

# *Environmental and Social Management System*

## *Volume 1: Policies and Standards*



*Protecting Communities, People, and the Environment  
across the South Pacific*



October 2019

## Quality Information

Document Environmental and Social Management System Volume 2: Processes and Procedures Manual  
 Date October 2019  
 Prepared by Peter King, Institute for Global Environmental Strategies


I hereby approve the Environmental and Social Management System and Policy for SPREP.

This policy will strengthen SPREP'S role as an Implementing Agency and/or Executing Agency and will work to manage environmental and social issues appropriately within the context of this policy.

  
 Kosi Latu  
 Director General  
 Date: 15<sup>th</sup> February 2017



This table tracks all revisions and updates to this policy from time to time. It attempts to capture the date of when the policy has been reviewed and updated together with the official designation and signature of the Director General or proxy for approval. A summary of the changes that are made to this policy should be provided in a separate form and attached as an "Addendum".

Policy Reviewed and Updated			
Date	Designation	Signature	Addendum Number
18/12/2019 20/8/20	DIRECTOR GENERAL		Volume 1

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## Abbreviations and Acronyms

AF	Adaptation Fund
ADB	Asian Development Bank
CO <sub>2</sub>	carbon dioxide
DFAT	Department of Foreign Affairs and Trade
EHS	environmental health and safety
EIA	environmental impact assessment
ESA	environmental and social assessment
ESIA	environmental and social impact assessment
ESMP	environmental and social management plan
ESMS	environmental and social management system
ESS	environmental and social standards
FAO	Food and Agriculture Organization of the United Nations
FPIC	free, prior and informed consent
FRDP	Framework for Resilient Development in the Pacific
GEF	Global Environment Facility
GCF	Green Climate Fund
GHG	greenhouse gas
GIIP	Good International Industry Practice
IFC	International Finance Corporation
IPM	integrated pest management
IPP	indigenous people's plan
ISO	International Standards Organization
IVM	integrated vector management
LRP	livelihood restoration plan
PCU	Project Coordination Unit
PICT	Pacific Island Countries and Territories
PIFS	Pacific Islands Forum Secretariat
PRMG	Project Review Monitoring Group
RAP	resettlement action plan
SDGs	sustainable development goals
SPC	Pacific Community
SPREP	Secretariat for the Pacific Regional Environment Programme
WHO	World Health Organization

## Glossary<sup>1</sup>

<b>Term</b>	<b>Definition</b>
<i>Affected Communities</i>	Local communities directly affected by a project
<i>Area of Influence</i>	The area of influence encompasses, as appropriate: <ul style="list-style-type: none"> <li>• The area likely to be affected by: (i) the project and the client’s activities and facilities that are directly owned, operated or managed (including by contractors) and that are a component of the project; (ii) impacts from unplanned but predictable developments caused by the project that may occur later or at a different location; or (iii) indirect project impacts on biodiversity or on ecosystem services upon which affected communities’ livelihoods are dependent.</li> <li>• Associated facilities, which are facilities that are not funded as part of the project and that would not have been constructed or expanded if the project did not exist and without which the project would not be viable.</li> <li>• Cumulative impacts that result from the incremental impact, on areas or resources used or directly impacted by the project, from other existing, planned or reasonably defined developments at the time the risks and impacts identification process is conducted.</li> </ul>
<i>Cumulative Impacts</i>	Impacts that result from the incremental impact, on areas or resources used or directly impacted by the project, from other existing, planned or reasonably defined developments at the time the risks and impacts identification process is conducted.
<i>Ecosystem Services</i>	Ecosystem services are the benefits people, including businesses, derive from ecosystems and the living natural environment.
<i>Full replacement cost</i>	Replacement cost is defined as the market value of the assets plus transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. Market value is defined as the value required to allow affected communities and persons to replace lost assets with assets of similar value. The valuation method for determining replacement cost should be documented and included in applicable Resettlement and/or Livelihood Restoration plans.
<i>Impact</i>	Environmental and social impacts refer to any change, potential or actual, to (i) the physical, natural, or cultural environment, and (ii) impacts on surrounding communities and workers, resulting from the activity to be supported.
<i>Land</i>	In the context of environmental and social safeguards, “land” refers to terrestrial and aquatic natural resources.
<i>Risk</i>	Environmental and social risk is a combination of the probability of certain hazards occurring and the severity of impacts resulting from such occurrences.

<sup>1</sup> Definitions were sourced from the IFC (2012) Performance Standards on Environmental and Social Sustainability unless otherwise specified.

## 1 Introduction

1. The Secretariat for the Pacific Regional Environment Programme (SPREP) is the primary intergovernmental environmental agency for environmental conservation and management for Pacific Island Countries and Territories (PICTs). SPREP works with and on behalf of 21 PICT members, and is further supported by 5 metropolitan members.
2. An Environmental and Social Management System (ESMS) provides a systematic approach to managing environmental and social risks and impacts. This ESMS is designed to incorporate the management of environmental and social risks and impacts into the business processes and procedure of SPREP. Volume 1 provides the overarching vision, key policies and standards, while Volume 2 covers procedures and processes that are implemented concurrently with SPREP's broader risk management processes.
3. The ESMS is designed to ensure that SPREP always operates in compliance with its Environmental and Social Policy and Standards. It helps SPREP avoid and manage projects with potential environmental and social risks by conducting effective screening of projects and ensuring that appropriate mitigation measures are undertaken. Its basic purpose is: *to support SPREP and its staff to ensure the avoidance, or minimisation and management of potential negative environmental and social impacts of its work while also looking to maximise the environmental and social benefits.*
4. This ESMS details the (i) environmental and social sustainability policies and standards; (ii) institutional arrangements; (iii) operational processes and procedures across the SPREP project cycle; (iv) accountabilities, responsibilities, and grievance mechanisms; and (v) monitoring and reporting processes.

### 1.1 Scope of the ESMS

5. The provisions of this ESMS are applicable to all projects where SPREP is the entity legally responsible for the project, irrespective of the type of project implementation in place or entities involved in its execution. This includes:
  - Projects developed and executed by SPREP;
  - Projects funded by the Green Climate Fund (GCF), Adaptation Fund (AF), or others where SPREP acts as the Implementing Agency and other entities execute the project activities; and
  - Projects developed by donors and other development parties and executed by SPREP e.g. the Global Environment Facility (GEF).
6. The application of ESMS requirements is designed to be commensurate to the potential risks and impacts of projects supported by SPREP. Details of the applicability of different requirements for different types of project are discussed in Section 4.
7. Where SPREP is involved in a project or programme funded by another agency that requires its own ESMS to be followed (e.g. with national government funding), SPREP will ensure that this does not in any way invalidate or diminish the environmental and social safeguards embodied in SPREP's own ESMS.

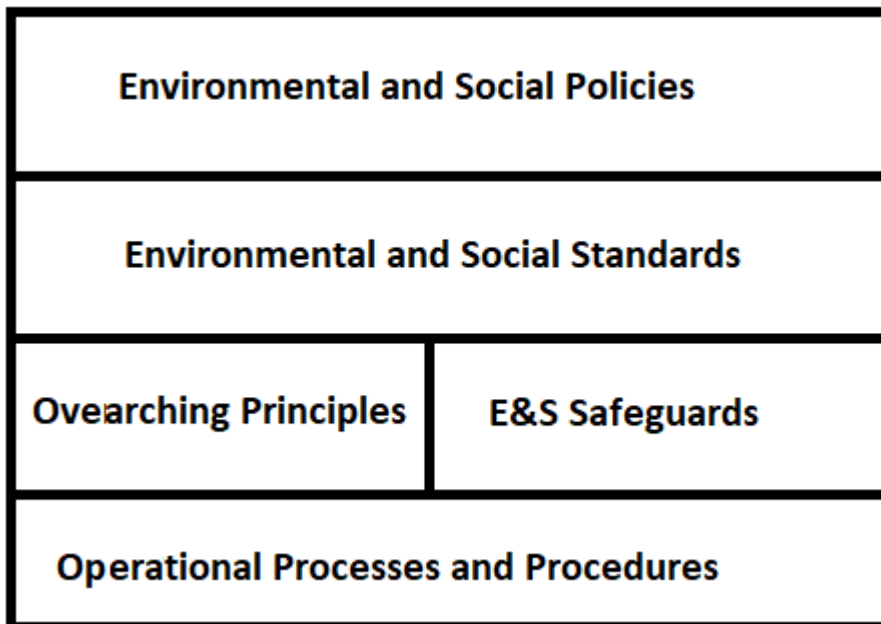
## 2 Environmental and Social Policies and Standards

8. The Environmental and Social Policies and Standards set the policy and minimum sustainability requirements for SPREP and its implementing and executing partners and enables SPREP to anticipate and manage emerging environmental and social issues. It also fully responds to the relevant policies of the Global Environment Fund (GEF), Green Climate Fund (GCF), Adaptation Fund, and other topics of specific relevance to SPREP’s development partners (e.g. Australia’s Child Protection Policy).

### 2.1 Scope of Applicability

9. SPREP will ensure adherence to the Environmental and Social Policies and Standards for all projects implemented using funds channelled through SPREP’s accounts, regardless of implementation modality.
10. SPREP has overarching Environmental and Social Policies, supported by Environmental and Social Standards. Applicable to all SPREP supported projects, the Standards comprise Principles, which apply to all SPREP activities, and Safeguards. Safeguards 1, 2 and 3 are mandatory for all SPREP projects and the need for Safeguards 4–10 is triggered through the environmental and social assessment process. Implementation is through defined Operational Processes and Procedures, which are included in a separate document – Volume 2 (Figure 2-1).

Figure 2-2 Environmental and Social Management System Framework



## 2.2 Environmental and Social Policies

### 2.2.1 Vision

11. Environmental and social sustainability is fundamental to the achievement of SPREP’s vision of “the Pacific environment, sustaining our livelihoods and natural heritage in harmony with our cultures” and shall be mainstreamed into SPREP’s project

management cycle. Opportunities to strengthen environmental and social sustainability shall be identified at the earliest stage of project design, realised through implementation, and tracked through monitoring and evaluation.

### **2.2.2 SPREP Environmental and Social Policies**

12. SPREP projects will seek to (i) strengthen the environmental and social outcomes of projects; (ii) avoid adverse impacts where possible, and where unavoidable, apply the mitigation hierarchy of minimisation, mitigation and compensation/offset; and (iii) strengthen SPREP and its executing agencies' capacity for managing environmental and social risks and impacts.
13. SPREP will only support projects which comply with national law and obligations under international law and will always apply the more stringent standard. SPREP will work in a collaborative manner with regional, national, and local partners.
14. SPREP will ensure that problem-solving, grievance, and conflict resolution mechanisms are in place so that individuals and communities potentially affected by SPREP supported programmes have access to effective mechanisms and procedures for raising concerns about the environmental and social performance of a project. They can also be assured that SPREP will promptly attempt to address these concerns and find mutually acceptable solutions.

### **2.2.3 Gender Policy<sup>2</sup>**

15. The overall goals of SPREP's gender policy are (i) to strengthen and maintain an institutional environment that supports and encourages gender mainstreaming; (ii) to improve the effectiveness and sustainability of SPREP's projects and programmes; and (iii) to promote the integration of a gender perspective into the programmes and projects of Member countries and cooperating partners.
16. The expected outcomes are: (i) increased knowledge and skills among SPREP staff for addressing gender in policy development and programming; (ii) improved and sustained gender mainstreaming in SPREP projects, programmes, and activities; and (iii) increased capacity in Member countries to incorporate a gender perspective into policies, plans and projects.
17. Targeted actions and gender mainstreaming will be applied to achieve the expected outcomes. Targeted actions will be carried out within the context of SPREP implemented and executed projects on the basis of gender analysis; gender will be mainstreamed at the project and programme and institutional levels.

### **2.2.4 Fraud Prevention and Whistle-blower Policy<sup>3</sup>**

18. The Fraud Prevention and Whistle-blower Protection Policy sets the framework for how SPREP will deal with fraudulent practices. SPREP has a zero tolerance for fraud

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<sup>2</sup> [https://www.sprep.org/attachments/Publications/Corporate\\_Documents/SPREP-GenderPolicy-14Nov16.pdf](https://www.sprep.org/attachments/Publications/Corporate_Documents/SPREP-GenderPolicy-14Nov16.pdf)

<sup>33</sup> [https://www.sprep.org/attachments/Publications/Corporate\\_Documents/SPREP-Fraud\\_Prevention\\_Whistleblower\\_Manual-15Nov16.pdf](https://www.sprep.org/attachments/Publications/Corporate_Documents/SPREP-Fraud_Prevention_Whistleblower_Manual-15Nov16.pdf)



and has put in place options for reporting fraud by the public and by staff. Staff are protected from retaliation for cooperating with an audit or investigation.

### **2.2.5 Procurement Policy<sup>4</sup>**

19. SPREP is committed to ensuring that the best possible environmental and social impacts of its work are achieved. When planning, approaching the market, and evaluating tenders, SPREP staff and contractors should consider whether (i) there are any standards (whether legislative, or industry best practice) or certifications that the product or service should meet; (ii) there are environmentally or socially responsible options within the market that should be encouraged or could be prioritized; and (iii) upon procuring the goods or services, there are potential adverse social and/or environmental impacts that could result from the delivery and/or operation and disposal of those goods or services.

### **2.2.6 Child Protection Policy**

20. The Child Protection Policy approved in 2017 is designed to “protect children from exploitation and abuse of all kinds in the delivery of SPREP supported projects”. Its guiding principles are (i) zero tolerance of child exploitation and abuse; (ii) recognition of the best interest of the child; (iii) sharing responsibility for child protection; (iv) a risk management approach; and (v) procedural fairness. The policy applies to recruitment, procurement, training, managing allegations against staff, confidentiality and information sharing. SPREP’s Human Resources Officer is the designated person for child protection and all SPREP staff and contractors are required to sign the SPREP Code of Conduct on Child Protection.

## **2.3 Environmental and Social Standards**

21. SPREP’s Environmental and Social Standards (ESS) have been developed to meet the intent of internationally accepted performance standards while also addressing specific issues as appropriate. A supporting table (Appendix A - Environmental and Social Standards Comparison Table) has been developed to illustrate where specific requirements of different agencies and donors can be found within the SPREP standards. This table will be continually updated as the standards of external agencies are modified and updated. The responsibility for updating this table rests with the Project Coordination Unit (PCU).

22. The Environmental and Social Standards include overarching Principles and project level Safeguards, collectively referred to as the SPREP Environmental and Social Standards (see [Figure 2-3](#)).

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<https://www.sprep.org/attachments/Publications/Corporate Documents/procurement-manual.pdf>

**Figure 2-4 Environmental and Social Standards**



**2.3.1 Overarching Principles**

*Principle 1 - Human Rights*

- 23. SPREP recognises the centrality of human rights to sustainable development and ensuring fair distribution of development opportunities and benefits. SPREP shall refrain from providing support for activities that may contribute to violations of a State’s human rights obligations and the core international human rights treaties and seek to support the protection and fulfilment of human rights. Projects will not exacerbate existing inequalities, particularly with reference to marginalised or vulnerable groups.
- 24. SPREP will uphold the principles of accountability and the rule of law, participation and inclusion, and equality and non-discrimination. SPREP will also ensure the

meaningful, effective and informed participation of stakeholders in the formulation, implementation, monitoring, and evaluation of its activities.

### *Principle 2 – Gender Equality*

25. SPREP supported projects will be gender-responsive in their design and implementation. The different needs, constraints, contributions and priorities of women, men, girls and boys will be identified and built into SPREP's programming.
26. SPREP supported projects will ensure that both women and men are able to participate meaningfully and equitably, have equitable access to project resources, and receive comparable social and economic benefits. SPREP's commitment to gender equality is further strengthened through the Gender Policy.

### *Principle 3 – Child Protection*

27. SPREP is committed to protecting children from exploitation and abuse of all kinds in all its project activities. SPREP applies a zero tolerance approach to child exploitation and abuse and will not knowingly engage – directly or indirectly – with anyone who poses an unacceptable risk to children. A risk-based approach will be used to assess all activities which have contact with children. If high-risk activities are undertaken, steps will be taken and documented to reduce or remove these risks.

### *Principle 4 – Climate Change*

28. SPREP will support projects which result in reduced greenhouse gas (GHG) emissions or other drivers of climate change, as well as adaptation to climate change. Where possible, SPREP will also seek to minimise the generation of GHG emissions in its operations as an implementing or executing agency.

### *Principle 5 – Biodiversity and Ecosystem Services*

29. SPREP will not support any projects which result in significant or unjustified impacts on biodiversity or ecosystem services.

### *Principle 6 – Waste Management*

30. SPREP will not support any projects which result in significant or unjustified waste generation.

## **2.3.2 Environmental and Social Safeguards**

### *Safeguard 1: Assessment and Management of Environmental and Social Risks and Impacts*

#### Purpose:

- To identify and evaluate environmental and social risks of the project;
- To apply a mitigation hierarchy of avoidance, minimisation, and compensation/offset where impacts to workers, affected communities and/or the environment remain;
- To ensure affected communities have access to an effective problem solving, grievance, and conflict resolution mechanism; and
- To promote engagement with affected communities and disclosure of relevant environmental and social information.

#### Scope:

31. This Safeguard applies to all projects supported by SPREP.

Requirements:

1. SPREP requires the environmental and social risks and impacts associated with projects it supports to be identified and management measures and mitigations to be defined and implemented as necessary and documented in an Environmental and Social Management Plan (ESMP).
2. The processes and procedures to support the identification of environmental and social risks and impacts associated with SPREP supported projects are defined in Volume 2 of the ESMS.
3. SPREP expects the executing agency for the project to have, or to develop, an overarching environmental and social policy, including the allocation of responsibility for its execution. Note, when the executing party is a national government, environmental and social impact assessment regulation may be considered to comprise appropriate policy in this context.
4. Environmental and social risks and potential impacts of projects supported by SPREP will be identified in a manner consistent with: (i) good international industry practice; (ii) host country laws; and (iii) guidance in the SPREP publication titled “Strengthening environmental impact assessment: guidelines for Pacific island countries and territories”. Where projects are expected to generate environmental and social impacts, affected communities will be engaged to inform the impact assessment. Individuals or groups vulnerable to project impacts will be identified.
5. Environmental and social risk and impact identification will cover the project’s area of influence, including associated facilities and cumulative impacts. Impacts and risks associated with the actions of third parties and the supply chain should also be identified and managed where possible.
6. SPREP will require that management programmes be developed which describe mitigation and performance improvement measures and actions which address identified environmental and social risks and impacts. Management programmes will favour avoidance of impacts over minimization, and compensation and/or offsets will be required where residual impacts remain.
7. SPREP will only support projects that demonstrate that sufficient management and human and financial resources shall be provided to the project on an ongoing basis to achieve effective and continuous environmental and social performance. Competent professionals will be used to identify and assess risks and impacts in complex technical areas.
8. If the project involves physical elements, aspects or facilities that are likely to generate risks or impacts, SPREP will require that the project establish and maintain an emergency preparedness and response system to ensure the project is ready to respond to accidental and emergency situations in a manner to prevent harm to people and/or the environment.
9. Monitoring procedures will be established by the executing agency project manager to assess whether impacts are being effectively managed and compliance with applicable laws and regulations and ESMP items is achieved. The extent of monitoring should be commensurate with the project’s environmental and social impacts, and donor and compliance requirements.
10. Where a project is likely to generate environmental and social impacts on affected communities, SPREP will require that these communities be identified, and an

engagement plan be developed that is scaled to the impacts anticipated upon the affected community. Relevant project information, including the nature, scale and timing of potential impacts and proposed mitigation measures will also need to be disclosed to the affected communities.

11. Projects with adverse impacts to indigenous peoples will not be supported by SPREP unless a process of informed consultation and participation has been undertaken, and in specific cases (see Safeguard #8) free, prior and informed consent (FPIC) has been achieved.
12. Where a project has impacts on communities or individuals, SPREP will require that a problem-solving and grievance mechanism be established which can be accessed by affected communities or individuals to facilitate resolution of their concerns. This mechanism will not impede access to judicial or administrative remedies.

### *Safeguard 2: Stakeholder Engagement and Information Disclosure*

#### Purpose:

- To ensure that all interested stakeholders are fully informed on the environmental and social implications of SPREP projects;
- To ensure that there is full transparency in the measures undertaken by SPREP to address these environmental and social implications; and
- To provide ready access for all interested stakeholders to all relevant documentation related to environmental and social implications of all SPREP projects.

#### Scope:

32. This Safeguard ensures that SPREP's treatment of environmental and social implications of its projects, at all stages of the project cycle, is fully transparent to any interested party, including affected communities. The default position is that all documentation is freely available to all stakeholders in a readily accessible form and location. Limited exceptions cover commercial-in-confidence information, personal information (including investigation of wrongdoing and internal grievance and appeals proceedings), information relating to legal proceedings, information that would compromise the health, safety, or security of SPREP staff and other stakeholders, and where evidence suggests that release of information would cause more harm than benefit. SPREP Management should make it clear which documents can be made available to the public and the timing of their release.

#### Requirements:

1. SPREP will require that project-related staff are aware that any information on environmental and social implications of projects must be made available to any interested stakeholder on request.
2. Any exception to full transparency must be made by SPREP senior management, with the justification provided to the person or organisation making the request.
3. SPREP may choose to defray the costs of copying/printing such information if the volume of material requested is deemed excessive.
4. As English is the working language of SPREP, information will be released either in the original language in which the documentation was prepared or in English. Where necessary SPREP documents will also be translated into French.

5. In principle, all documents on the environmental and social implications of SPREP projects will be posted on either the project or SPREP website, or both<sup>5</sup>.
6. Requests for information that is not posted on these websites must be made in writing to the SPREP Project Coordination Unit<sup>6</sup>.

### *Safeguard 3: Accountability, Grievance and Conflict Resolution*

#### Purpose:

- To ensure that SPREP is fully accountable to all organisations entrusting funds to be managed by SPREP as well as the beneficiaries and other stakeholders affected by all SPREP activities, including programmes and projects;
- To provide a transparent and accessible grievance mechanism for any stakeholder adversely affected by SPREP decisions and/or actions, especially where SPREP Environmental and Social Policies and Standards may be breached; and
- To provide appropriate processes and procedures to resolve any problems or conflicts generated by SPREP actions in a mutually acceptable way.

#### Scope:

33. This Safeguard applies to all SPREP actions, including those generated by SPREP acting as an implementing or executing agency for programmes and projects.

#### Requirements:

34. Where a project is likely to generate adverse impact to affected communities and/or the environment, a simple problem-solving and grievance mechanism should be implemented right from the beginning of project activity on the ground. The grievance mechanism should be considered part of the suite of engagement tools used by the project and should not replace other stakeholder engagement activities. Similarly, the project needs to explain to affected communities that their use of the grievance mechanism does not inhibit their access to legal or judicial recourse processes, including those available at the national level.
35. The key principles of a fully accountable problem solving and grievance mechanism are<sup>7</sup>:
  - Proportionality – The project level grievance mechanism should be scaled to the size and stage of the project. Grievances are likely to be relatively few in the development stages and most frequent during the construction, operation and closure stages of a project.
  - Problem solving first – When a problem is brought to the attention of the project management team, every effort should be made to solve the problem before the grievance mechanism is triggered.
  - Cultural appropriateness – A project level grievance mechanism needs to take into consideration specific cultural attributes as well as traditional mechanisms for raising and resolving grievances.

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<sup>6</sup> SPREP shall not be required to comply with, or respond to, repeated or unreasonable requests for information on the same subject from the same person, organization, or group if such information was provided after a previous request or SPREP has given reasons why it cannot provide the information.

<sup>7</sup> Adapted from IFC (2014) A Strategic Approach to Early Stakeholder Engagement, [www.ifc.org](http://www.ifc.org)

- Accessibility – The level of accessibility of a grievance mechanism is influenced by clarity of communication and ease of use. Consideration of language, locations for receiving complaints, literacy and education levels and gender issues should inform the grievance mechanism design at project level.
- Transparency and accountability – All complaints must be taken seriously and treated fairly and there should be consistency and predictability in the process. The project should commit to a certain timing of responses to grievances and should monitor and share grievance resolutions (where appropriate).
- Appropriate protection – The project must ensure that there is no retribution for use of the grievance mechanism, protect the identity of individuals who file grievances, provide information on mechanisms to escalate grievances and ensure stakeholders understand their rights to use alternative remedies to resolve their grievances. SPREP's anti-discrimination and harassment policy should be expanded to cover all project stakeholders.

### *Safeguard 4: Labour and Working Conditions*

#### Purpose:

- To promote fair-treatment, non-discrimination and equal opportunity of workers;
- To promote safety and health at work; and
- To protect workers, including vulnerable categories of workers, such as children.

#### Scope:

36. The applicability of this Safeguard is determined through the environmental and social screening process. Specific provisions are given for different types of employment relationships, covering: workers engaged directly by a project (direct workers – requirements 1- 10 apply); workers engaged through third parties to perform work related to core business processes of the project for a protracted duration (contract workers – requirements 10 - 11), and workers engaged by the project's primary suppliers (supply chain workers – requirement 12).

#### Requirements:

1. SPREP will require that human resource policies and procedures appropriate to the scale of the project workforce are adopted and implemented on the project. Clear information regarding labour rights, including hours of work, wages, overtime, compensation, and benefits upon commencing the working relationship must be provided to all direct workers.
2. Collective bargaining agreements will be respected where they exist, and in their absence, reasonable terms and conditions of employment must be provided on SPREP supported projects. This will include ensuring that migrant workers, if present, are engaged on substantially equivalent terms and conditions to non-migrant workers carrying out similar work.
3. If a project provides accommodation services for workers, they must be designed to uphold the principles of non-discrimination and equal opportunity, and to respect freedom of movement and freedom of association of workers.
4. SPREP expects projects to comply with national law in all realms, including recognition of workers' rights to form and join workers' organisations and bargain collectively where national law permits this. If national law does not support such activities, SPREP will expect the project not to restrict workers from developing alternative mechanisms to express their grievances and protect their rights.

5. Employment relationships on SPREP supported projects will be based upon the principle of equal opportunity and fair treatment. Discrimination with regard to any aspect of the employment relationship on the basis of gender, race, nationality, ethnic, social and indigenous origin, religion or belief, disability, age or sexual orientation will not be acceptable. Where national law is inconsistent with this safeguard, projects should attempt to carry out operations consistent with this safeguard without contravening applicable laws.
6. Prior to implementing any collective dismissals, projects will be expected to analyse alternatives to retrenchment. Depending on the scale of the workforce, if alternatives are not viable, a retrenchment plan may need to be developed. Workers would need to be informed of dismissal and severance payments in a timely manner and all payments and benefits should be paid prior to the cessation of the working relationship.
7. SPREP supported projects should ensure that workers have knowledge of and access to a grievance mechanism in which they can raise workplace concerns.
8. Children will not be employed in any manner that is economically exploitative, or is likely to interfere with the child's education, or be harmful to the child's health, or physical, mental, spiritual, moral or social development on a SPREP supported project. SPREP will have zero tolerance for child exploitation and abuse. Compliance with SPREP's Child Protection Policy will also be required.
9. SPREP will require that no forced labour, which includes any work or service not voluntarily performed which is exacted under threat of force or penalty, be employed on the project.
10. Workers will be provided with a safe and healthy work environment. Processes will be implemented to (i) identify potential hazards to workers; (ii) provide preventative and protective measures, including modification, substitution, or elimination of hazardous conditions or substances; (iii) training of workers; (iv) documentation and reporting of occupational accidents, diseases and incidents; and (v) emergency preparation, preparedness and response arrangements.
11. The project must take commercially reasonable efforts to ensure contract workers are also treated in a manner commensurate with the requirements of this safeguard. SPREP will expect that the project monitors the performance of third party contractors in relation to these requirements.
12. Where projects have a high risk of child labour or forced labour in the supply chain, SPREP will expect that the project identify the risks, take appropriate steps to remedy them, and monitor its primary supply chain to ensure new risks do not emerge.

*Safeguard 5: Resource Efficiency and Pollution Prevention*

Purpose:

- To avoid or minimise adverse impacts on human health and the environment by avoiding or minimizing pollution from project activities;
- To promote more sustainable use of resources, including energy and water; and
- To minimise or reduce project-related greenhouse gas (GHG) emissions and wastes.

Scope:



37. The applicability of this safeguard will be determined through the environmental and social screening process.

Requirements:

1. SPREP will require projects to apply technically and financially feasible resource efficiency and pollution prevention principles and techniques that are best suited to avoid, or where avoidance is not possible, minimise adverse impacts on human health and the environment. These techniques and principles should be consistent with Good International Industry Practice (GIIP) and should refer to relevant World Bank Group Environmental, Health and Safety (EHS) Guidelines as appropriate.
2. Where host country regulations and environmental quality standards vary from the EHS Guidelines, the project will be expected to achieve the more stringent requirement.
3. The project will consider alternatives and implement technically and financially feasible and cost-effective options to reduce project-related greenhouse gas (GHG) emissions during the design and operation of the project.
4. If a project is a significant water user, measures to avoid or reduce water usage so that the project's water consumption has no significant impacts on others, should be implemented. This should include holding discussions with local water/utility providers to ensure there is sufficient water to meet project requirements without adversely affecting other water users.
5. Projects supported by SPREP will avoid the release of pollutants, or where avoidance is not possible, minimise and/or control the intensity and mass flow of their release. This applies to the release of pollutants to air, land, and water due to routine, non-routine, and accidental circumstances with the potential for local, regional and transboundary impacts.
6. To address potential adverse impacts on existing ambient conditions, the project will consider the following factors: (i) existing ambient conditions, (ii) the finite assimilative capacity of the environment; (iii) existing and future land use; (iv) proximity to areas of important biodiversity (terrestrial and aquatic); and (v) potential for cumulative impacts with uncertain or irreversible consequences.
7. Projects will be expected to avoid the generation of hazardous and non-hazardous waste materials. Where avoidance is not possible, SPREP expects that waste generation will be reduced, and that waste will be recovered and re-used in a manner safe for human health and the environment. Waste will be disposed of in an environmentally sound manner that includes appropriate control of emissions and residues from handling and processing of waste material. Projects will adopt GIIP alternatives for the disposal of hazardous waste, while adhering to limitations applicable to transboundary movements of waste materials. SPREP or the executing agency will review the reputation and license status of any third party hazardous waste disposal companies used by the project.
8. The production, transportation, handling, storage and use of hazardous materials for SPREP supported project activities should be assessed. Less hazardous substitutes should be considered where possible. The project will avoid the manufacture, trade and use of chemical and hazardous materials subject to international bans or phase-outs due to the high toxicity to living organisms, environmental persistence, potential for bioaccumulation, or potential for depletion of the ozone layer.

9. Where appropriate, the project will formulate and implement an integrated pest management (IPM) and/or integrated vector management (IVM) approach targeting economically significant pest infestations and disease vectors of public health significance. The IPM and IVM will integrate coordinated use of pest and environmental information along with best available control methods.
10. Where a project requires the use of chemical pesticides, those low in human toxicity, known to be effective against the target species, and with minimal effects on non-target species will be selected. The pesticide application regime will be designed to (i) avoid damage to natural enemies of the target pest, and where avoidance is not possible; (ii) avoid the risks associated with the development of resistance in pests and vectors, and where avoidance is not possible, minimise this risk. Pesticides will be handled in accordance with national guidelines and regulations as well as the Food and Agriculture Organisation's International Code of Conduct on the Distribution and Use of Pesticides or other GIIP.
11. Purchase, storage, use, manufacture or trade of products that fall in World Health Organisation (WHO) Recommended Classification of Pesticides by Hazard Class Ia (extremely hazardous) or Ib (highly hazardous) will be not undertaken by SPREP supported projects. Class II pesticides will only be used if the project has appropriate controls in place.

*Safeguard 6: Community Health, Safety and Security*

Purpose:

- To anticipate and avoid adverse impacts on the health and safety of the affected community during the project life from both routine and non-routine circumstances; and
- To ensure safeguarding of personnel and property is carried out in accordance with relevant human rights principles and in a manner that avoids or minimises risks to the affected communities.

Scope:

38. The applicability of this safeguard will be determined through the environmental and social screening process.

Requirements:

1. Projects supported by SPREP are required to evaluate the risks and impacts to the health and safety of the affected communities during the project lifecycle. Preventative and control measures will be established consistent with GIIP (including World Bank Group EHS Guidelines) and mitigation measures commensurate with the nature and magnitude of the risk will be implemented.
2. The structural elements or components of a SPREP supported project will be designed, constructed, operated and decommissioned in accordance with GIIP, and will specifically take into consideration safety risks to affected communities. Structural elements will be designed and constructed by competent professionals and certified or approved by competent authorities or professionals.
3. SPREP will not support projects including large or complex dams. Where a project includes a dam situated in a high-risk location, and its failure or malfunction may threaten the safety of communities, external independent experts will conduct a review of the facility during design, construction, operation and decommissioning.

4. Community exposure to hazardous materials and pesticides linked to a SPREP supported project will be avoided, and where avoidance is not possible, minimised.
5. SPREP will require projects to identify potential impacts to provisioning and regulating ecosystem services that may result in increased vulnerability and community safety related risks.<sup>8</sup> Impacts which could be exacerbated by climate change will also need to be specifically identified.
6. Community exposure to water borne, water based, water related and vector borne diseases, and communicable diseases related to the project will be avoided or minimised. This includes communicable diseases introduced through labour influx.
7. SPREP will expect the project to assist and collaborate with affected communities and local government agencies in their preparations to respond to emergency situations.
8. If a project retains direct or contracted workers to provide security and safeguard its property, SPREP will require that the project assess the risks posed by its security arrangements to those within and around the project site. Use of force will not be sanctioned by SPREP unless it is used for preventative and defensive purposes in proportion to the nature and extent of the threat. A similar risk assessment should be conducted if the project uses government security personnel to provide security services.
9. The project needs to ensure that affected communities have access to a grievance mechanism in which they can express concerns about security arrangements. All allegations of unlawful and abusive acts of security personnel must be investigated by the project and action must be taken to prevent recurrence. Unlawful and abusive acts must also be reported to the public authorities.

*Safeguard 7: Land Acquisition and Involuntary Resettlement<sup>9</sup>*

Purpose:

- To avoid, and when avoidance is not possible, to minimise physical and economic displacement caused by a project; and
- To avoid, and when avoidance is not possible, to minimise the impacts upon affected communities caused by land acquisition or restrictions on land use.

Scope:

39. The applicability of this safeguard will be determined through the environmental and social screening process. This safeguard applies to physical or economic displacement resulting from the following types of land-related transactions:
- Expropriation or compulsory procedures in accordance with the legal system of the host country;

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<sup>8</sup> Ecosystem provisioning services are the products people obtain from ecosystems; and ecosystem regulating services are the benefits people obtain from the regulation of ecosystem processes. Examples include the change or loss of a natural buffer such as forest, mangrove or wetland area which mitigates the effects of flooding, landslides and fire.

<sup>9</sup> In this connection, "land" refers to both terrestrial and aquatic resources, as restrictions on access to traditional fishing grounds, for example, may also be regarded as a restriction on use rights.

- Land rights or land use rights acquired through negotiated settlements with property owners or those with legal rights to the land if failure to reach settlement would have resulted in expropriation or other compulsory measures;
  - Project situations where involuntary restrictions on land use and access to natural resources cause a community or groups within a community to lose access to resources usage where they have traditional or recognizable usage rights;
  - Certain project situations requiring evictions of people occupying land without formal, traditional or recognizable usage rights; and
  - Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, freshwater, medicinal plants, hunting and gathering rounds and grazing and cropping areas.
40. This safeguard does not apply to resettlement resulting from voluntary land transactions (i.e. normal market transactions in which the seller is not obliged to sell their property and the buyer cannot resort to expropriation or other compulsory procedures if purchase negotiations fail).

Requirements:

1. SPREP requires projects to consider feasible alternative project designs (including the “no project” alternative) to avoid or minimise physical and/or economic displacement, paying particular attention to impacts on the poor and vulnerable.
2. When displacement cannot be avoided, SPREP will require the project to engage a resettlement professional to determine appropriate compensation and entitlements. The project will pay compensation for loss of assets at full replacement cost and other support to assist them to restore or improve their standard of living or livelihoods. Land based compensation will be favoured when livelihoods of displaced peoples are land-based. The project will only take possession of land and related assets after compensation has been made available to displaced persons.
3. Effective engagement with affected communities, including host communities, will be expected throughout the resettlement process. Affected communities should be presented with options and alternatives, where possible. Participation of affected communities and persons through the planning and implementation process will be expected and relevant information should be disclosed. The project’s grievance mechanism must be in place to ensure affected communities can raise concerns about displacement activities.
4. The project will ensure a census, based upon a sound methodology, is conducted to collect relevant socio-economic baseline data to identify persons who will be displaced by the project and will be eligible for compensation. A cut-off date for eligibility will be established to discourage ineligible persons from claiming benefits. The cut-off date will be well communicated and documented across the project area.
5. SPREP will require projects with significant involuntary resettlement risks to retain competent resettlement professionals to provide advice on and compliance with this safeguard and with good international resettlement practice.

6. Displaced persons may be classified as persons who (i) have formal legal rights to the land or assets they occupy or use; (ii) do not have formal legal rights to land or assets but have a claim to land that is recognised or recognizable under national law; or (iii) have no recognizable legal right or claim to the land or assets they occupy or use. The status of displaced persons will be determined through the census.
7. Where physical displacement is required, SPREP will require that a Resettlement Action Plan (RAP) be developed. The RAP will cover: (i) mitigation of the negative impacts of displacement; (ii) identification of development opportunities for affected communities; (iii) resettlement budget and schedule; (iv) entitlements and eligibility criteria; and (v) specific additional support measures provided to the poor or vulnerable.
8. If resettlement to another location is required, the displaced persons will be given choices among feasible replacement options and be provided with relocation assistance suited to the needs of each group of displaced persons. New resettlement sites must offer improved living conditions. Cash compensation for loss of assets must be sufficient to replace lost land and other assets at full replacement cost in local markets.
9. The project should offer physically displaced persons who had no recognizable legal right or claim to the land or assets they occupy or use a choice of options for housing with security of tenure and compensation for structures and assets they owned.
10. Where only economic displacement is required, SPREP will require that a Livelihood Restoration Plan (LRP) be developed. The LRP will cover the entitlements of affected persons and/or communities and the objectives of the LRP will be considered to be met when affected persons or communities are deemed to have been provided with adequate opportunity to re-establish their livelihoods.
11. Economically displaced persons who face loss of assets or access to assets will be compensated at full replacement cost (this includes losses to businesses and incomes). In addition to compensation, economically displaced persons whose livelihoods or incomes are adversely affected will also be provided opportunities to improve, or at least restore, their means of income-earning capacity, production levels and standards of living. Transitional support should also be provided.
12. Where land acquisition and resettlement are the responsibility of the government, SPREP will require the project to collaborate with the responsible government agency, to the extent permitted by the agency, to achieve outcomes consistent with this safeguard.

*Safeguard 8: Biodiversity Conservation and Sustainable Management of Living Natural Resources*

Purpose:

- To protect and conserve biodiversity;
- To maintain the benefits from ecosystem services; and
- To promote the sustainable management of living natural resources through the adoption of practices that integrate conservation needs and development priorities.

Scope:

41. The applicability of this safeguard will be determined through the environmental and social screening process. The safeguard will apply to projects (i) located in modified, natural and critical habitats; (ii) that potentially impact or are dependent on ecosystem services; and (iii) that include the production of living natural resources (e.g., agriculture, animal husbandry, fisheries, forestry).

Requirements:

1. The screening process should consider both direct and indirect impact to biodiversity and ecosystem services. Consideration will be given to relevant threats to biodiversity and ecosystem services including: habitat loss, degradation and fragmentation; invasive alien species; overexploitation; hydrological changes; nutrient loading; and pollution. Consideration will also be given to the differing values attached to biodiversity and ecosystem services by affected communities (including cultural values).
2. Impacts to biodiversity and ecosystem services should be avoided where possible, and where avoidance is not possible, measures to minimise impacts and restore biodiversity and ecosystem services should be implemented. Adaptive management practices should be adopted in longer-term projects. For the protection and conservation of biodiversity, the mitigation hierarchy should include biodiversity offsets, only to be used after appropriate avoidance, minimisation, and restoration measures have been applied. The biodiversity offset must be designed to achieve no net loss and preferably a net gain in biodiversity, using a “like for like or better” principle. External experts must be involved in the design and implementation of biodiversity offset programmes.
3. In this safeguard, habitat is defined as a terrestrial, freshwater or marine geographical unit or airway that supports assemblages of living organisms and their interactions with the non-living environment. Three different types of habitat are defined: modified, natural and critical (where critical habitat is a subset of modified or natural habitat).
4. Modified habitats are areas that may contain a large proportion of plant and/or animal species of non-native origin, and/or where human activity has substantially modified an area’s primary ecological functions and species composition. Impacts to modified habitats that have significant biodiversity value should be minimised.
5. Natural habitats are areas composed of viable assemblages of plant and/or animal species of largely native origin, and/or where human activity has not essentially modified an area’s primary ecological functions and species composition. SPREP supported projects will not significantly convert and/or degrade natural habitats unless all the following conditions are met:
  - a. No other viable alternatives within the region exist for the development of the project on modified habitat;
  - b. Consultation has established the views of stakeholders, including affected communities, with respect to the extent of conversion and degradation; and

- c. Any conversion or degradation is mitigated according to the mitigation hierarchy<sup>10</sup>.
6. No SPREP supported project should result in a net loss of biodiversity in areas of natural habitat. This may be achieved through set-asides, biological corridors, restoration of habitats and biodiversity offsets.
7. Critical habitats are areas with high biodiversity value, including (i) habitat of significant importance to critically endangered and/or endangered species; (ii) habitat of significant importance to endemic or restricted-range species; (iii) habitat supporting globally significant concentrations of migratory species and/or congregating species; (iv) highly threatened and/or unique ecosystems; and/or (v) areas associated with key evolutionary processes.
8. SPREP will not support projects in areas of critical habitat unless all the following are demonstrated:
  - a. No other viable alternatives within the region exist for development of the project on modified or natural habitats that are not critical;
  - b. The project does not lead to measurable adverse impacts on those biodiversity values for which the critical habitat was designated, and on the ecological processes supporting those biodiversity values;
  - c. The project does not lead to a net reduction in the global and/or national/regional population of any critically endangered or endangered species over a reasonable period of time; and
  - d. A robust, appropriately designed, and long-term biodiversity monitoring and evaluation program is integrated into the project's management program
9. If all the criteria in requirement 8 are met, the project will need to document its mitigation strategy in a Biodiversity Action Plan designed to achieve net gains of those biodiversity values for which the critical habitat was designated.
10. Where a project is proposed in a legally protected area or internationally recognised area, requirements 5-9 will need to be met, as well as the following additional conditions:
  - a. Demonstrate that the proposed development in such areas is legally permitted;
  - b. Act in a manner consistent with any government recognised management plans for such areas;
  - c. Consult protected area sponsors and managers, affected communities, indigenous peoples and other stakeholders on the proposed project, as appropriate; and
  - d. Implement additional programmes, as appropriate, to promote and enhance the conservation aims and effective management of the area.
11. SPREP will require that projects will not intentionally introduce any new alien species unless this is carried out in accordance with the existing regulatory framework. It will not support the introduction of invasive alien species with a high risk of invasive behaviour under any circumstances. Introduction of alien

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<sup>10</sup> A mitigation hierarchy of avoidance, minimisation, and compensation/offset applies where impacts to workers, affected communities and/or the environment remain.

species will be subject to a risk assessment to determine their potential for invasive behaviour. Measures to avoid the potential for accidental or unintended introductions will be implemented by the project. Measures to avoid spreading existing alien species will also be implemented.

12. Where a project is likely to adversely impact ecosystem services, the project will identify priority ecosystem services. Priority ecosystem services are twofold: (i) those services on which project operations are most likely to have an impact, and therefore which result in adverse impacts to affected communities; and/or (ii) those services on which the project is directly dependent for its operation. The mitigation hierarchy of avoidance, minimisation and mitigation, including compensation should be applied where priority ecosystem services are adversely impacted, and affected communities should be involved in the design of mitigation measures.
13. Where feasible, SPREP supported projects will locate land-based agribusiness and forestry activities on unforested land or land already converted. Industry specific good management practices and available technologies will be applied to manage such projects sustainably and where primary production practices are codified in globally, regionally or nationally recognised standards these will be applied where appropriate.
14. Where a project is purchasing primary production that is known to be produced in regions where there is a risk of substantial conversion of natural and/ or critical habitats, evaluation systems and verification practices will be adopted as part of the project's ESMP to evaluate its primary suppliers.

#### *Safeguard 9: Indigenous Peoples*

##### Purpose:

- To ensure that supported projects foster full respect for the human rights, dignity, aspirations, culture and natural resource-based livelihoods of indigenous peoples;
- To anticipate, avoid and minimise impacts on communities of indigenous peoples, and to minimise and compensate such impacts when avoidance is not possible;
- To promote sustainable development benefits and opportunities for indigenous peoples in a culturally appropriate manner; and
- To respect and preserve the culture, knowledge and practices of indigenous peoples.

##### Scope:

42. The applicability of this safeguard will be determined through the environmental and social screening process. There is no universally accepted definition of "Indigenous Peoples", however in this safeguard; it is used in a generic sense to refer to a distinct social and cultural group possessing the following characteristics in varying degrees:
  - Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
  - Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
  - Customary cultural, economic, social, or political institutions that are separate from those of mainstream society or culture; or
  - A distinct language or dialect, often different from the official language of languages of the country or region in which they reside



Requirements:

1. SPREP will require that a project identify all communities of indigenous peoples who may be impacted by the project and define the type of impact. Adverse impacts to affected communities of indigenous peoples should be avoided where possible. Where alternative project designs to avoid impact are not possible, the impacts will be minimised and affected communities of indigenous peoples will be compensated in a culturally appropriate manner commensurate with the nature and scale of such impacts and the vulnerability of the affected people. The actions planned by the project will be documented in an Indigenous People's Plan (IPP), or depending on the context, a broader community development plan.
2. Engagement with affected communities of indigenous peoples will be undertaken in a culturally appropriate manner. It will also involve indigenous peoples' representative bodies and organisations as appropriate and provide sufficient time for indigenous peoples' decision-making processes.
3. Indigenous peoples may be particularly vulnerable to the loss of, alienation from or exploitation of their land and access to natural and cultural resources. In recognition of this vulnerability, SPREP will require that projects causing any of the following impacts obtain free, prior and informed consent<sup>11</sup> (FPIC) of the affected communities of indigenous peoples:
  - a. If a project is proposed to be located on, or commercially develop natural resources on lands traditionally owned by, or under the customary use of, indigenous peoples, and adverse impacts can be expected;
  - b. If a project requires the relocation of indigenous peoples from lands and natural resources subject to traditional ownership or customary use
  - c. If a project causes significant impact on critical cultural heritage that is essential to the identity and/or cultural, ceremonial, or spiritual aspects of indigenous peoples' lives.
  - d. Where a project proposes to use the cultural heritage including knowledge, innovations, or practices of indigenous peoples for commercial purposes.
4. For all adverse impacts to affected communities of indigenous peoples, SPREP requires that mitigation measures be identified in alignment with the mitigation hierarchy defined in Safeguard #1.
5. Where the government has a defined role in the management of indigenous peoples issues in relation to a project, SPREP will require the project to collaborate with the responsible government agency, to the extent permitted by the agency, to achieve outcomes that are consistent with the SPREP safeguards.

*Safeguard 10: Cultural Heritage*

Purpose:

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<sup>11</sup> While there is no universally accepted definition of FPIC, in this safeguard it is understood in the following manner "FPIC builds on and expands the process of engagement described in Safeguard 1 and will be established through good faith negotiation between the project and the affected communities of indigenous peoples". To demonstrate FPIC has been obtained, the project will need to document (i) the mutually accepted process between the project and affected communities of indigenous peoples, and (ii) evidence of agreement between the parties as to the outcome of the agreement. FPIC does not necessarily require unanimity and may be achieved even when individuals or groups within the community explicitly disagree.

- To protect cultural heritage from the adverse impacts of project activities and support its preservation; and
- To promote the equitable sharing of benefits from the use of cultural heritage.

Scope:

43. The applicability of this safeguard will be determined through the environmental and social screening process. Within the SPREP safeguards, cultural heritage refers to (i) tangible forms of cultural heritage, such as tangible moveable or immovable objects, property, sites, structures, or groups of structures, having archaeological (prehistoric), paleontological, historical, cultural, artistic and religious values; (ii) unique natural features or tangible objects that embody cultural values, such as sacred groves, rocks, lakes and waterfalls; and (iii) certain instances of intangible forms of culture that are proposed to be used for commercial purposes, such as cultural knowledge, innovations and practices of communities embodying traditional lifestyles.
44. The safeguard applies regardless of whether or not the cultural heritage has been legally protected or previously disturbed.

Requirements:

1. SPREP requires that projects identify and protect cultural heritage using internationally recognised practices for the protection, field-based study and documentation of cultural heritage. The host country's obligations under the Convention Concerning the Protection of the World Cultural and Natural Heritage should also be upheld.
2. Where potential impacts to cultural heritage are identified, SPREP expects the project to retain competent professionals to assist in the identification and protection of cultural heritage.
3. Projects should be sited to avoid adverse impacts to cultural heritage where possible. If a project is located in an area where potential cultural heritage is expected to be found, a chance finds procedure will need to be established. Chance finds will not be disturbed until an assessment by competent professionals is made and follow up actions identified.
4. Where cultural heritage may be affected, consultation with affected communities who use or have used within living memory the cultural heritage for longstanding cultural purposes will be undertaken. The views of the affected communities and the relevant national or local regulatory agencies will be incorporated into the project's decision-making process on how to manage the impact to the cultural heritage.
5. Where the development of the project limits or restricts access to previously accessible cultural heritage sites being used by, or that have been used by, affected communities, continued access will be maintained or an alternative access route will be developed, subject to overriding health, safety and security considerations.
6. Where a project encounters tangible cultural heritage that is replicable and not critical, adverse impacts should be avoided. Where avoidance is not possible, the following mitigation hierarchy must be applied by projects supported by SPREP:
  - a. Minimise adverse impacts and implement restoration measures, in situ, that maintain the value and functionality of the cultural heritage, including any ecosystem services needed to support it;

- b. Where restoration *in situ* is not possible, restore the functionality of the cultural heritage in a different location;
    - c. The permanent removal of historical and archaeological artefacts and structures is carried out according to internationally recognised principles; and
    - d. Only where minimization of adverse impacts and restoration are demonstrably not feasible, and where affected communities are using the tangible cultural heritage for long-standing cultural purposes, compensate for loss of tangible cultural heritage.
7. Non-replicable cultural heritage will not be removed on a SPREP supported project unless the following conditions are met:
  - a. There are no technically or financially feasible alternatives to removal;
  - b. The overall benefits of the project conclusively outweigh the anticipated cultural heritage loss from the removal; and
  - c. Any removal of cultural heritage is conducted using best available techniques.
8. Projects should not remove, significantly alter or damage critical cultural heritage, where critical cultural heritage consists of one or both of the following types of cultural heritage: (i) the internationally recognised heritage of communities who use, or have used within living memory, the cultural heritage for long-standing cultural purposes; or (ii) legally protected cultural heritage areas, including those proposed by host governments for such designation. In exceptional cases, if impacts to critical cultural heritage are unavoidable, a process of informed consultation and participation and good faith negotiation will be undertaken between the project and the affected communities. External experts will be drawn upon to assist in the assessment of protection of critical cultural heritage.
9. Projects located in legally protected cultural heritage areas will also have to meet the following requirements:
  - a. Comply with defined national or local cultural heritage regulations or the protected area management plans;
  - b. Consult the protected area sponsors and managers, local communities and other key stakeholders of the projects; and
  - c. Implement additional programs to promote and enhance the conservation aims of the protected area.
10. Where a project proposes to use the cultural heritage of local communities for commercial purposes, SPREP will require that the project inform the communities of (i) their rights under national law; (ii) the scope and nature of the proposed commercial development; and (iii) the potential consequences of such development. Such commercialisation will not proceed unless the project enters into a good faith negotiation process with affected communities that results in a documented outcome and that provides for equitable sharing of benefits from commercialisation.

## **2.4 Regional Environmental Agreements with SPREP Endorsement**

45. While not specifically SPREP policies or standards, the various regional environmental agreements that SPREP is either a co-signatory of, or has officially endorsed, should

be regarded as commitments to be followed in addressing the environmental and social implications of SPREP projects and other activities. SPREP staff and contractors should also be cognisant of the various international agreements endorsed and ratified by individual PICTs.

46. While not a comprehensive list, some of the key regional agreements are as follows:

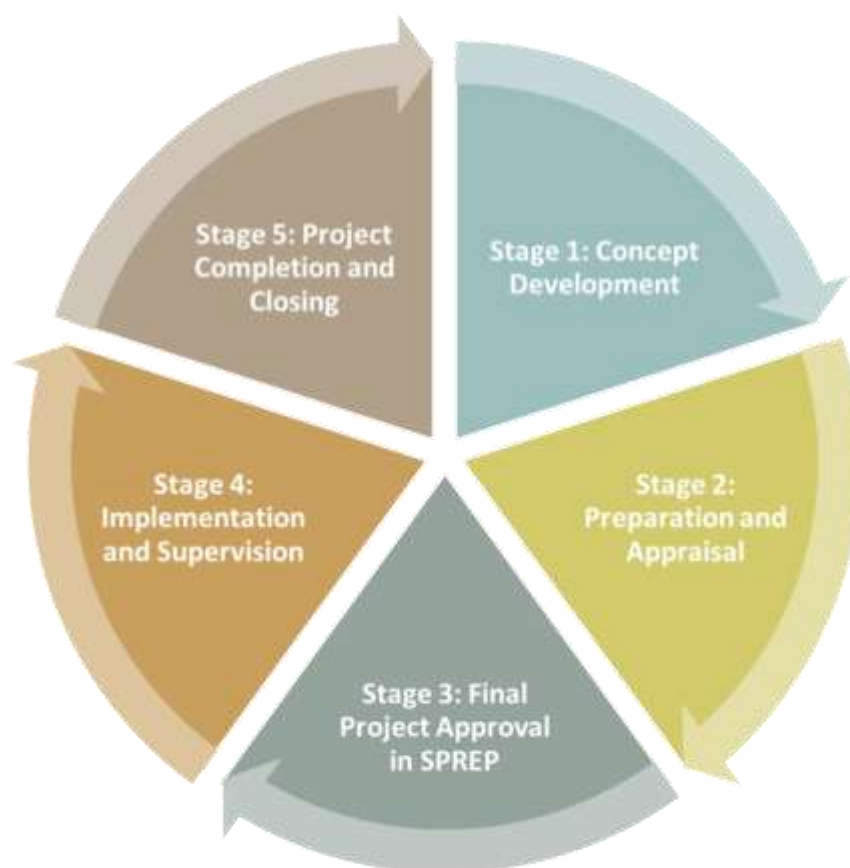
1. Convention for the Protection of the Natural Resources and Environment of the South Pacific Region (Noumea Convention) – entered into force 22 August 1990, with SPREP as the Secretariat. There are two protocols (i) prevention of pollution of the South Pacific by dumping; and (ii) cooperation in combating pollution emergencies in the South Pacific Region. The Convention applies to the marine and coastal environment and builds on the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972. It covers pollution from vessels, land-based sources, seabed activities and airborne pollution, disposal of wastes, storage of toxic hazardous wastes, testing of nuclear devices, mining and coastal erosion, protected areas, and pollution emergencies. The Convention also contains specific provisions in relation to EIAs for projects which might affect the marine environment.
2. Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and the Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region, 1995 (Waigani Convention) – entered into force 22 October 2005 and SPREP is the nominated Secretariat. This convention also builds on the South Pacific Nuclear Free Zone Treaty, 1985. The Convention prohibits and controls the importation of hazardous and radioactive wastes into Pacific Island developing parties.
3. Framework for Resilient Development in the Pacific: An Integrated Approach to Address Climate Change and Disaster Risk Management (2017-2030) – these are voluntary guidelines for the Pacific Islands region, jointly endorsed by the Pacific Islands Forum Secretariat (PIFS), Pacific Community (SPC), SPREP, and the United Nations Office for Disaster Risk Reduction. It provides high level strategic guidance on enhancing resilience to climate change and disasters, as well as priority actions for consideration by individual PICTs.

### **3 ESMS in the Project Cycle**

47. The ESMS requires that reviews of the environmental and social risks and impacts of SPREP supported projects be undertaken at key points within the project cycle.

48. The SPREP project cycle consists of five stages (see [Figure 3-1](#)) and is applicable to all projects SPREP performs as either as an implementing agency for the GEF, AF or GCF projects, or as an executing agency for donor-funded projects.

Figure 3-1 Project Cycle



49. At each stage of the SPREP project cycle, specific environmental and social activities will be undertaken as described below:

Stage 1 - Concept Development:

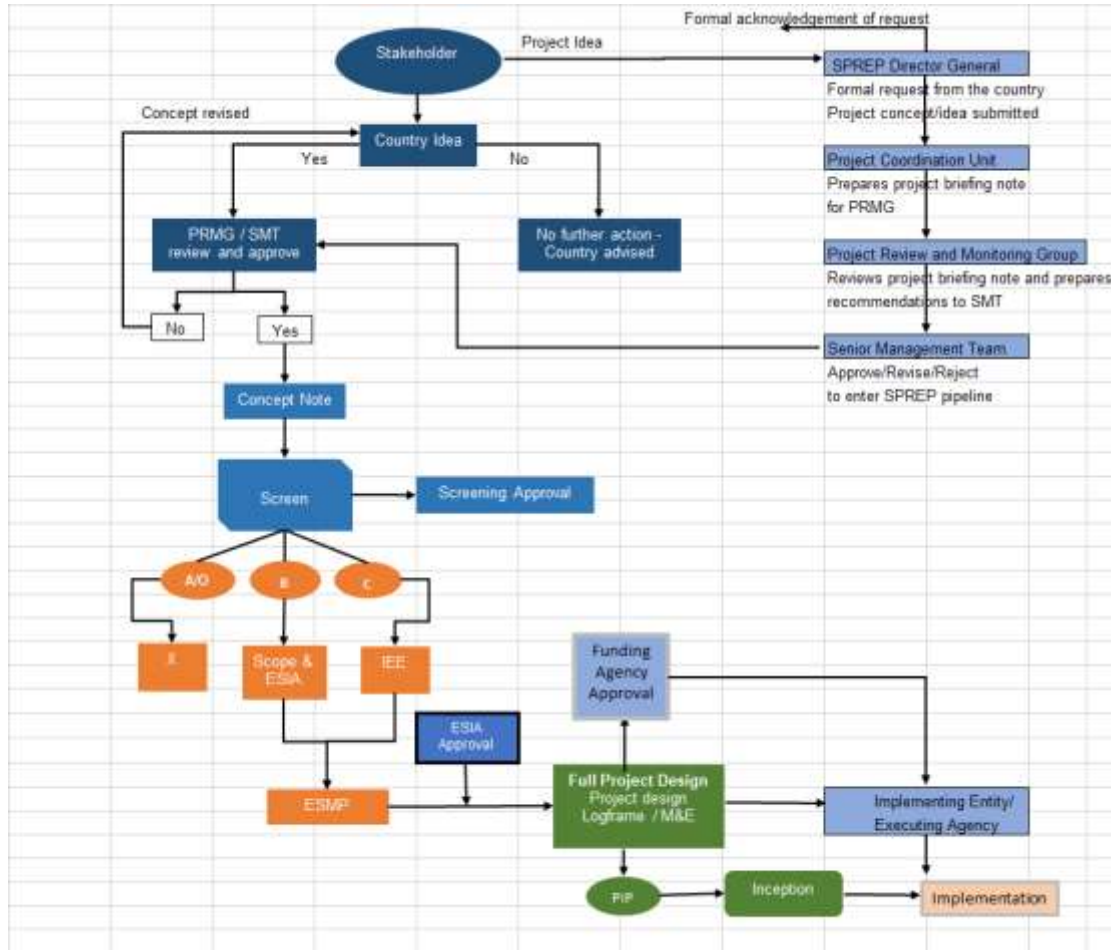
50. Review of project concept including screening of potential environmental and social risks and impacts and classification of the project in category A, B or C (see [Figure 3.2](#)). This process will also determine if any of the Safeguards #4-10 are triggered by the project. A project will not progress through to the next phase of the project cycle unless it has received Environmental and Social Screening Approval. At this stage of the process the scope of environmental and social assessment required for the project will be also be defined.

Stage 2 - Preparation and Appraisal:

51. Where environmental and social risks and impacts are anticipated to occur, these will be assessed under either an Initial Environmental Examination (for Category C) or an Environmental and Social Impact Assessment (for Category B) and from these a project level ESMP will be developed. The level of assessment of the environmental and social risks and impacts will be commensurate with the scale of the risks and impacts likely to occur – as defined in Stage 1. The ESMP will document the environmental and social risks and impacts, appropriate mitigation measures, roles and responsibilities, implementation and monitoring and reporting approaches.

52. When SPREP is either the executing or implementing agency, preparation of the ESMP is the responsibility of SPREP, drawing on external skilled professionals as necessary.

Figure 3.2 Environmental Assessment in SPREP’s Operational Procedures



Stage 3a – Project Clearance in SPREP

53. A project will not be approved in SPREP until it has received an Environmental and Social (E&S) Clearance following the completion of the preparation and appraisal phase. The E&S Clearance is only given to projects which meet the following criteria:
- Does the project comply with all applicable local, provincial/departmental and national laws on environment, health and safety?
  - Does the project comply with SPREP’s Environmental and Social Standards (Principles and Safeguards)?
  - Are all the relevant permits are identified or in place for the implementation of the project?
  - Do the mitigation measures proposed in the ESMP reduce risks and impacts to a level commensurate with SPREP’s risk appetite?

Stage 3b – External Project Approval

54. The funding agency is responsible for final project approval and for defining the implementation roles and responsibilities of SPREP as an executing agency or a contracted agency supervised by SPREP as the implementing agency.

Stage 4 - Project Implementation and Supervision

55. Where SPREP is involved as an executing agency, project implementation is a direct responsibility, but where SPREP is the implementing agency alone, then it is responsible for implementation supervision. Annual environmental and social monitoring and reporting, as defined in the ESMP, is the responsibility of the executing agency and/or SPREP. Implementation of additional mitigation measures may be undertaken as necessary, but significant project changes may trigger the need for additional environmental and social assessment. Similarly, during mid-term project review, evaluation of ESMP implementation may also lead to additional mitigation measures.

Stage 5 - Project Completion, Closing and Post-Evaluation

56. Final evaluation at the closure of the project leads to an assessment of whether the expected environmental and social adverse impacts have been avoided, minimised and/or managed, and whether positive impacts have materialised, as expected. The assessment will, in turn, provide valuable feedback for the design of similar projects in future.

## Appendix A - Environmental and Social Standards Comparison Table

External Standard	Relevant SPREP Standard
GEF Safeguard 1: Environmental and Social Impact Assessment	SPREP Safeguard 1: Assessment and Management of Environmental and Social Risks and Impacts
GEF Safeguard 2: Natural Habitats	SPREP Safeguard 8: Biodiversity Conservation and Sustainable Management of Living Natural Resources
GEF Safeguard 3: Involuntary Resettlement	SPREP Safeguard 7: Land Acquisition and Involuntary Resettlement
GEF Safeguard 4: Indigenous Peoples	SPREP Safeguard 9: Indigenous Peoples
GEF Safeguard 5: Pest Management	SPREP Safeguard 5: Resource Efficiency and Pollution Prevention (requirements 9-11);  SPREP Safeguard 8: Biodiversity Conservation and Sustainable Management of Living Natural Resources (requirement 11)
GEF Safeguard 6: Physical and Cultural Resources	SPREP Safeguard 10: Cultural Heritage
GEF Safeguard 7: Safety of Dams	SPREP Safeguard 1: Assessment and Management of Environmental and Social Risks and Impacts; and  SPREP Safeguard 6: Community Health, Safety and Security (requirements 2 and 3)
GEF Safeguard 8: Accountability and Grievance Systems	SPREP Safeguard 3: Accountability, Grievance and Conflict Resolution; and  SPREP Safeguard 1: Assessment and Management of Environmental and Social Risks and Impacts (requirement 11)
Adaptation Fund (AF) Principle 1: Compliance with the Law	SPREP Environmental and Social Policy (Clause 3)
AF Principle 2: Access and Equity	SPREP Principle 1: Human Rights
AF Principle 3: Marginalised and Vulnerable Groups	SPREP Principle 1: Human Rights; and  SPREP Safeguard 1: Assessment and Management of Environmental and Social Risks and Impacts (requirement 3)
AF Principle 4: Human Rights	SPREP Principle 1: Human Rights
AF Principle 5: Gender Equality and Women's Empowerment	SPREP Principle 2: Gender Equality
AF Principle 6: Core Labour Rights	SPREP Safeguard 4: Labour and Working Conditions
AF Principle 7: Indigenous Peoples	SPREP Safeguard 9: Indigenous Peoples
AF Principle 8: Involuntary Resettlement	SPREP Safeguard 7: Land Acquisition and Involuntary Resettlement
AF Principle 9: Protection of Natural Habitats	SPREP Safeguard 8: Biodiversity Conservation and Sustainable Management of Living Natural Resources



AF Principle 10: Conservation of Biological Diversity	SPREP Safeguard 8: Biodiversity Conservation and Sustainable Management of Living Natural Resources SPREP Principle 5: Biodiversity and Ecosystem Services
AF Principle 11: Climate Change	SPREP Principle 4: Climate Change
AF Principle 12: Pollution Prevention and Resource Efficiency	SPREP Safeguard 5: Resource Efficiency and Pollution Prevention SPREP Principle 6: Waste Management
AF Principle 13: Public Health	SPREP Safeguard 6: Community Health, Safety and Security
AF Principle 14: Physical and Cultural Heritage	SPREP Safeguard 10: Cultural Heritage
AF Principle 15: Lands and Soil Conservation	SPREP Safeguard 8: Biodiversity Conservation and Sustainable Management of Living Natural Resources
Green Climate Fund (GCF) Performance Standards 1-8	Largely equivalent to SPREP Safeguards 1-10
Australian Government Department of Foreign Affairs and Trade (DFAT) Child Protection Policy	SPREP Principle 3: Child Protection; SPREP Safeguard 4: Labour and Working Conditions (requirement 8); and SPREP Child Protection Policy

