparing-gender-action-plan.pdf>

different expertise and capacities, to support engagement with and inclusion of diverse stakeholder.

- **Perpetuation of existing gender inequalities:** Avoid or restructure activities that could perpetuate inequalities based on findings from the assessments. Ensure diverse stakeholder both help inform development of and can access the project-level Grievance Mechanism; see the ESMS Grievance Mechanism Guidance Note for details on such mechanism.²¹
- **Adverse impacts on the situation (livelihood or rights) of women and girls, including restrictions to women’s access to natural resources:** Involve women in the participatory and bottom-up land use planning that takes into account stakeholders rights and ensures a balance between development and conservation outcomes. Ensure that women are not treated as a homogenous group, that women represented are the natural resource users themselves, and account for the often-high variation in use and dependence of natural resources between women. Avoid unnecessary restrictions and follow guidance from the Involuntary Resettlement and Access Restrictions Standard, if restrictions are unavoidable.
- **Potential for gender-based violence (GBV)²²:** Hold sensitization trainings for project staff and stakeholders, utilizing local expertise, on gender equality, women’s empowerment and risk of GBV for both gender. Identify opportunities to conduct awareness raising with men about the programme and women’s rights and participation in activities. Prevent perpetrators of GBV from being (re-) hired or (re-)deployed.

IUCN has a policy in place on the Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment²³. This policy applies to persons covered under the IUCN Code of Conduct and Professional Ethics for the Secretariat²⁴, namely all Staff members of the IUCN Secretariat, regardless of location, volunteers working for the Secretariat, individuals subcontracted as consultants, and individuals seconded by other organizations to –or hosted by- the Secretariat. It entails procedures to prevent and detect SEAH including modalities for reporting, investigation, protection and remedial action and redress to any survivors. Importantly, the policy ensures that all actual and apparent survivors of SEAH, witnesses and whistleblowers with respect to SEAH are entitled to protection which include anonymity and confidentiality, and protection from retaliation.

In any mitigation and response approaches, using a survivor-centred approach²⁵ is crucial. This means that the rights, autonomy, needs and wishes of survivors are prioritised, and they are treated

²¹ Available at: https://www.iucn.org/sites/dev/files/iucn_esms_grievance_mechanism_guidance_note.pdf

²² Further guidance can be found for example in: Good Practice Note on ‘Addressing Gender Based Violence in Investment Project Financing involving Major Civil Works (September 2018) published by Transport Global Practice (GGITR) and the Gender Group (GTGDR), available at: <http://documents.worldbank.org/curated/en/399881538336159607/Environment-and-Social-Framework-ESF-Good-Practice-Note-on-Gender-based-Violence-English.pdf>

²³ Available at: https://www.iucn.org/sites/dev/files/seah_revised_version_2020apr27.pdf

²⁴ Available at: https://www.iucn.org/sites/dev/files/import/downloads/code_of_conduct_and_professional_ethics.pdf

²⁵ Find more resources in IUCN’s GBV-environment linkages resources center: <https://genderandenvironment.org/agent-gbv-env/>; recommended in particular: IASC, How to support survivors of gender-based violence when a GBV actor is not available in your area, available at <https://gbvguidelines.org/en/pocketguide/>

with dignity and respect. A survivor-centred approach fosters an environment where survivors can identify their needs and have capacity to make decisions about possible interventions.²⁶

Institutional arrangements with partners

An important angle for assessing gender risks and for identifying opportunities for gender-responsive project implementation is to understand the policies and commitments of partner organizations. This critical step which is mandatory for all implementing partners of a project (including grant recipients) should be completed prior to any implementation agreement, and it should include a review of any existing policies on gender mainstreaming, their actual practices as demonstrated in past projects as well as any available institutional policies or procedures to protect from sexual exploitation, sexual abuse, and sexual harassment.

The latter should be checked against IUCN's SEAH Policy in order to ensure that the organization shall not directly or indirectly condone, encourage, or tolerate participation, or engagement in SEAH and that the procedures, principles and standards of protection are substantively equivalent to the ones set out in IUCN's Policy. It should further be ensured that the implementing partner has in place effective procedures to prevent and detect SEAH including modalities for reporting, investigation, protection and remedial action and redress to any survivors. Like the IUCN SEAH policy, it is important that procedures are in place to protect all actual and apparent survivors of SEAH, witnesses and whistleblowers with respect to SEAH against retaliation.

6.2 Risks of affecting vulnerable groups

Screening for risks

IUCN recognises the need to protect vulnerable groups and give attention to the root causes of vulnerability when identifying, avoiding, and mitigating adverse social and environmental impacts and identifying opportunities to enhance livelihood conditions. This commitment is established in the ESMS through the ESMS Principle on Protecting the Needs of Vulnerable Groups.

The focus of the ESMS on vulnerable groups is explained by the fact that they are individuals or groups who, by virtue of, for example, their age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantages or indigenous status, and/ or dependence on unique natural resources, **may be more likely affected by adverse impacts of a project**. At the same time they may also more **limited** than others in their ability to **take advantage of the project's benefits** including measures planned for improving peoples' livelihood conditions. Conceptually, vulnerability is composed of:

- **Exposure:** the degree to which an individual is exposed to an effect. In this case, all people likely to be affected by the adverse impacts of a project. For example, a project restricting access to fuelwood collection will affect those people who collect fuelwood. Those people who frequently collect fuelwood are more exposed than those who irregularly collect.

²⁶ Global Women's Institute (GWI), Inter-American Development Bank (IDB) and World Bank Group (WBG). (2014). Violence Against Women & Girls (VAWG): Resource Guide. Available at: <http://www.vawgresourceguide.org/overview>

- Sensitivity: the degree to which an individual is affected by the change in question. Using the same example, some fuelwood collectors might be affected more than others by the restriction to fuelwood, by virtue of a number of the social factors listed above.
- Adaptive capacity: the ability to respond to the impact through learning, managing risk and impacts and devising new effective activities or strategies. Using the same example, some fuelwood collectors might have access to alternative fuel supplies, while others do not, or some might have the capacity (eg. resources, education) to develop another activity that effectively replaces the original activity.

With this in mind, vulnerable groups in the context of the IUCN ESMS are those who present specific features of vulnerability and at the same time are being exposed to the project and more likely to be affected negatively by it. Depending on the context, vulnerable groups could be landless or elderly people, children, ethnic minorities, displaced people, people living in poverty, marginalised or discriminated individuals or groups, among others. Particular emphasis should be given to risks for persons with disabilities whose special needs are often overlooked when designing projects.

Examples of adverse impacts to vulnerable groups are restricting access to resources that are critical for the livelihood of vulnerable groups or individuals, or inadvertently disadvantaging vulnerable groups from accessing the benefits of the project's livelihood development components by failing to take into account the specific conditions of their vulnerability status (such as ability to participate in meetings, or capacity to uptake new livelihood activities). A project might also reinforce existing or create new institutional or legal arrangements which might inadvertently disadvantage vulnerable groups, for example in reinforcing tenure systems that exclude members of a caste or other marginalized groups from land and resource rights.

The ESMS Screening Questionnaire includes a dedicated section (Section B2) to identify risk of project activities affecting vulnerable groups, directly or by contributing indirectly to negative impacts (e.g., induced, cumulative or through associated facilities/ activities). As such the following is checked:

1. Whether the project area has been assessed for the presence of vulnerable or disadvantaged groups or individuals (including persons with disabilities) and whether their livelihood conditions and needs are sufficiently understood.
2. The likelihood that project risks and negative impacts fall disproportionately on disadvantaged or vulnerable groups or individuals. Project proponents are to consider impacts on material and on non-material livelihood conditions, and take into account changes in land use and/or tenure arrangements that might risk disproportionately affecting vulnerable groups.
3. The risk that the project might discriminate against vulnerable groups with regards to access to resources, services, or benefits provided by the project.

The above illustrates actual risks that are checked by the ESMS Screening. In order to also ensure that consultations during project development are carried out in such way that needs and interests of disadvantaged and vulnerable groups are identified when planning the project, the last part of the

Screening Questionnaire, which is dedicated to checking adherence to the ESMS principles, asks the following questions:

- Has a Stakeholder Analysis been done and documented identifying a project's key stakeholders; assessing their interest in the project; ways in which they may influence the project's outcomes and how they might be impacted by project activities (positively and/or negatively)? Does the analysis differentiate by gender, and along other key axes of sociocultural differentiation, including *consideration for vulnerable groups or individuals*?
- Have *disadvantaged or vulnerable groups or individuals* been consulted or people that might be negatively affected? Please provide details about the groups, the consultations and results of the consultations.
- While risks of discrimination and inequality have been covered in section B, briefly explain how the project is likely to provide *opportunities for persons with disabilities* to participate in and benefit from projects and programs on an equal basis with others.

During the ESMS screening there are some limitations to the ability to achieve a full understanding of complex socio-economic context and related risks for vulnerable groups given that it is a desk-based exercise. In addition, conservation projects often intervene in relatively large project sites, with several communities, with a high degree of community heterogeneity, where vulnerabilities and respective root causes may vary between sites. The Reviewer is dependent upon the project proponent's expertise and experience working with the communities and people in question. For these reasons, some form of assessment is often needed; in particular in situations where the social baseline analysis has not taken into account the vulnerability, and in contexts where this is likely to be an issue.

Assessment and management of risks

An ESIA or a targeted risk assessment would assess impacts on vulnerable groups if this risk area has been identified in the ESMS Screening as a moderate, substantial or high risk. If the Screening categorized the risk area as a moderate risk, a targeted assessment around the identified risk issues can be sufficient. It is important that the assessment is done in consultation with the identified vulnerable groups. Recognizing the vulnerable status of these individuals, and the sensitivities and power relations involved in this kind of assessment, social science expertise, appropriate local understanding and experience working with vulnerable groups are important qualifications of the team.

Identified impacts can be addressed by adjusting project design (e.g. by including project activities with a specific focus on vulnerable groups) or by developing specific mitigation measures. The latter can be expressed in the project's Environmental and Social Management Plan (ESMP) or in any other safeguard instrument, e.g. Indigenous Peoples Plan, Action Plan for Mitigating Impacts from Access Restrictions, as relevant. How to assess the identified issues and what mitigation measures are effective depends on the context and the specifics of the risks identified at screening. Key requirements around assessment and management of social vulnerabilities include:

- **Disproportionate negative impacts:** Potential adverse impacts from project activities on vulnerable groups should be thoroughly assessed. Mitigation measures may need to be differentiated and targeted to different groups to ensure that risks and impacts do not fall disproportionately on vulnerable individuals or groups. These measures should be designed

together with the vulnerable groups as they often have a different risk appetite, and might have different levels of skills, interests and aspirations.

- **Risk of discrimination:** Assess vulnerable groups' access to the opportunities and benefits from the project. When designing project activities and mitigation measures, ensure that vulnerable individuals or groups do not face any discrimination or prejudice in accessing benefits and other mitigation measures provided by the projects.
- **Impacts on persons with disabilities:** Ensure that differentiated risks and potential impacts of projects activities on persons with disabilities are systematically assessed. Avoid any discrimination of persons with disabilities. Where impacts cannot be avoided, ensure that minimization and compensation measures are designed together with disabled persons. Wherever possible, provide opportunities for persons with disabilities to benefit from projects on an equal basis with others.

In order to facilitate inclusion of vulnerable peoples in project design and activities, existing local mechanisms through which vulnerable groups are represented in local decision-making processes should be well understood, so that these can be reinforced, where relevant.

6.3 Risk of undermining Human Rights

Screening for risks

Every state bears the primary obligation for ensuring that human rights are respected, protected and fulfilled within its jurisdiction. The most prominent set of global normative standards on human rights is the human rights framework in the Universal Declaration of Human Rights and the two international Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. Human rights standards comprise the human rights themselves, called substantive rights (e.g. the right to food), and human rights principles – participation and empowerment, non-discrimination and equality of opportunity, transparency and accountability – linked to procedural rights. Both types of human rights are part of international human rights instruments.²⁷

The ESMS is guided by a rights-based approach which is established through a dedicated ESMS Principle (“Taking a Rights-based Approach”). This follows that IUCN projects should respect, protect and promote the fulfilment of human rights standards and principles derived from the Universal Declaration and other human rights instruments.²⁸ It further implies that these standards and principles should guide IUCN projects in all phases of the project cycle, including in the assessment of environmental and social risks during project preparation as well as during implementation and monitoring.

²⁷ Guidelines on Incorporating Human Rights Standards and Principles, Including Gender, in Programme Proposals for Bilateral German Technical and Financial Cooperation, available at:

https://www.bmz.de/en/zentrales_downloadarchiv/themen_und_schwerpunkte/menschenrechte/Leitfaden_PV_2013_en.pdf

²⁸ Office of the United Nations High Commissioner for Human Rights, 2012, Human Rights Indicators – A Guide to Measurement and Implementation, available at:

http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf

The ESMS Screening Questionnaire includes a dedicated section (Section B3) where projects are checked on the possibility of undermining human rights (including through indirect, induced or cumulative impacts or through impacts from associated facilities/ activities). It includes the following risk issues:

1. The risk of project activities leading to adverse impacts on the **enjoyment of human rights** (civil, political, economic, social or cultural) of individuals or groups, including through measures that reduce the level or effectiveness of the protection of rights by governments and agencies or that weaken the respect of the rights by other stakeholders (e.g replacement of customary authorities and institutions by protected area officials, affecting the traditional systems of political representation, authority and decision-making and therefore the political rights of communities).
2. The risk of project activities affecting individuals or groups in their ability to **fulfill economic and social rights**, i.e. the rights that guarantee the ability of people to meet their basic needs (e.g. health or education, drinking water, productive resources, sources of income, subsistence); consider restrictions in availability, quality of and/or access to services or resources essential to meet the basic needs, in particular for vulnerable groups or individuals, including persons with disabilities.
3. The risk of project activities leading to a deterioration of **procedural rights**; consider project activities that lead to exclusion of individuals or groups from participating in decisions that may affect them (e.g. on natural resource management, land use etc) or that affect their ability to access information that is important for their informed participation.
4. The risks of project activities contributing to the **discrimination** on the grounds of ethnicity, sex, age, language, disability, sexual orientation, gender identity, religion, political or other opinion, national or social or geographic origin, property, birth or other status including as an indigenous person or as a member of a minority.
5. The risk of activities leading to **unjustified preferential treatment** of individuals or groups in terms of access to resources or services provided by the project, including to elite capture that leads to discrimination of vulnerable people, or due to the formal or de facto restriction or exclusion of groups from access to such resources or services.
6. In case of any **history of human rights conflicts or injustice** in the project area/s, including processes of evictions and failure to compensate people for their land and/or assets lost when the protected area was established, the risk that the project might perpetuate or aggravate such situations.

The above list illustrates actual risks that are checked by the ESMS Screening. In order to also ensure that human rights standards and principles guide the preparation of IUCN projects and that critical participation rights are upheld, the last part of the Screening Questionnaire, which is dedicated to checking adherence to the ESMS principles, asks the following questions:

- Have consultations been held with relevant groups to discuss the project and risks? Were consultations conducted in a meaningful and culturally appropriate way? Provide details

about the form of consultations and the groups involved. Explain how this has influenced project design.

- While risks of affecting human rights have been covered in section B, briefly explain how the project is likely to further the realization of human rights e.g. by supporting governments to adhere to their human rights obligations or by supporting the 'rights-holders' to claim their rights (where relevant and feasible within the context of the project).

Assessment and management of risks

Where the ESMS Screening has identified human rights risks as moderate, substantial or high risks, further assessments are required. Such assessment would be either included in an ESIA or performed as a targeted risk assessment. A project with high risk related to human rights (high magnitude and high probability) is very likely to require a special assessment focusing on human rights (e.g. a Human Rights Impact Assessment, HRIA²⁹). How to assess the identified issues depends on the context and the specifics of the issue as identified by the ESMS Screening, but key requirements for the assessment and management of human rights risks include:

- **Assessing legitimacy of rights:** Applying a rights-based approach requires honoring the rule of law and assessing the legitimacy of rights in statutory and customary legal frameworks. This is particularly relevant to situations where resource exploitation by local communities or individuals is driven by criminal practices instigated by outside forces. Criminal or illegal practices do not give origin to legitimate rights and entitlements, irrespective of the stakeholders involved. However, there may be cases where vulnerable communities and individuals find themselves with no other option to sustain their livelihoods than getting involved in illegal activities.
- **Equality and non-discrimination:** Projects should avoid any form of discrimination on the basis of ethnicity, gender, age, language, disability, sexual orientation, religion, political or other opinion, national or social or geographic origin, property, birth or other status including as an indigenous person or as a member of a minority. This refers to project results (including access to benefits or services), to engagement in project design, management and monitoring as well as other institutional arrangements and governance structures promoted by the project.
- **Support to right-holders:** Seek opportunities for supporting right-holders to claim their rights by promoting inclusive governance of natural resources, supporting recognition of traditional or customary tenure or recognizable usage rights and measures to counter structural disadvantages of unequal rights in decision making around natural resources.³⁰

²⁹ An HRIA assesses a project against a set of internationally and nationally recognized human rights standards and national human rights legislation, which could include for example the Universal Declaration of Human Rights (UDHR) and International Covenant on Civil and Political Rights (ICCPR). Guidance is provided for instance by the Danish Institute for Human Rights, available at: <https://www.humanrights.dk/business/tools/human-rights-impact-assessment-guidance-toolbox>

³⁰Guidance on governance is provided for instance in IUCN [Guideline on Governance of Protected Area](#) and IUCN [Natural Resource Governance Framework](#) or [FAO Voluntary Guidelines](#) on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.

- **Past human rights conflicts:** Assessment should include a diligent review of the past events and the potential for repetition or aggravation of these conflicts. Depending on the gravity of the concern, this might include a comprehensive process of stakeholder consultation, a review of current policies regulating the topics of concern and policies and procedures to ensure fulfillment of human rights relevant to the involved actors. Where issues relate to law enforcement, the IUCN Guidance Note on Law Enforcement Risks need to be followed.³¹

6.4 Community health, safety and security risks

Screening for risks

This risk area looks at adverse impacts on communities living in the project's area of influence with respect to their health, safety and security. Section B4 of the ESMS Screening tool examines this issue, taking into account direct and indirect impacts (e.g., induced, cumulative or through associated facilities/ activities) and giving particular attention to special needs and exposure of vulnerable or disadvantaged groups. As such the following risk issues are checked:

1. Project activities increasing exposure of communities to security and safety risks, in particular for vulnerable groups, through direct and indirect impacts, when operating in **areas of conflict or post-conflict** (civil war, inter-ethnic conflict etc.) or affected by organized crime including poaching, drug cultivation, trafficking in persons or illegal migration.
2. Project activities inadvertently **exacerbating existing conflicts or generating conflicts** within or between communities including through weakening community institutions, disrupting social interactions or by inadvertently escalating personal or communal conflicts and violence.
3. Risks to local communities from **security personnel** or from law enforcement operations in protected areas (including operations conducted by government partners supported by the project with e.g. training, materials, funding), whether armed or unarmed,;
4. Risks of injury or loss of life among people triggered by an increase or change in the nature of **human wildlife conflicts** that may be elicited directly or indirectly from project activities, with particular attention to vulnerable and/or forest-dependent groups; including conflicts escalated through wildlife affecting assets such as crops or livestock (e.g. retaliatory killing).
5. Inadvertent impacts on **provisioning and regulating ecosystem services** including risks of increasing communities' exposure to **natural hazards** or disasters (e.g. by exacerbating floods due to cleared vegetation for project construction or by changing flows into water infrastructure etc.) giving particular attention to current or projected impacts from climate change.
6. Risk of **accidents** and exposure of communities to hazardous substances, including accidents involving vehicles and equipment and risks related to infrastructure built by the

³¹ IUCN ESMS Guidance Note Law Enforcement Risks in Protected Areas, forthcoming, link to be added

project, in particular in areas subject to natural hazards (floods, hurricanes, earthquakes, etc.).

7. Increasing community exposure to **health risks**, including by triggering water-borne or -based diseases (e.g. through creation of stagnant water bodies, livestock activities affecting quality of portable water), increasing the spread of other vector-borne diseases or communicable infections (e.g. by failure to provide precautionary measures during epidemics or seasonal diseases) or through impairment of local air quality (e.g. through generation of dusts, burning of wastes, or burning fossil fuels and other materials in improperly ventilated areas).

Where the screening identifies risks to communities from law enforcement operations in a protected area, a specific procedure for assessing and mitigation of risks will be triggered, as outlined in the Guidance Note Law Enforcement Risks in Protected Areas.³²

Assessment and management of risks

Where potential adverse impacts to the health, safety and security of project-affected communities have been identified by the ESMS Screening and rated as moderate, substantial or high risks, further assessments are carried out. Such assessment would be either included in an ESIA or performed as a targeted risk assessment. The assessment process will ensure that appropriate measures are designed, implemented and monitored to prevent or avoid any adverse impacts on community health, safety and security, where feasible, or minimized or mitigated, where avoidance or prevention are not feasible.

The mitigation measures related to community health and safety are to be included in the project's Environmental and Social Management Plan (ESMP) to ensure that progress of implementation of identified measures is appropriately monitored as well as emerging health and safety risks are being picked up. The measures will differ based on context and the specificity of the identified risks and will need to take current management measures into account, the capacity of the implementing agency as well as environmental regulation of the host country.

Key requirements of assessment and management of community health, safety and security risks are:

- **Conflict or post-conflict context:** Assessment will need to take the security situation of the project site into account, including risks created by organized criminal groups operating in the project area (poaching, trafficking, drug related crime etc.), social and political conflicts between communities, groups or individuals, and risks in the wider transboundary region, where relevant. The risk assessment will focus on situations where project activities might inadvertently exacerbate security risks, aggravate existing tensions or bring about new tensions or even violence. It is critical to be attentive also to indirect, induced and cumulative impacts, including where project activities might spur conflicts through a deterioration of social relations and existing institutions.

³² IUCN ESMS Guidance Note Law Enforcement Risks in Protected Areas, forthcoming, link to be added

- **Accidental or natural hazards, particularly related to structural elements of the project:** When structural elements or components are situated in high-risk locations and their failure or malfunction may threaten the safety of communities, projects engage one or more external experts with relevant and recognized experience in similar projects, separate from those responsible for the design and construction, to conduct a review as early as possible in project development and throughout the stages of project design, construction, operation, and decommissioning.
- **Community exposure to health risks including diseases:** Assessment and mitigation measures need to take into account differentiated levels of exposure of groups potentially affected by the project; special attention is given to the special needs and exposure of disadvantaged or vulnerable groups or individuals, in particular women, children and persons with disability.
- **Impacts on ecosystem services:** While IUCN projects generally aim at protecting or restoring ecosystem services, IUCN recognizes the potential risk of inadvertent impacts on communal ecosystem services. Assessment will include the degree to which ecosystem services flow will be disrupted, the number of people affected and identification of affected groups. Measures are required to avoid or minimize adverse impacts on ecosystems services caused by project activities with particular attention on impacts affecting vulnerable or disadvantaged groups or individuals, in particular those groups whose livelihood is highly dependent on such ecosystem services.
- **Emergency preparedness:** Where project involves specifically identified physical elements, aspects and facilities that are likely to generate impacts or in other situations as deemed relevant, emergency preparedness plans are prepared to allow responding to accidental and emergency situations associated with the project in a manner appropriate to prevent and mitigate any harm to people and/or the environment. The plan will be developed, implemented and monitored in collaboration with affected communities and relevant authorities in order to ensure their suitability for local contexts. Periodic training will be provided to ensure effective response. The emergency preparedness and response activities will be periodically reviewed and revised, as necessary, to reflect changing conditions. An outline for an emergency preparedness plans is provided in Annex 1.
- **Human-wildlife conflict (HWC):** Assessment should include knowledge and guidance provided by HWC specialists³³, government bodies responsible for HWC but also involve affected communities themselves to ensure the inclusion of traditional and local ecological knowledge. Where HWC has been identified as a high-risk topic for community health and safety, it is advisable to address this through a dedicated component of the project. Where this is already included, the risk assessment should review the effectiveness of measures and whether measures are accessible to all people affected by the project; and suggest modifications or improvements, where relevant. It is critical to ensure that effectiveness of measures is monitored appropriately. It might therefore be useful to include these activities as mitigation measures in the ESMP.

³³ See guidance on Human-Wildlife Conflict (HWC) [here](#) in the IUCN Task Force Reference Library.

- Where a project requires the engagement of **security providers/personnel**, the implementing agency will ensure that such security arrangements do not violate international human rights standards or principles³⁴ and are consistent with applicable national laws and good international industry practice. Where the screening has identified potential safety or security risks from protected area law enforcement operations supported by the project, refer to the IUCN Guidance Note Law Enforcement Risks in Protected Areas.³⁵

6.5 Labour and working conditions

Screening for risks

This risk area looks at adverse impacts on **project workers**. Project workers refer to:

- (i) **direct** workers (individuals employed or engaged directly by the project implementing agency to work specifically in relation to the project)
- (ii) **contracted** workers (individuals employed or engaged through third parties to perform work related to core functions of the project, regardless of location) and
- (iii) **community** workers and **volunteers** (individuals mobilized by the project to join public or community work programs or engaged by the project as volunteers, including as community rangers and community patrols).

The ESMS Screening examines the projects in Section B5 on issues related to labour and working conditions. It is important to note that aside from ensuring occupational health and safety the ESMS also requires adherence to international labour standards. As such the following risk issues are checked:

1. Whether the project would potentially involve or lead to working conditions that do not meet national labor laws and regulations and/or are not consistent with International Labor Organization's (ILO) Declaration on the Fundamental Principles and Rights at Work (e.g. discriminatory working conditions, lack of equal opportunity, lack of clear employment terms, failure to prevent harassment or exploitation etc.).
2. Project workers being exposed to occupational health and safety (OHS) risks including risks related to vehicles, equipment or heavy machinery, chemical or biological hazards, exposure to infectious and vector borne diseases and specific threats to women (e.g. rangers or community patrols being exposed to human wildlife conflict or at higher risk to malaria due to long period of exposure).
3. Project workers (including rangers and community patrols) being exposed to the risk of violence in the course of their duties (e.g. exposure to armed poachers or to criminal groups involved in drug trafficking).

³⁴ 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

³⁵ IUCN ESMS Guidance Note Law Enforcement Risks in Protected Areas, forthcoming, link to be added

4. Risk of the project being involved or implicated in forced labor (e.g. any work or service which someone has not volunteered for and is forced to do) or in harmful child labor³⁶; considering direct and indirect work relationships established by the project as well as work relationships of project stakeholders, including farmers and other enterprises that receive benefits or services from the project.

IUCN recognizes that information available at screening stage might often not be sufficient to achieve a full understanding of working conditions and of compliance with the ILO labor standards. Therefore, all implementing agencies and third parties that are expected to employ or engage individuals to perform work related to core functions of the project will undergo a dedicated **labor and working condition compliance check** where their policies, procedures, systems and capabilities will be checked against national and international labor standards (see below).

Assessment and management of risks

Where potential risks for project workers from project activities have been identified by the ESMS Screening and rated as moderate, substantial or high risks, further assessments are carried out. Such assessment would be either included in an ESIA or performed as a targeted risk assessment. Where risks have been identified, measures are designed, implemented and monitored to prevent or avoid any risks for project workers, where feasible, or minimized or mitigated, where avoidance or prevention are not feasible. The mitigation measures can be included in the ESMP or presented in form of a separate plan (e.g. Health & Safety Plan) building on existing tools of the implementing partner(s).

Key risk assessment and management requirements relevant in this step include the following:

- **Risks of affecting occupational health and safety (OHS) of project workers:** Where the screening has identified significant OHS risks, an assessment is required to analyze such risks and develop mitigation measures (e.g. in form of an Health & Safety Plan) to ensure the following:
 - Identification of potential hazards to workers, particularly those that may be life threatening;
 - Provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances;
 - Training of Workers and maintenance of training records;
 - Documentation and reporting of occupational accidents, diseases and incidents;
 - Emergency prevention and development of emergency preparedness plan with appropriate response arrangements to emergency situations (see Annex 1 for guidance); and

³⁶ Child labor is considered harmful if it includes any work that may be hazardous or may interfere with a child's education or could be detrimental to a child's health or mental, spiritual, moral, or social development.

- Remedies for adverse impacts such as occupational injuries, deaths, disability and disease;
- **Project workers (rangers or community patrols) exposed to health and safety threats during law enforcement:** please refer to the Guidance Note on Law Enforcement Risks for requirements and guidance on risk assessment and management.³⁷
- **Risk of the project being implicated in forced or child labor in the wider context of the project** (note that forced or child labor issues through direct project employment are addressed by the compliance assessment described below): The assessment will identify potential use of forced and child labor among project stakeholders including farmers and enterprises that receive benefits or services from the project. It is essential to identify any use of child labor in the involved industries and among partners and assess whether any of these practices would be considered harmful (see definition of harmful child labor in footnote 35). Ensure that project activities do not create or exacerbate harmful child labor, for example through the introduction labor intensive cultivation or harvesting methods etc..

The **labor and working condition compliance check** will assess whether the implementing agency as well as any third party that is expected to employ or engage individuals to perform work related to core functions of the project have in place the necessary policies, procedures, systems and capabilities to ensure that:

- The fundamental rights of workers, consistent with the International Labor Organization's (ILO) Declaration on the Fundamental Principles and Rights at Work are respected and protected; including (i) Freedom of association and the effective recognition of the right to collective bargaining; (ii) The elimination of discrimination, in respect of employment and occupation; (iii) The prevention of child labor; and (iv) The elimination of all forms of forced or compulsory labor.³⁸
- Written labor management procedures are established in accordance with applicable national laws;
- Workers are provided with clear and understandable documentation of employment terms and conditions, including their rights under national law to hours of work, wages, overtime, compensation and benefits;
- Workers are provided regular and timely payment of wages; adequate periods of rest, holiday, sick, maternity, paternity, and family leave; and written notice of termination and severance payments, as required under national laws and the labor management procedures;
- Decisions relating to any aspect of the employment relationship, including recruitment, hiring and treatment of workers, are made based on the principles of non-discrimination, equal

³⁷ IUCN ESMS Guidance Note Law Enforcement Risks in Protected Areas, forthcoming, link to be added

³⁸ As expressed in ILO conventions 29 and 105, and the protocol to the convention 29 (forced labour), 87 (freedom of association), 98 (right to collective bargaining), 100 and 111 (discrimination), 138 (minimum age) 182 (worst forms of child labour).

opportunity and fair treatment, and not on the basis of personal characteristics unrelated to inherent job requirements;

- Appropriate measures are in place to prevent harassment, intimidation, and exploitation, and to protect vulnerable workers, including but not limited to women, children of working age, migrants and persons with disabilities;
- Workers who participate, or seek to participate, in workers' organizations and collective bargaining, do so without interference, are not discriminated or retaliated against, and are provided with information needed for meaningful negotiation in a timely manner;
- Forced labor and child labor are not used in connection with the project;
- Occupational health and safety (OHS) measures are applied to establish and maintain a safe and healthy working environment;
- Workers are informed of applicable grievance and conflict resolution systems provided at the workplace level; and
- Workers may use these mechanisms without retribution, and the grievance and conflict resolution systems does not impede access to other judicial or administrative remedies available under the law or through existing arbitration procedures, or substitute for grievance systems provided through collective agreements.

Compliance with the above standards will not only be assessed but also contractually required by the implementing agency as well as any third party who employs or contracts individuals to perform work related to core functions of the project.

Compliance of the labor standards stated above and the adequacy of OHS measures will be reviewed as part of ESMS monitoring.

6.6 Resource efficiency, pollution, wastes, chemicals and emissions of Greenhouse Gases (GHG)

Screening for risks

This risk area looks at a project's potential adverse environmental and social impacts linked to resource use, pollution, wastes, chemicals and GHG emissions taking into consideration direct as well as indirect impacts (e.g., induced, cumulative or through associated facilities/ activities). Given the nature of IUCN projects such risks are not always evident, most likely such impacts are caused where the projects supports infrastructure development or promotes development activities to support livelihoods including value chains or enterprise development, ecotourism, etc. Questions relating to these risks are included in Section B6 of the ESMS questionnaire and include the following risks:

1. Risks of releasing pollutants (chemicals and other hazardous materials) to the environment due to routine or non-routine circumstances (e.g. accidental releases) with the potential for adverse local, regional, and/or transboundary impacts.
2. Risks related to the generation of waste or waste water, in particular hazardous waste, including the risk of inappropriate disposal of waste.

3. Risk related to the use of chemicals or other hazardous materials³⁹.
4. Risk of project activities involving a significant consumption of energy, water or other resources.
5. Risk of project activities leading to significant increases of greenhouse gas emissions or to a substantial reduction of carbon pools (e.g. through loss in vegetation cover or below and above ground carbon stocks).

Assessment and management of risks

A key requirement under this risk area is the strict avoidance of any activities that would involve promoting the trade in or use of any substances listed under the Stockholm Convention on Persistent Organic Pollutants, or other chemicals or hazardous materials subject to international bans, restrictions or phase-outs due to high toxicity to living organisms, environmental persistence, potential for bioaccumulation, or potential depletion of the ozone layer, consistent with relevant international treaties and agreements.

Where the risk of adverse impacts on the environment has been identified by the ESMS Screening and rated as moderate, substantial or high risks, further assessments are carried out. Such assessment would be either included in an ESIA or performed as a targeted risk assessment. Management of the risks should prioritize avoidance, and take into account the sensitivity of local receptors, current management measures, the capacity of the implementing agencies and local communities as well as environmental regulation of the host country. Avoidance measures are to be incorporated in project design, while specific management measures can be included in the project's Environmental and Social Management Plan (ESMP). Assessment and management requirements include:

- **Pollutants:** Avoid the release of pollutants, where feasible, or minimize and control the intensity, concentration, and mass flow of their release, including routine, non-routine and accidental releases. Apply control measures and performance levels consistent with applicable laws and good international industry practice.
- **Use of hazardous materials:** Avoid the use and release of hazardous materials, where feasible, or minimize and control such use and release across production, transportation, handling, storage, and use. Where hazardous materials are already in use (eg. mercury in artisanal gold mining), introduce measures that can reduce these to acceptable levels and improve management of these materials.
- **Hazardous and non-hazardous wastes:** Avoid hazardous and non-hazardous wastes generation, where feasible, or minimize waste generation, and reuse, recycle and recover waste in a safe manner, with environmentally sound waste treatment and disposal. Treat hazardous waste in accordance with national laws, applicable international treaties and agreements, and/or good international industry practice, whichever is most stringent.

³⁹ Please note that the use of pesticides and the requirements for a Pest Management Plan are covered in the Biodiversity Standard.

- **Greenhouse gas emissions and carbon pools:** Avoid or minimize project-related greenhouse gas emissions and black carbon. Avoid inadvertent reductions in carbon pools through changes in land use.
- **Use of water resources:** Where project activities involve high demand for water resources (e.g. ecotourism, value chain activities), apply measures to reduce water use and ensure that such usage does not have significant adverse impacts on communities, other users (including downstream users), or on the environment and ecosystems and measures for water conservation and efficiency.

6.7 Risk of project design failing to take climate change into account

Methodology in preparation

Annex

Annex 1: Outline of an emergency preparedness plan

An emergency preparedness plan shall include (as appropriate):

- 1) engineering controls (such as containment, automatic alarms, and shutoff systems) proportionate to the nature and scale of the hazard;
- 2) identification of and secure access to emergency equipment available on-site and nearby;
- 3) notification procedures for designated emergency responders;
- 4) diverse media channels for notification of the affected community and other stakeholders;
- 5) a training program for emergency responders including drills at regular intervals;
- 6) public evacuation procedures;
- 7) designated coordinator for implementation; and
- 8) measures for restoration and cleanup of the environment following any major accident