Environmental and Social Safeguards Policy

Responsible for Policy: Regional Programs, Global Operations Department, safeguards@rare.org

Effective Date: March 2026

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Glossary

BAF	Blue Action Fund
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
E&S	Environmental and Social
ESCOP	Environmental and Social Code of Practice
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standard
EU	European Union
FAO	Food and Agricultural Organization
FPIC	Free, Prior and Informed Consent
FSC	Forest Stewardship Council
GBV	Gender-based Violence
GHG	Greenhouse Gases
GIIP	Good International Industry Practice
HRBA	Human Rights-Based Approach
ICP	Informed Consultation and Participation
ILO	International Labor Organization
IUCN	International Union for Conservation of Nature
NGO	Non-governmental Organization
ODS	Ozone Depleting Substances
OECD	Organization for Economic Co-operation and Development
OHS	Occupational Health and Safety
PCBs	Polychlorinated biphenyls
PPE	Personal Protective Equipment
RSPO	Roundtable on Sustainable Palm Oil
SEA	Sexual Exploitations and Abuse
SEP	Stakeholder Engagement Plan
SH	Sexual Harassment
UN	United Nations
VAC	Violence Against Children

WB World Bank

WHO World Health Organization

Introduction

This Policy applies to Rare, Inc. and any and all Rare affiliated entities. References in this Policy to “Rare”, or “the Organization,” mean Rare Inc. and any and all affiliated entities.

This updated Policy consists of Rare's Environmental and Social Policy Statement and a set of fourteen (14) Environmental and Social Standards (ESS) intended to operationalize the Policy Statement.

Rare has made a good faith effort to use Good International Industry Practices (GIIP) in the development of this policy. Rare also recognizes that there may be instances where, due to donor/project/funder requirements, additional measures may need to be considered for application and implementation.

To the extent that this Policy appears to contradict any applicable national, federal, provincial, state, or local law, the most restrictive national, federal, provincial, state, or local law will govern.

All existing and new department or country policies must meet the standards of this Rare, Inc. Policy, and the department or country policy must be reviewed and accepted in advance by the Rare, Inc. functional team responsible for this Policy. Please see cover page for details.

Failure to adhere to this Policy and/or violations of this Policy could result in disciplinary action up to and including termination, subject to applicable law. Please refer to the Code of Ethics and Conduct to report violations of this Policy.

Any questions pertaining to this Policy, or the application of this Policy should be brought to the attention of the department responsible for this Policy. Please see cover page for details.

All Employees are required to read, acknowledge and sign designated policies.

A. Policy Statement

Rare's human-centered, community-led approach leverages behavioral sciences to address climate change, protect biodiversity, secure food systems, promote social equity, and drive public funds and private capital toward better environmental outcomes, among other priorities.

This Policy Statement is consistent with Good International Industry Practice (GIIP) and outlines Rare's commitment to conducting its operations and implementing its programs in an environmentally and socially responsible manner, respecting human rights, complying with the laws of each country in which Rare operates and meeting the requirements of the donors and funders of its programs and projects.

Rare commits to:

- Integrate environmental and social (E&S) considerations into the design of projects and assess the risks and impacts of projects as early as possible, allowing for the application of the mitigation hierarchy in a manner proportionate to the nature and scale of the projects and their potential risks and impacts.

- Ensure meaningful, effective and informed stakeholder participation, with a particular focus on local communities, as a fundamental component of project formulation and implementation.
- Establish and maintain an accessible, transparent, practical, and effective accountability and grievance mechanism that ensures timely responses, transparency, independence, confidentiality, protection against retaliation, and record keeping, aligned with best practice principles.
- Ensure that program and project design, implementation and monitoring integrate conservation and human rights in an accessible, rights-based, gender-responsive, culturally appropriate and inclusive manner.
- Identify E&S risks that may arise after projects are completed (post-exit) and define strategies and measures to mitigate potentially negative impacts on local communities and the environment.

Rare has adopted a set of specific E&S policies for its operations to meet the above commitments. These policies cover E&S risks and impacts assessment and management, stakeholder engagement, grievance management, indigenous peoples' rights, livelihoods and access restrictions, human rights, cultural heritage, community health, safety and security, gender equity and vulnerable and disadvantaged individuals and groups protection, labor and working conditions, resource efficiency and pollution prevention, biodiversity conservation and sustainable management of living natural resources, climate change and disaster risk, financial intermediation and responsible exit.

Rare will make information on its E&S performance publicly available, supported by data processed through its programs and operational units.

This Policy Statement will be reviewed periodically to incorporate lessons learned and adapt to contextual changes.

Email info@rare.org for appendix content.

B. Applicability

This Policy applies to all Rare Employees. This Policy does not apply to Rare goods or services vendors, or other third parties who do work on behalf of Rare, who should instead be referring to the Rare Supplier Code of Conduct for the applicable policies and processes.

C. Environmental and Social Standards (ESS)

ESS 1 – Assessment and Management of E&S Risks and Impacts

Scope and Objectives

This ESS describes the process and requirements to ensure that the environmental and social risks and impacts of all Rare projects are systematically assessed and managed throughout project conception, design, inception, implementation and closeout.

This ESS is also applicable, with the necessary adjustments[1], to the process of designing new programs, when specific projects have not yet been identified.

By establishing the logical framework and steps for assessing and managing the E&S risks and impacts of Rare's projects, this ESS aims to ensure that:

- Rare's conservation projects are planned, designed and implemented in an environmentally and socially sound manner, consistent with Rare's goal of promoting inclusive, equitable and collective action to address global environmental challenges.
- The E&S assessment and management is systematic and proportionate to the nature and scale of the projects and their potential risks and impacts.
- A mitigation hierarchy is adopted in the E&S assessment and management processes to:
    a) Anticipate and avoid risks and impacts as a first priority;
    b) Where avoidance is not possible, minimize or reduce risks and impacts to acceptable levels;
    c) Once risks and impacts have been minimized or reduced, mitigate; and
    d) Where significant residual impacts remain, compensate[2] for or offset[3] them, where technically and financially feasible.
- E&S opportunities and risks and impacts are continuously monitored, reviewed, and adaptively managed throughout the life cycle of the project, from inception to closure.
- A responsible exit strategy is adopted in a sustainable, transparent and inclusive manner, safeguarding the potential environmental and social impacts and reputational risks that may arise post-exit.

Requirements

1. It is recommended for each project team to have staff with assigned responsibility for environmental and social issues, supported by specialists at the organization-wide and/or at the program level, and external consultants will be mobilized as needed to complement in-house capabilities.

2. The first step in the E&S assessment of a given project, at the time of project design/grant application, will be to identify and assess the donor/funder requirements and, if not already addressed by the donor/funder, the applicable legal requirements.

3. In some cases, the donors/funders of the projects and/or the legal frameworks of the countries in which the projects are implemented have specific requirements that must be met and take precedence over Rare's policies, provided that these requirements enable the projects to

[1] Adjustments that may be needed are related to the fact that the identification of their potential environmental and social risks and impacts at the program formulation level is less specific and requires a more high-level and strategic approach.
[2] For the purposes of this ESS, compensation is understood to be resource-based and not monetary in nature.
[3] For the purposes of this ESS, offsets are understood to be measurable conservation outcomes resulting from actions designed to achieve No Net Loss and preferably a net gain of biodiversity on the ground with respect to species composition, habitat structure, ecosystem function and people’s use and cultural values associated with biodiversity.

achieve objectives that are substantially consistent with Rare's policies. Where this is not the case, i.e. where the donor/funder and legal requirements are less demanding and provide a lower standard of E&S safeguard than Rare's ESSs, these ESSs will be considered in lieu of, or as a complement to, the donor/funder and legal requirements.

4. The assessment should identify the E&S risks and impacts of a project in an integrated manner and inform project design. Project activities are recommended to be screened for their environmental and social risks and issues and any opportunities that could maximize positive outcomes and benefits.

5. Appendix 1 provides an example of a template for the E&S Screening Tool that can be used in Rare projects where no specific template is required by national legislation or donors/funders.

6. This tool is designed to be flexible and adaptable to the specificities of each project and is intended to be used by the project/program team, without requiring specialized E&S input in most cases. However, such input may be useful for screening large and particularly complex projects with potentially significant risks and impacts.

7. The first step in the screening is to confirm that the proposed project activities are not included in the list of excluded activities (as included in Appendix 1 - Screening Tool). If an excluded activity is being considered, it must either be removed or redesigned to comply with the exclusion list.

8. The E&S screening process will then consider the project context and provide an assessment of the project features against Rare's E&S Safeguard Policy and ESSs.

9. The contextual risks assessment and the project risks and impacts screening are based on structured sets of self-explanatory questions. Given that the screening should be carried out as early as possible in the formulation of the project, it is natural that there may be limitations in the information available to answer all the screening questions. Therefore, the screening is based on a qualitative approach. Ideally, the results of previous stakeholder engagement (e.g. during the preparation of the project proposal or concept note) should be considered in the screening.

10. Donors/funders or national legislation may require that the results of their required screening lead to the determination of the E&S risk category of a project and the associated type/level of (formal) assessment to be carried out. However, as part of this ESS, Rare's screening process focuses on determining:

    a) Whether requirements of specific ESSs apply;

    b) An initial prioritization of the environmental and social risks and impacts of the project according to their significance[4] and any consequences for the implementation of activities;

    c) If any supplementary assessments are required to better understand potential risks and impacts or to address information gaps;

[4] The significance of environmental and social risks is determined by a value judgment based on the likelihood (the probability that a risk will occur) and impact (the consequences if the risk were to occur) of each risk.

d) Whether independent external expertise is needed to further assess specific aspects that are particularly complex or have the potential to cause significant risks and impacts (e.g. significant cumulative impacts with other projects or initiatives, activities to be implemented in fragile or conflict-affected situations or in regions with legacy issues / past unresolved risks and impacts related to conservation projects);

e) Possible changes to project activities and the mitigation measures likely to be required, applying the principles of mitigation hierarchy and proportionality. Such measures are captured in mitigation plans, where appropriate, following verification of their technical and financial feasibility;

f) As a corollary of the screening process, an E&S risk category is assigned to the project as follows:

- **Category C: Low risk**. Project located in country/region with low contextual risk. Project's activities with low E&S risks, that do not require supplementary assessment and can be managed with little effort without the use of external specialists / consultants; or

- **Category B: Moderate risk**. Project located in country/region with low to moderate contextual risk. Single high or diverse moderate potential adverse E&S risks that require some supplementary assessment and can be managed through state-of-the art mitigation measures or standard solutions, with modest mobilization of external specialists / consultants; or

- **Category A: High risk**. Project located in country/region with high contextual risk. Diverse high potential adverse E&S risks, requiring substantial supplementary assessment and management effort with relevant mobilization of external specialists / consultants. Consideration must be given to reformulating or abandoning the project.

11. An Environmental and Social Management Plan (ESMP), a Stakeholder Engagement Plan (SEP) and a Grievance Mechanism will be prepared for each project, regardless of the screening results. An outline of the minimum requirements of the ESMP is presented in Appendix 2a. The ESSs on Stakeholder Engagement and Grievance Management provide guidance on SEP and Grievance Mechanism respectively.

12. An Environmental and Social Code of Practice (ESCOP) may be prepared instead of an ESMP in the case of projects with minor E&S risks and impacts. An ESCOP is essentially a simplified ESMP and an outline of the typical content of an ESCOP is provided in Appendix 2B.

13. The need for other safeguard instruments, and for specific protocols and procedures to be integrated in the ESMP will be determined based on the assessment of the project characteristics against Rare's E&S Safeguard Policy and ESSs.

14. Any supplementary assessments must be conducted with the meaningful and informed consultation and participation of those potentially affected and respecting the right to Free, Prior and Informed Consent (FPIC) as appropriate (see the ESSs 2 on Stakeholder Engagement and 4 on Indigenous Peoples).

15. Additional screenings may be performed at any time when significant changes have emerged including but not limited to new proposed activities, changes in context of project intervention areas, and where environmental and social risks have increased.
16. E&S management will be integrated into work plans, monitoring plans and budgets, as appropriate, and projects will include clear responsibilities, expertise and resources (including financial) for complying with applicable requirements in practice, commensurate with the nature and significance of the identified risks and impacts.
17. The above-mentioned responsibilities apply to Rare and its staff, as well as to partners, sub-grantees and contractors involved in each project. These responsibilities shall be explicitly documented in codes of conduct, contracts or other types of agreements, as appropriate, and accompanied by capacity building to ensure that they can be met.
18. Projects shall monitor and report on their E&S performance, particularly with respect to compliance with applicable requirements, significance of project-related risks and impacts, emerging risks, risk management (safeguard instruments, plans and procedures in place or under development), and any major incidents.
19. Implementation of the mitigation measures must be monitored closely to ensure that they are proportionate, timely, effective, locally appropriate and specifically benefit those who are potentially affected. Monitoring should be conducted with the informed and active participation of those potentially affected.
20. Mitigation measures may need to be adapted based on information from monitoring, stakeholder feedback, or other sources, in which case their integration into project work plans, monitoring plans, and budgets will need to be reviewed.
21. A project's closure will not be reached until the measures and actions set out in the ESMP and other safeguard instruments have been implemented and verified in a final audit of the project.
22. Identify and assess as early as possible whether pre-existing significant E&S problems would be exacerbated or worsened, or whether other E&S risks identified during the project life cycle could materialize post-exit and cause imminent and serious harm to communities' health, safety or security and/or imminent and significant adverse environmental impacts.
23. The measures required to mitigate these possible risks and impacts, as well as the options for financing and implementing such measures, must be discussed with potentially affected stakeholders, government agencies and donors / funders in a timely manner, preferably within a framework embedded in the project design.

ESS 2 – Stakeholder Engagement

Scope and Objectives

This ESS describes the process and requirements for meaningful, effective and informed stakeholder participation in the formulation, inception, implementation and closeout of Rare's projects.

Stakeholders refer to individuals or groups who:

- Are affected or likely to be affected by the project (project-affected parties); and
- May have an interest in the project (other interested parties).

More specifically, stakeholders are individuals or groups who are directly or indirectly affected by a project, as well as those who may have an interest in a project and/or the ability to influence its outcome, either positively or negatively. Stakeholders may include locally affected communities or individuals and their formal and informal representatives, national or local government authorities, politicians, religious leaders, civil society organizations and special interest groups, the academic community, or other businesses.

Stakeholders can also be classified as rights-holders and duty-bearers. The definition of rights-holders is similar to that of project-affected people but is used when a human rights-based approach is adopted. Rights-holders have entitlements and claims to their human rights. They must be seen as active contributors to conservation projects, not just passive beneficiaries. Duty bearers are governments and other institutions with obligations to respect, promote, protect and fulfill human rights. In this context, Rare is a duty-bearer.

The main objectives of this ESS are the following:

- Ensure meaningful engagement with all stakeholders relevant to each project through a process of inclusive, ongoing and honest interactions to support the development of strong, constructive and responsive relationships based on trust and respect.
- Respect the participation and consultation rights of rights holders in the context of each project.
- Support the effective implementation of the E&S safeguards process to ensure the appropriate and timely identification and management of environmental and social risks and impacts.

Requirement

General

1. Stakeholder engagement begins as early as possible in the design of activities and is carried out through implementation, monitoring, evaluation of activities, and support the E&S assessment and management process. Stakeholder engagement must be adjusted based on stakeholder feedback and as new risks and impacts arise.
2. Stakeholder engagement is carried out in culturally appropriate formats and in a non-discriminatory and gender-responsive manner, seeking to ensure the inclusion and effective participation of persons with disabilities and those groups and individuals who may be in

vulnerable situations (for example, ethnic or other minorities, women, children and youth, older persons, religious/ethnic minorities).

3. Stakeholders, especially the most disadvantaged and vulnerable, may need to be made aware of their rights to participation and consultation, and their capacities may need to be strengthened to support active and effective participation.

4. Engagement is carried out free of external manipulation, interference, coercion, and intimidation. Where the stakeholder engagement process relies significantly on community representatives, reasonable efforts must be made to verify that these individuals actually represent the views of affected communities and that they can be relied upon to faithfully communicate the results of consultations to their constituents.

5. Stakeholder engagement is conducted in a conflict-sensitive manner to avoid creating or exacerbating tensions between or within stakeholder groups or putting stakeholders at risk of harm.

6. Stakeholder engagement should be effective without unnecessarily burdening stakeholders. Efforts to comply with these requirements must therefore be proportionate to the proposed project activities, their potential risks and impacts, and Rare's role in relation to those risks and impacts.

7. Where appropriate and feasible, stakeholder engagement with duty-bearers should include encouraging them to uphold and protect the rights of rights-holders.

Process

8. The first step in the stakeholder engagement process, which must begin as early as possible in the design of the projects, is to identify all relevant stakeholders. Stakeholders need to be identified and documented, including: (i) identification of key stakeholder groups (including government agencies, local communities, civil society organizations, international organizations, private sector, media, and research institutions) (ii) identification of those who may be disadvantaged, structurally discriminated against, or in vulnerable situations, and distinguishing project-affected peoples / rights-holders from duty-bearers and other stakeholders.

9. The project shall then analyze stakeholders, including project-affected people, undertake meaningful consultation with them on the project design, and identify the type of engagement required during the project. This analysis must include: (i) assessment of the potential risks and impact of the project on each stakeholder group; (ii) assessment of the capacities of rights-holders to claim their rights and of duty-bearers to uphold their duties; (iii) stakeholder interest and influence; (iv) assessment of the representative structures of stakeholders, especially of rights-holders; (v) assessment of the relationships between different stakeholders, including existing conflicts or tensions and (vi) identification of the type of engagement that will be required. The consultation to be held to support this analysis must include: (i) disclosure of relevant information; (ii) documentation of consultation illustrating

stakeholders' views and input into project design; and (iii) precursory consultations on the Informed Consultation and Participation (ICP) and FPIC processes[5].

10. The next step will be to develop a Stakeholder Engagement Plan (SEP) based on stakeholder input and including engagement mechanisms and methods that are conducive to effective engagement and the participation of disadvantaged or vulnerable groups. The SEP identifies engagement mechanisms and methods that: (i) reflect the type of engagement required as identified in the stakeholder analysis and consultation; (ii) are socially and culturally appropriate, building on existing institutional arrangements; and (iii) allow for the participation of disadvantaged or vulnerable groups. See Appendix 3 – for the Stakeholder Engagement Plan template.

11. Upon completion of project design, the project must disclose relevant project information during stakeholder consultations in a culturally appropriate and accessible manner, including: (i) information on project design; (ii) potential risks and impacts (positive and negative); and (iii) planned management measures and plans. Relevant project information includes, as appropriate (c) potential risks and impacts associated with the project and proposals to mitigate them, highlighting potential risks and impacts that may have a disproportionate impact on vulnerable and disadvantaged groups and describing the differentiated measures taken to avoid and minimize them; d) the proposed stakeholder engagement process, highlighting the ways in which stakeholders can participate; e) the time and place of any proposed public consultation meetings and the process by which meetings will be announced, summarized and reported; and f) the process and means by which grievances can be raised and will be addressed.

12. Projects provide frequent reporting[6] to project-affected people in a culturally appropriate and accessible manner, including:(i) progress in implementing management measures or plans of concern to these communities; and (ii) evidence of documentation and incorporation (where appropriate and feasible) of community suggestions for improvements.

13. The implementation and the quality of stakeholder engagement process itself must be continuously monitored.

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[5] An ICP is required when there are potentially significant adverse impacts, and consists of a genuine dialogue between the parties, involving communication and disclosure of information, mutual respect, and good faith negotiations. ICP involves an in-depth exchange of views and information, and an organized and iterative consultation, leading to the incorporating of the views of the Project Affected People into the decision-making process on matters that affect them directly, such as management measures (measures to avoid, minimize or compensate for identified impacts), sharing of development benefits and opportunities, and implementation issues. The ICP must involve representative bodies and organizations, as well as members of affected communities (including disadvantaged and/or vulnerable groups and individuals), and allow sufficient time and resources for the process.
A FPIC process is required when there are affected Indigenous Peoples. This initial consultation represents a pre-cursory consultation to outline the ICP or FPIC process, therefore feeding into the stakeholder engagement plan and FPIC protocol outline (see ESS 4), as appropriate.

[6] As a general rule, the minimum frequency for this type of reporting would be annually. However, an ongoing dialog between affected people and the project is best practice. In cases where there are significant changes in the risks and impacts, and in the associated management measures and plans, then the reporting would be carried out at that point in time.

ESS 3 – Grievance Mechanism

Scope and Objectives

A grievance mechanism is an accessible and inclusive system, process, or procedure for receiving complaints and suggestions for improvement. It responds to concerns in a timely manner and facilitates the resolution of issues and grievances related to a project, or Rare's operations. An effective grievance mechanism provides project-affected parties with a means of redress and helps address issues at an early stage.

This policy applies in conjunction with Rare's Ethics and Whistleblower Hotline. The Grievance Mechanism Procedures can be found in Appendix 5.

Requirements

General

1. Rare maintains an Ethics and Whistleblower Hotline, operated by an independent third-party vendor, that applies to all projects and programs across its countries of operation. The Ethics and Whistleblower Hotline ensures a consistent institutional approach to grievance handling while allowing adaptation to local contexts to ensure accessibility and inclusion.

2. Each country in which Rare operates must make an effort to ensure that the Ethics and Whistleblower Hotline is locally accessible. If the Ethics and Whistleblower Hotline is not available in a specific country, or deemed insufficient, a local Grievance Mechanism must be identified and approved by Talent and the Regional Programs Global Operations Department. The Grievance Mechanism must be proportionate to the potential risks and impacts of the relevant project or program and designed based on an understanding of the issues most likely to give rise to concerns or grievances.

3. In all cases, the Grievance Mechanism must be designed and implemented in accordance with the following good practice principles:

    - **Accessible:** The Grievance Mechanism is accessible to all parties who may be affected by project activities.

    - **Practical:** The Grievance Mechanism is cost-effective, practical to implement, and does not impose an undue burden on project implementation.

    - **Effective and Timely:** Procedures for receiving, reviewing, and resolving complaints are clearly defined, operate effectively in practice, and are implemented within appropriate timeframes as detailed in Appendix 5 – Grievance Mechanism Procedures.

- **Protection from Retaliation:** Procedures are in place to prevent and mitigate the risk of retaliation against individuals who raise concerns in good faith.

- **Recordkeeping:** Accurate and complete records are maintained for all complaints, concerns, and cases submitted for review.

4. For projects where donors, funders, or countries have their own grievance mechanism requirements, the standards set forth in this Policy may be adapted as necessary to meet those requirements.

5. In addition to project-affected parties, the Grievance Mechanism must be available to all Rare employees and project personnel, including project partners and contractors, regardless of whether those partners or contractors maintain their own grievance mechanisms.

6. Complaints received through the Ethics and Whistleblower Hotline are routed directly to the, Senior Vice President of Talent.. For details on the complaints process see Appendix 5 – Grievance Mechanism Procedures.

7. The Complaints Advisory Board is comprised of Country and/or Program Vice Presidents or Senior Vice Presidents, the Senior Vice President of Talent, the relevant program leaders and the Vice President, Regional Programs Global Operations and other relevant stakeholders as needed. Advisory Board members convened for each case will depend upon the scope and subject matter of the complaint.

8. Each project team must designate a Local Grievances Manager responsible for managing grievances at the local level.

The requirements set forth below are intended as general guidelines and may be adapted to reflect country-specific and project-specific contexts:

9. Complaints received through mechanisms other than the Ethics and Whistleblower Hotline must be logged by the relevant program or project team.

10. Any complaint involving a Rare employee must be reported to Talent, who will review and respond to the complaint in coordination with the relevant department.

11. Country and program teams must prepare a semiannual report summarizing complaints received and actions taken. These reports must be shared in writing by Program Leadership with the Program Committee of the Board of Trustees.

Eligibility

12. Any community, organization, project stakeholder or affected group (including individuals) that believes it has been or may be adversely affected by the activities of a project undertaken by Rare is considered a "Project Affected Party" and is entitled to submit a complaint.

13. Negative impacts can be either direct or indirect adverse effects of project activities carried out by Rare or by project partners (including authorities of host countries) that receive financial or technical support from Rare.

14. Any Project Affected Party may file a complaint.

15. Representatives (a person or local organization) can submit a complaint on behalf of a Project Affected Party, but they must provide concrete evidence of authority to represent them; and

16. Anonymous grievances will be considered, except in countries where the submission of anonymous grievances is not permitted.

17. The criteria for ineligible grievances include:

    a) Grievances about actions or omissions that are not technically or financially supported by Rare's projects, or about parties that are not partners or collaborators in Rare's projects

    b) Grievances concerning issues that fall outside the scope of Rare's projects, or Rare's operations, including matters over which Rare has no direct or reasonable ability to influence outcomes.

    c) Grievances filed after the date of the official closure of Rare implemented projects.

    d) Complaints submitted by the same complainant on matters previously submitted to the grievance mechanism, unless new evidence is provided or Rare has failed to respond to the original grievance within the required timeframe.

Non-retaliation

18. Rare prohibits any form of retaliation against any employee or party for raising or reporting a bona fide complaint under this Policy or for assisting in a complaint investigation.

19. Any employee who is found to have participated or engaged in retaliatory conduct will be subject to disciplinary action, up to and including termination.

20. Employees who reasonably believe that they have been victims of any such retaliation should inform the Sr. Vice President, Talent immediately.

Informing Stakeholders about the Grievance Mechanism

21. In order for the Grievance Mechanism to be effective and accessible, Rare will make continuous, good faith efforts to inform all relevant project stakeholders of the existence and scope of the Grievance Mechanism. It is essential that stakeholders are aware of the grievance eligibility criteria and the mechanism for submitting grievances. This should ideally be done during stakeholder consultation during project design.

22. This will be done by presenting the Grievance Mechanism in the local language(s), ensuring that the information is provided in a culturally appropriate manner and reaches all relevant stakeholder groups, including women, indigenous peoples (where present) and vulnerable groups. Various methods will be used to raise awareness of the Grievance Mechanism and procedures, including verbal communication (e.g. through consultation meetings, trainings, project website, as well as at local offices in the project area of influence. Details of outreach and accessibility measures must be reflected in the Stakeholder Engagement Plan.

23. Rare and other project staff, including project partners and contractors, will be informed of Rare's Grievance Mechanism procedures when they join the organization or a specific project.

ESS 4 – Indigenous Peoples

Scope and Objectives

This ESS applies to Rare's projects that may affect Indigenous Peoples and/or their rights, lands, territories, resources, traditional livelihoods and cultures.

The term "Indigenous Peoples", or as they may be referred to in the national context using an alternative terminology, is used in a generic sense to refer exclusively to a distinct social and cultural group possessing the following characteristics in varying degrees:

a) Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others;

b) Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas;

c) Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture; and

d) A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

The provisions of the following international reference documents are considered in this policy and may clarify and supplement its requirements:

- World Bank Environmental and Social Standards (WB, 2018), in particular the Guidance Note on ESS 7 - Indigenous Peoples / Sub-Saharan African Historically Underserved Traditional Local Communities (WB, 2018)[7].
- UN Declaration on the Rights of Indigenous People (UNDRIP, 2007)[8].

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[7] http://documents1.worldbank.org/curated/en/972151530217132480/ESF-Guidance-Note-7-Indigenous-Peoples-English.pdf

[8] https://www.ohchr.org/en/indigenous-peoples/un-declaration-rights-indigenous-peoples#:%7E:text=The%20Declaration%20addresses%20both%20individual,all%20matters%20that%20concern%20them

- International Labor Organization (ILO), Indigenous and Tribal Peoples Convention, 1989 (No. 169)[9]
- Food and Agricultural Organization (FAO), Free Prior and Informed Consent: An indigenous peoples' right and a good practice for local communities (FAO, 2016)[10].

The objectives of this ESS are:

- To ensure that the development process fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resource-based livelihoods of Indigenous Peoples.
- To avoid adverse impacts of projects on Indigenous Peoples, or when avoidance is not possible, to minimize, mitigate, and/or compensate for such impacts.
- To promote sustainable development benefits and opportunities for Indigenous Peoples, in a manner that is accessible, culturally appropriate, and inclusive.
- To improve project design and promote local support by establishing and maintaining an ongoing relationship based on meaningful consultation with the Indigenous Peoples, by a project throughout the project's life cycle.
- To obtain the Free, Prior, and Informed Consent of affected Indigenous Peoples when required:
- To recognize, respect, and preserve the culture, knowledge, and practices of Indigenous Peoples, and to provide them with an opportunity to adapt to changing conditions in a manner and in a time frame acceptable to them.

Requirements

General

1. Projects shall respect and preserve the culture, knowledge, practices and rights of Indigenous Peoples.
2. National legislation on indigenous peoples should be applied and supplemented by relevant international provisions, with the stricter provisions being applied in the benefit of Indigenous Peoples.
3. The involvement of qualified and experienced specialist(s) to provide technical advice and assistance in the application of the requirements of this ESS should always be considered. The input of such specialist(s) may be essential from an early stage in the planning of a project

[9] https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0::NO::P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:REV,en,C169,/Document
[10] http://www.fao.org/3/i6190e/i6190e.pdf

to determine whether a particular group potentially affected by the project should be considered as Indigenous Peoples.

4. The FPIC must involve representative bodies and organizations, as well as members of affected communities (including disadvantaged and/or vulnerable groups and individuals), and allow sufficient time and resources for the process.

Screening

5. Each project must identify all communities of Indigenous Peoples within the project area of influence who may be affected by the project. This must be done at the screening stage (see ESS1) and supported by an adequate mapping of (i) the project area and project area of influence; (ii) the boundaries of any Protected / Conserved areas and any other major land uses; the location of all indigenous communities; and (iv) the spatial extent of land and natural resource use by indigenous communities.

6. Supplementary assessment of the nature and extent of the expected direct and indirect impacts (economic, social, cultural, environmental) on the Indigenous Peoples may be required, depending on the results of the screening stage.

Supplementary assessments

7. Supplementary assessments, where required, must lead to an understanding and characterization of, at least, the Indigenous Peoples's (i) legal tenure and/or customary rights; (ii) livelihoods; (iii) governance arrangements; (iv) cultural values and practices; and (iv) specific groups or sub-groups within Indigenous Peoples communities that may be in vulnerable situations.

8. The findings of the assessments must (i) include the nature and degree of potential economic, social, cultural (including cultural heritage), and environmental impacts; (ii) be based on culturally appropriate methodologies and data, and consultations with Indigenous Peoples; and (iv) identify the need for further assessments during the project implementation, where appropriate.

Free, Prior and Informed Consent (FPIC)

9. Free, Prior and Informed Consent (FPIC) builds on and expands the Informed Consultation and Participation (see ESS 2) and it is required of Indigenous People in circumstances in which the project will:

   - Have adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation;

   - Cause relocation of Indigenous Peoples from land and natural resources subject to traditional ownership or under customary use or occupation; or

- Have significant impacts on Indigenous Peoples cultural heritage that is material to the identity and/or cultural, ceremonial, or spiritual aspects of the affected Indigenous Peoples lives.

10. If this is the case, the project will follow an FPIC process in accordance with an FPIC protocol, with consent sought at various stages of project design and development, and with consent being a prerequisite for the activities for which consent is sought (including consultation during the initial stages of project design). An example of an FPIC protocol prepared by Rare is as follows:

"Thriving Coasts – Empowering Coastal, Fisher-Farmer Communities to Protect Biodiversity & Build Prosperity in Honduras" (June 2024): Annex B: Free, Prior and Informed Consent (FPIC) Draft Protocol: ANNEX B_Rare_Honduras_BAF_FPIC Protocol_final.docx

Protocol to Guide the Free Consent Procedure, Prior And Informed (FPIC) With the Garifuna and Indigenous Communities through to be included in the "Thriving Coasts – Empowering Coastal, Fisher-Farmer Communities to Protect Biodiversity & Build Prosperity in Honduras" : Annex B.1.Protocol to Guide FPIC.docx

Management Measures

11. The project shall, through consultation, identify culturally appropriate management measures based on the mitigation hierarchy (prioritizing avoidance) and the FPIC of affected Indigenous Peoples, and document these management measures in a time-bound plan (Indigenous Peoples Plan).
12. The sharing of benefits derived from the use of Indigenous People's lands, territories or resources including from their cultural heritage and/or traditional ecological knowledge is mutually agreed through the FPIC process, culturally appropriate and equitable.
13. In situations where there are known to be, or where there may be Indigenous Peoples living in isolation and/or initial contact, their wishes to remain isolated must be respected and activities that may result in such undesired contact must not be pursued.
14. A stand-alone Indigenous Peoples Plan may be appropriate in cases where there are significant impacts on Indigenous People that go beyond economic displacement due to access restrictions (included in the Process Framework; see ESS 5). The Indigenous Peoples Plan shall include culturally appropriate mitigation measures and benefits defined through an informed consultation and participation process with the Indigenous People community and shall specify the timing for completion of the planned.
15. In cases where there are less significant impacts, management measures could be included in the project's Environmental and Social Management Plan (ESMP; see ESS 1). In cases where impacts are solely related to economic resettlement, integration with the Process Framework may be appropriate.
16. In any case, independent third-party monitoring of FPIC during project implementation may be justified to assess whether FPIC has been adequately designed and implemented.

ESS 5 – Livelihoods and Access Restrictions

Scope and Objectives

In accordance with the exclusion list contained in ESS 1, Rare will not develop, seek funding for, or directly or indirectly promote projects that involve involuntary physical displacement and/or forced eviction.

This ESS applies to Rare projects that may involve or require

- restricting access to and/or use of natural resources by communities, groups or individuals living within or outside legally designated parks and protected areas (e.g., fishing, hunting wildlife, harvesting timber or non-timber forest products),
- restricting physical access to areas of occupation or use,
- restricting access to social services, such as education or health services, by prohibiting or restricting physical access to the places where these services are provided, or
- changes in the use and management regimes of natural resources, resulting in adverse impacts on the economic, social, cultural and environmental benefits that people obtain from these resources or areas.

The objectives of this ESS are to:

- Mainstream social considerations in project conception, design, inception, implementation and closeout;
- Ensure the inclusion of all stakeholders in the project lifecycle;
- Adopt a human rights-based approach to social impacts the assessment and mitigation;
- Ensure the informed consultation and participation of affected communities and households throughout the full project lifecycle;
- Establish the social context in order to effectively identify all impacts, design appropriate impact mitigation measures, develop appropriate implementation and management arrangements and ensure adequate monitoring and evaluation;
- Enable the successful and comprehensive identification of potential impacts;
- Ensure that, when developing measures to address the needs or wants of affected communities, the measures developed will together address all impacts identified;
- Create win-win outcomes by going beyond the minimum requirements of mitigating impacts to create added value for stakeholders, including a fair and equitable sharing of benefits associated with project usage of the resources.

Requirements

General

1. Projects shall promote and support sustainable livelihoods, and in cases where there are involuntary restrictions on land, marine and natural resource use and other essential ecosystem services with potential impacts on peoples' livelihoods, improve or at least restore peoples' standards of living and livelihoods.

2. However, the determination of the voluntary nature of the restrictions is not straightforward (a number of factors must be taken into account[11]), and the GIIP[12] indicates that, even if the access restrictions can be defined as 'voluntary', the project may still produce a number of impacts that need to be effectively identified, assessed and mitigated, especially if they affect vulnerable members of the community.

3. In assessing and mitigating the social impacts of access restrictions, in addition to the objectives in the section above, projects shall:

    - Recognize the rights of affected communities, including Indigenous Peoples, to the lands and resources they use;
    - Recognize the right to a standard of living adequate for the health and well-being
    - Recognize the right to free movement of peoples;
    - Recognize the right of people to determine their own economic, social and cultural development priorities;
    - Recognize the right of people to participate in decision-making in matters which affects them;
    - Respect traditional structures and systems of government and decision-making, including those of indigenous peoples;
    - Respect the equal rights of women and ensure their participation and inclusion;
    - Respect cultural heritage and knowledge;
    - Obtain the Free, Prior and Informed Consent of affected indigenous communities.

[11] See for instance section 1.4 - Voluntary versus Involuntary Restrictions of the BAF Process Frameworks & Marine Protected Areas - A guidance note (May, 2021) (https://www.blueactionfund.org/wp-content/uploads/2023/04/BAF-ESMS_Process-Framework-Guidance-Note.pdf)

[12] For example the World Bank Environmental and Social Standard 5 - Land Acquisition, Restrictions on Land Use and Involuntary Resettlement / Scope of Application, paragraph 4, footnote 9 (http://documents1.worldbank.org/curated/en/294331530217033360/pdf/ESF-Guidance-Note-5-Land-Acquisition-Restrictions-on-Land-Use-and-Involuntary-Resettlement-English.pdf)

Screening and Assessment

4. During the screening stage (see ESS1) the project shall conduct an initial assessment of whether the project has the potential to induce risks and adverse project impacts on Project Affected People livelihoods due to restrictions to land, marine areas and natural resources. Possible indirect impacts, such as those resulting from human wildlife conflict, must also be considered.

5. When such potential risks and impacts are identified, the project shall: (i) identify and document the Project Affected People; (ii) preliminarily understand and assess the significance of the risk; and (iii) plan for any more comprehensive assessments that may be required in subsequent phases of the project.

6. Where further assessment is required, the project shall conduct a full assessment to: (i) identify and document Project Affected People; (ii) understand the specific project impacts through collection of relevant baseline data; and (iii) pay particular attention to gender impacts and impacts on the poor and vulnerable.

Process Framework

7. In the initial stages of the project design, Process Framework must be set up to identify opportunities to avoid impacts, determine appropriate restrictions on use, and define management measures to address adverse impacts on livelihoods resulting from such restrictions. Process Framework guidance and template (with examples of use) are as follows:

   a) Process Framework Guidance:

   Blue Action Fund Process Frameworks & Marine Protected Areas - A guidance Note (May, 2021) https://www.blueactionfund.org/wp-content/uploads/2023/04/BAF-ESMS_Process-Framework-Guidance-Note.pdf

   b) Process Framework Examples:

   "Thriving Coasts – Empowering Coastal, Fisher-Farmer Communities to Protect Biodiversity & Build Prosperity in Honduras" (June 2024): ANNEX D_Rare_Honduras_BAF_PF_final.docx

   Coastal Lifeline – A provincial approach to the empowerment of Fisher-Farmer Communities to adopt Nature-based Solutions in Mozambique (April 2024): Annex B_Rare_Mozambique_PPF_final_V.2.0.docx

8. The Process Framework is a planned and documented participatory process with meaningful participation of stakeholders and Project Affected People. This participatory process includes assessment of alternative project designs through both meaningful inclusion of stakeholders and Project Affected People, and/or the inclusion of methodologies/ approaches in the project plans to allow for identification and activities or areas with potentially high adverse impacts on livelihoods.

9. For projects where avoidance is not possible, the project establishes a process for defining eligibility of management measures (e.g. livelihood restoration and improvement measures) and establishing a cut-off date (where appropriate).
10. In subsequent project phases, the Process Framework supports:
    - the meaningful involvement of Project Affected People in the design, planning and implementation of measures to restore and/or improve livelihoods where the project results in unavoidable access restrictions with adverse impacts on livelihoods.
    - the establishment of entitlements to livelihood restoration and improvement support, paying attention to gender and needs of vulnerable segments of communities.

Monitoring

11. Monitoring is in place to allow for the evaluation of the progress in the implementation of livelihood measures and the effectiveness of these measures in managing the potential impacts, including a final project evaluation.

ESS 6 – Human Rights

Scope and Objectives

Rare's people-centered and community-led approach places even greater emphasis on considering and respecting human rights in all of its programs and projects.

The overall objective of this policy is to adopt a human rights-based approach (HRBA), in line with Rare’s commitment to ensure that program and project conception, design, inception, implementation, closeout and monitoring integrate conservation and human rights in an accessible, rights-based, gender-responsive, culturally appropriate and inclusive manner and with respect of GIIP.

Requirements

Core HRBA commitments

Rare will respect international standards / good international industry practice on human rights in the conception, design, inception, implementation, closeout and monitoring of programs and projects and is committed to:

1. Non-discrimination: Prevent non-discrimination, addressing any barriers for marginalized groups or individuals to access decision-making processes (see ESS 2 on Stakeholder Engagement);

2. Indigenous peoples' rights: Recognize and respect indigenous peoples' rights, values, and culture (see ESS 4 on Indigenous Peoples);
3. Gender equality: Address the need for equal opportunities and participation of women and men in decision-making processes and mainstream gender equality (see ESS 8 on Gender Equity and Vulnerable Groups);
4. Tenure rights: Recognize and respect all legitimate forms of tenure, including customary rights to natural resources, and commit to avoiding the displacement of local communities or modifying their access to resources (see ESS 5 on Livelihoods and Access Restrictions);
5. Social and economic development: Address the socioeconomic conditions of communities within the scope of their conservation programs, including issues such as education, health services, financial services, social protection, and public infrastructure (see ESS 1 on Assessment and Management of E&S Risks and Impacts);
6. Right to decent work: Promote the right to decent work and not benefit from or being complicit in the use of forced labor or unfair working conditions (see ESS 10 on Labor and Working Conditions);
7. Equitable distribution: Distribute the costs and benefits of conservation so that outcomes can be considered acceptable to all parties (see ESS 5 on Livelihoods and Access Restrictions, ESS 9 on Cultural Heritage and ES 12 on Biodiversity Conservation and Sustainable Management of Living Natural Resources);
8. Climate justice: Promote the meaningful inclusion and participation of people in positions of vulnerability within climate-related decision-making processes (see ESS 13 on Climate Change and Disaster Risk);

Procedural HRBA commitments

Rare commits to:

9. Free, Prior, and Informed Consent (FPIC): Active, meaningful, free, informed, and ongoing consent of rights-holders will be sought in the decision-making processes of matters relating to conservation interventions (see ESS 4 on Indigenous Peoples).
10. Participation and community engagement: Active participation in decision-making processes and the inclusion of all diverse groups in governance and management of natural resources is promoted (see ESS 2 on Stakeholder Engagement).
11. Recognition: The rights and values of Indigenous peoples and local communities will be recognized, as well as all knowledge, culture, traditions, and practices of local people, which, where appropriate, are incorporated into local governance and decision-making processes;
12. Access to justice: Provision of accessible, fair, and effective processes for communities to voice concerns over potential threats to their rights and, where needed, for these concerns to be acted upon (see ESS 3 on the Grievance Mechanism).

13. Transparency: Establish open communication with rights-holders and ensure that projects information is provided in an accessible understandable, useful, and timely manner (see ESS 2 on Stakeholder Engagement).

Practical HRBA commitments

Rare commits to the following practical aspects of the human rights-based approach:

14. Human rights impact assessment: Undertake human rights impact assessments (HRIA) to measure the effects that conservation projects have on rights-holders. HRIA are conducted as part of project planning and implementation processes (see ESS 1 on the Assessment and Management of E&S Risks and Impacts)
15. Capacity building: Strengthen the capacity of rights-holders to claim their rights and of duty bearers to fulfill their obligations. ESS 1 (Assessment and Management of E&S Risks and Impacts) and ESS 2 (Stakeholder Engagement) contain provisions in this regard, which will be strengthened based on the assessment of each project context.
16. Monitoring and evaluation: Regular monitoring and evaluation to understand the human rights impacts of programs and track the effectiveness of measures aimed at mitigating human rights concerns (see ESS 1 on the Assessment and Management of E&S Risks and Impacts)
17. Partnerships: Advocate for human rights issues in engagement with program and project partners, given their influence in shaping national and global political discourse. Those partners, sub-grantees and contractors with whom Rare may have contractual relationships will have their responsibilities formally documented.

Procedural requirements

The minimum procedural requirements to be adopted in each project to comply with the commitments expressed in the sections above include the following:

18. Projects shall ensure that human rights are respected by promoting rights-based approaches and avoiding activities with potential to contribute to human rights infringements.
19. Each project must identify, define and assess the potential for adverse impacts to human rights, including economic and social rights, procedural rights, risks of discrimination and unjustified preferential treatment, and the potential to aggravate or exacerbate past human rights conflicts or injustices in the project area.
20. In cases where there is the potential for adverse impacts on human rights, the project avoids (where possible) impacts and develops management measures to reduce impacts to an acceptable level.
21. Wherever possible, the project will ensure that its activities have a positive impact on human rights, for example, though: a) building capacity and maintaining accountability; b)

empowerment and education on human rights; and c) fostering participation, particularly amongst disadvantages or vulnerable groups.

Reference Documents

Rare Code of Ethics and Conduct Policy. See RareUP Policies, Procedures & Forms folder.

"Conservation Letters Paper – Conservation and human rights: The public commitments of international conservation organizations" (Ford-Learner, N., Addison, J., & Smallhorn-West, P. (2024). Conservation and human rights: The public commitments of international conservation organizations. Conservation Letters, 17,e13035. https://doi.org/10.1111/conl.13035)

The Blue Action Fund Environmental and Social Safeguarding Principles and Requirements - Principles and Requirements for the Application of the Blue Action Fund Environmental and Social Management System (ESMS); Version 1, May 2021. Principle 10: Human Rights. https://www.blueactionfund.org/wp-content/uploads/2024/06/BAF-ESMS_Principles-Criteria-Indicators.pdf

United Nations Environment Programme (2024). Core Human Rights Principles for Private Conservation Organizations and Funders. Nairobi. https://wedocs.unep.org/handle/20.500.11822/46756

ESS 7 – Community Health, Safety and Security

Scope and Objectives

This ESS sets out the requirements applicable to the assessment and management of the following types of potential risks to project-affected people and communities, in the context of Rare's projects:

- Health risks through exposure to communicable diseases, increased risk factors for other physical health conditions, increased risk factors for mental health conditions, changes in the ecosystem services, reduced access to health care;
- Safety risks due to increased exposure to accidents, physical injury and hazardous conditions, or increased vulnerability to natural hazards;
- Risks associated with impacts on ecosystem services relevant to the health and safety of the community;
- Security risks associated with exposure to violence or abuse (physical, sexual, and emotional), including due to law enforcement activities. This includes assessing the possibility of activities that contribute to gender-based violence (see ESS 8).

The key objectives of this ESS are to:

- Identify and avoid potential adverse risks and impacts on the health, safety and security of project affected people and communities or, where avoidance is not possible, minimize adverse risks and impacts and respond to residual risks and impacts through the identification and design of appropriate and proportionate mitigation measures, paying particular attention to vulnerable individuals or groups;
- Respect the rights of potentially affected people and communities to information and participation in relation to their health, safety and security.

Requirements

1. Projects shall promote and ensure the health, safety and security of project-affected people and communities.
2. Community health and safety risks related to small scale construction, hazardous materials and substances, impacts on ecosystem services of local importance, exposure to health issues (including water-borne, water-based, water-related, and vector-borne diseases, and communicable and noncommunicable diseases) and human wildlife conflict must be specifically assessed and corresponding management measures must be identified and planned where necessary.
3. Community security risks related to project-supported law enforcement and patrolling activities must be specifically assessed and corresponding management measures must be identified and planned where necessary. These measures may relate to the principles of proportionality in law enforcement arrangements, good international practice in hiring, rules of conduct, training, equipping and monitoring and patrolling.
4. In general, the management measures to address community health, safety and security risks should, as appropriate:
    - Take into account differences in risk exposure and sensitivity of people who may be in vulnerable situations and be developed in a conflict sensitive manner;
    - Include appropriate management plans and systems based on good international practice and design and carried out with appropriate expertise;
    - Include relevant emergency preparedness plans, that will be designed, implemented and monitored in collaboration with stakeholders and relevant local authorities.
5. The necessary management measures can/should be included in the ESMP or result in specific instruments (e.g. traffic management plan; security management plan[13]), depending on their complexity and depth, and always respecting the principle of proportionality.

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[13] See example of the Security Management Plan prepared for the project "Coastal Lifeline – A Provincial Approach to The Empowerment of Fisher-Farmer Communities to Adopt Nature-Based Solutions in Mozambique" (April 2024)

6. Relevant project-related information must be disclosed in a timely and culturally appropriate manner to enable affected communities and relevant government agencies to better understand the potential health, safety and security risks posed by the project.
7. The design and implementation of risk management measures must always include a component aimed at raising awareness and promoting appropriate attitudes and behaviors among the project-affected people and communities.

Reference Documents

- World Bank Environmental and Social Standard 4 – Community Health and Safety Guidance Note[14];
- World Bank Group's General Environmental and Health and Safety Guidelines and Industry Specific Guidelines[15], as applicable;
- Good Practice Note: Assessing and Managing the Risks and Impacts of the Use of Security Personnel, (WB, 2018)[16];
- Use of Security Forces: Assessing and Managing Risks and Impacts (IFC, 2017)[17]
- The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (UN, 1990)[18];
- The United Nations Code of Conduct for Law Enforcement Officials (UN, 1979)[19];
- The Voluntary Principles (VPs) on Security and Human Rights (2010)[20];
- Blue Action Fund Law Enforcement & Marine Protected Areas; Identifying, Assessing and Managing Law Enforcement Risks & Impacts - A Guidance Note (2023)[21].

ESS 8 – Gender Equity and Protection of Vulnerable Groups

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14 https://documents1.worldbank.org/curated/en/290471530216994899/ESF-Guidance-Note-4-Community-Health-and-Safety-English.pdf
15 https://www.ifc.org/en/insights-reports/2000/general-environmental-health-and-safety-guidelines
16 http://documents.worldbank.org/curated/en/692931540325377520/Environment-and-Social-Framework-ESF-Good-Practice-Note-on-Security-Personnel-English.pdf
17 https://www.ifc.org/content/dam/ifc/doc/mgrt/p-handbook-securityforces-2017.pdf
18 https://www.ohchr.org/sites/default/files/firearms.pdf
19 https://www.ohchr.org/sites/default/files/codeofconduct.pdf
20 https://docs.wixstatic.com/ugd/f623ce_60604aa96d1c4bdcbb633916da951f25.pdf
21 https://www.blueactionfund.org/wp-content/uploads/2023/07/BAF-ESMS_Law_Enforcement_Guidance_Note.pdf

Scope and Objectives

This ESS sets out the requirements applicable to the assessment and management of gender-related impacts and impacts on vulnerable groups in the context of Rare's projects.

This policy applies in conjunction with Rare's:

- Policy to Combat Trafficking in Persons
- Employee Handbook (US and International editions)
- Workplace Harassment and Discrimination Policy
- Code of Ethics and Conduct Policy
- Supplier Code of Conduct

The main objectives of this ESS are to:

- Identify, assess and manage situations where (i) individuals or groups are likely to be disproportionately affected by the project due to their vulnerability status, and (ii) there is potential for adverse gender impacts due to the project/project activities.
- Define a framework for preventing and managing risks of gender-based violence and violence against children.

Requirements

General

1. Projects shall integrate gender throughout the project life cycle and promote inclusive and equitable project design to prevent adverse gender-related impacts or impacts on vulnerable persons or groups.
2. Each project must define and identify people or groups who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so.
3. The definition of vulnerable people or groups will take into account the local context and considerations relating to gender, age, including the elderly and minors, and circumstances in which they may be separated from their family, community or others on whom they depend.

Assessment and Management of Risks and Impacts

4. The assessment of potential adverse gender-related impacts and potential for impacts on vulnerable persons or groups integrates the understanding of the socioeconomic context at the project sites, including prevailing gender issues as they relate to the planned project.

5. The stakeholder consultation and planned stakeholder engagement (see ESS 2) will consider the views, interests, priorities and needs of women and of any groups identified as vulnerable to project impacts, including inputs into impact assessment and design of appropriate mitigation measures (where needed).

6. Stakeholder engagement planning takes into account appropriate and differentiated engagement mechanisms and methods for women (gender-responsive) and any identified vulnerable individuals or groups.

7. In all projects where there are relevant gender-related risks or opportunities, there must be a gender action plan see the suggested reference documents) that includes the following elements:

    - Specific actions to address any identified vulnerabilities and risks, and opportunities to strengthen women's participation in decision making and management in project activities.

    - Qualitative and quantitative gender-responsive indicators for proposed interventions to demonstrate accountability and commitment to gender targets.

    - Actions to allocate resources within the budget for ensuring gender-responsive activities and capacity building needs.

8. Risks of Gender-based Violence (GBV), including Sexual Exploitations and Abuse (SEA) / Sexual Harassment (SH), and of Violence Against Children (VAC) should be screened and assessed as part of project screening process. If risks of SEA / SH are triggered, the project will ensure:

    - Establishment of specific mitigation, reporting and monitoring measures: (i) based on risks identified, identifying the corresponding mitigation measures and implement actions;
    - Project response actions for SEA/SH and VAC cases: (i) essential services for survivors; report case through the grievance mechanism as appropriate keeping survivor information confidential and anonymous; document and close cases brought through the grievance mechanism.

9. Prevention GBV and VAC risks potentially related with project staff is covered by current Rare's Workplace Harassment and Discrimination Policy and Code of Ethics and Conduct Policy and apply to Rare employees and also to the personnel of partners, sub-grantees and contractors.

Reference Documents

- See RareUP Policies, Procedures & Forms Folder:
    - Policy to Combat Trafficking in Persons

    - Rare Code of Ethics and Conduct Policy
    - Workplace Harassment and Discrimination Policy Employee Handbook (International and US editions)
- Supplier Code of Conduct, https://rare.org/about-us/accountability-transparency/
- Blue Action Fund Gender Guide - Gender-responsive guidance for coastal conservation and sustainable fisheries projects (2023) https://www.blueactionfund.org/wp-content/uploads/2020/10/200826_BlueAction_Gender_Guide.pdf

  This guide provides a practical how-to for designing, implementing, monitoring and evaluating gender-responsive projects in marine and coastal resource management, but can be used as a reference for other types of conservation projects. Among other guidance and tools, it includes an example BAF gender action plan. https://www.greenclimate.fund/document/gender-action-plan-fp122-blue-action-fund-baf-gcf-ecosystem-based-adaptation-programme

- World Bank Good Practice Note: Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Human Development Operations https://thedocs.worldbank.org/en/doc/e2ff01be0f07c82d73bc0c5e7ddf394f-0290032022/original/ESF-Good-Practice-Note-on-Addressing-SEA-SH-in-HD-Operations-First-Edition-September-16-2022.pdf

- World Bank Good Practice Note: Addressing Gender Based Violence in Investment Project Financing involving major Civil Works (2018) https://documents1.worldbank.org/curated/en/399881538336159607/Addressing-Gender-Based-Violence-in-Investment-Project-Financing-Involving-Major-Civil-Works.pdf

- World Bank Good Practice Note: Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing involving Major Civil Works (2022) https://thedocs.worldbank.org/en/doc/6f3d9ddc6010c4221315dd1282958e41-0290032022/original/SEA-SH-Civil-Works-GPN-Third-Edition-Final-October-12-2022.pdf

ESS 9 – Labor and Working Conditions

Scope and Objectives

This ESS sets out the requirements applicable to the assessment and management of labor and working conditions related risks and impacts in the context of Rare's projects.

This policy applies in conjunction with Rare's:

- Policy to Combat Trafficking in Persons
- Employee Handbook (US and International editions)
- Workplace Harassment and Discrimination Policy
- Code of Ethics and Conduct Policy

- Supplier Code of Conduct

The requirements included in this ESS apply to workers directly engaged by Rare, including direct workers[22], contractor workers[23], and workers engaged by Rare's primary suppliers (primary supply workers)[24].

Projects may also include the use of community workers in several different circumstances, including where labor is provided by the community as a contribution to the project, or where projects are designed and conducted, for example, for the purpose of fostering community-driven development. Given the nature and objectives of such projects, the application of all requirements of this policy may not be appropriate. In such circumstances, Rare will require adopt measures to ascertain whether such labor is or will be provided on a voluntary basis[25] as an outcome of individual or community agreement.

The main objective of this ESS is to protect workers by ensuring that risks or potential adverse impacts to workers are avoided or mitigated, and the fundamental rights of workers are respected, consistent with the International Labor Organization's (ILO) Declaration on the Fundamental Principles and Rights at Work and the fundamental labor conventions[26].

Requirements

1. People working on the project have safe, healthy and secure working conditions that are in line with or surpass national legislation, respect workers' rights, and assure equal opportunity and non-discrimination.
2. Where the screening process (see ESS 1) identify risks or potential adverse impacts to workers, further assessments are undertaken, and plans are developed, implemented and monitored to manage the risks and potential adverse impacts in such a way that is consistent with this Standard and respects and protects the fundamental rights of workers, consistent with the International Labor Organization's (ILO) Declaration on the Fundamental Principles and Rights at Work, including:
    a) Freedom of association and the effective recognition of the right to collective bargaining;

[22] "Direct workers" are those people employed directly by Rare to work specifically on a given project.
[23] "Contractor workers" are those people employed through third parties to perform work related to core functions of the project for a substantial duration
[24] "Primary supply workers" are thos people employed or engaged by a primary supplier, providing goods and materials to the project.
[25] Work is on a voluntary basis when it is done with the free and informed consent of a worker. Such consent must exist throughout the employment relationship and the worker must have the possibility to revoke freely given consent. There can be no "voluntary offer" under threat or other circumstances of restriction or deceit. To assess the authenticity of a free and informed consent, it is necessary to ensure that no external constraint or indirect coercion has been carried out, either by an act of the authorities or by an employer's practice.
[26] ILO defines eight labor standards as fundamental, including: 87) Freedom of Association and Protection of the Right to Organize (1948) 98) Right to Organize and Collective Bargaining (1949) 29) Forced Labor (1930) 105) Abolition of Forced Labor (1959) 138) Minimum Age (1973) 182) Worst Forms of Child Labor (1999) 100) Equal Remuneration (1951) 111) Discrimination (1958).

b) The elimination of discrimination, in respect of employment and occupation;

c) The prevention of child labor; and

d) The elimination of all forms of forced or compulsory labor.

3. The following requirements will be proportionate to the nature and scale and the potential risks and impacts of the project and will also apply to the community workers, as appropriate.

4. Workers are provided with clear and understandable documentation of employment terms and conditions, including their rights under national law related to hours of work, wages, overtime, compensation and benefits, and those arising from this ESS upon beginning the working relationship and when any material changes occur.

5. The agreements that are reached with community workers, recording the terms on which such labor will be provided, must also be documented.

6. Workers engaged in the project are provided with regular and timely payment of wages; adequate periods of rest, holiday, sickness, maternity, paternity, and family leave; and written notice of termination and severance payments, as required under national laws and the Rare's labor management procedures, as applicable.

7. 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 opportunity and fair treatment, and not based on personal characteristics unrelated to inherent job requirements.

8. 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.

9. Migrant workers are employed in accordance with local laws and on comparable terms and conditions as non-migrant workers who are employed in similar work.

10. 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.

11. Where the project either directly or indirectly provides residential or temporary accommodation to workers or requires workers to travel to remote communities, adequate lodging shall be provided. Any accommodation facilities should provide all basic services, including water and sanitation; in certain cases, medical care should also be provided. The services are provided in a manner consistent with the principles of non-discrimination and equal opportunity.

12. Occupational Health and Safety (OHS) measures are applied to establish and maintain a safe and healthy working environment, and such measures are designed and implemented to address:

    a) Identification of potential hazards to workers, particularly those that may be life threatening;

    b) Provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances;

c) Training of workers and maintenance of training records;

d) Documentation and reporting of occupational accidents, diseases and incidents;

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

f) Remedies for adverse impacts such as occupational injuries, deaths, disability and disease.

13. A grievance mechanism (see ESS 3) will be provided for all direct workers and contractor workers to raise workplace concerns. Such workers will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against reprisal for its use. Measures will be put in place to make the grievance mechanism easily accessible to all such project workers. Existing grievance mechanisms may be supplemented as needed with project-specific arrangements.

14. While community workers can raise grievances in relation to the project, in many cases the nature of such grievances and the way in which they are addressed and resolved may differ from those of other project workers. For this reason, the project grievance mechanism should be adapted to reflect the specific characteristics of the community workers and the project.

15. When applicable, Rare will identify potential risks of violations of primary supplier workers' fundamental rights and safety and health issues and establish roles and responsibilities for monitoring primary suppliers. If child labor, forced labor, trafficking in persons, unsafe working conditions, or breaches of other fundamental rights are identified, the primary supplier in question will be excluded or be required to take appropriate steps to remedy the identified issues.

Reference Documents

- See RareUP Policies, Procedures & Forms Folder:
  - Policy to Combat Trafficking in Persons
  - Rare Code of Ethics and Conduct Policy
  - Workplace Harassment and Discrimination Policy
  - Employee Handbook (International and US editions)
- Supplier Code of Conduct, https://rare.org/about-us/accountability-transparency/
- “Workers’ Accommodation: Processes and Standards: A Guidance Note by IFC and the EBRD” (2009) https://www.ifc.org/content/dam/ifc/doc/mgrt/workers-accomodation.pdf
- World Bank ESS2: Labor and Working Conditions – Guidance Note for Borrowers https://documents1.worldbank.org/curated/en/149761530216793411/pdf/ESF-Guidance-Note-2-Labor-and-Working-Conditions-English.pdf

ESS 10 – Cultural Heritage

Scope and Objectives

This ESS sets out general provisions on risks and impacts to cultural heritage from Rare's project activities.

The term 'cultural heritage' encompasses tangible and intangible heritage, which may be recognized and valued at a local, regional, national, or global level, as follows:

- Tangible cultural heritage, which includes movable or immovable objects, sites, structures, groups of structures, and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance. Tangible cultural heritage may be located in urban or rural settings, and may be above or below land or under the water; and
- Intangible cultural heritage, which includes practices, representations, expressions, knowledge, and skills—as well as the instruments, objects, artifacts, and cultural spaces associated therewith—that communities and groups recognize as part of their cultural heritage, as transmitted from generation to generation and constantly recreated by them in response to their environment, their interaction with nature, and their history.

The requirements of this ESS apply to cultural heritage regardless of whether it has been legally protected or previously identified or disturbed.

The main objective of this ESS is to ensure that projects respect and protect cultural heritage, both tangible and intangible, that meaningful consultation with stakeholders on cultural heritage takes place, and that equitable sharing of benefits from the use of cultural heritage is promoted.

Requirements

1. When cultural heritage resources are present in project areas, measures should be put in place to ensure that they are identified and that adverse effects on them are avoided. This is particularly relevant for projects that support development of management plans and other land and natural resource use planning, projects that support alternative livelihood activities, and projects that include small infrastructure construction.
2. In cases the screening (see ESS 1) has identified the potential for adverse impacts on cultural heritage, including prevention of access, the project will identify, in accordance with ESS 2, stakeholders that are relevant for the cultural heritage that is known to exist or is likely to be encountered during the project life cycle. Stakeholders will include, as relevant: (a) project-affected parties, including individuals and communities within the country who use or have used the cultural heritage within living memory; and (b) other interested parties, which may include national or local regulatory authorities that are entrusted with the protection of cultural heritage and nongovernmental organizations and cultural heritage experts, including national and international cultural heritage organizations.

3. The project will then carry out meaningful consultations with stakeholders in accordance in order to identify cultural heritage that may be affected by the potential project; consider the significance of the cultural heritage affected by the project; assess the potential risks and impacts; and explore avoidance and mitigation options.
4. Field-based surveys shall also be used in assessing the nature, extent and significance of cultural heritage that may be affected by the project; assessing whether destruction or damage can be avoided; and assessing plans for minimizing/mitigating risks and impacts.
5. When avoidance of impacts is not possible, the project will identify and implement measures to address impacts on cultural heritage in accordance with the mitigation hierarchy (see ESS 1).
6. Jointly with the relevant stakeholders, the project shall determine whether disclosure of information regarding cultural heritage would compromise or jeopardize its safety or integrity.
7. A “chance finds” procedure is a project-specific procedure which will be followed if previously unknown cultural heritage is encountered during project activities. It will be included in all contracts relating to construction of the project, including excavations, demolition, earthworks, flooding, or other changes in the physical environment. The “chance finds” procedure will set out how chance finds associated with the project will be managed. See Appendix 8 – Chance Find Procedure Template for a template for a “chance finds” procedure.
8. Natural features may be imbued with cultural heritage significance. The project will identify, through research and consultation with project-affected parties (including individuals and communities), natural features with cultural heritage significance affected by the project, the people that value such features, and the individuals or groups with authority to represent and negotiate regarding the location, protection, and use of the heritage place(s). Possible mitigation measures will be discussed and agreed with such individuals or groups.
9. The project, in consultation with relevant cultural heritage authorities, will identify movable cultural heritage objects[27] that may be endangered by the project and make provisions for their protection throughout the project life cycle. Rare will inform religious or secular authorities or other custodians with responsibility for overseeing and protecting the movable cultural heritage objects of the schedule for project activities and alert them regarding the potential vulnerability of such items. The project will take measures to guard against theft and illegal trafficking of movable cultural heritage items affected by the project and will notify relevant authorities of any such activity.
10. Where a project introduces restrictions to stakeholder access to cultural heritage, continued access or alternative safe access shall be arranged in consultation with stakeholders, where feasible subject to overriding safety and security considerations.
11. Where a project intends to use cultural heritage of project-affected parties (including individuals and communities) for commercial purposes, Rare will inform the project-affected

[27] Movable cultural heritage includes such objects as: historic or rare books and manuscripts; paintings, drawings, sculptures, statuettes, and carvings; modern or historic religious items; historic costumes, jewelry, and textiles; fragments of monuments or historic buildings; archaeological material; and natural history collections such as shells, flora, or minerals. Discoveries and access resulting from a project may increase the vulnerability of cultural objects to theft, trafficking, or abuse.

parties of: (a) their rights under national law; (b) the scope and nature of the commercial development and the potential impacts; and (c) the potential consequences of such development and impacts. The project will not proceed with such commercial use unless it: (a) carries out meaningful consultation with stakeholders as described in ESS 2; (b) provides for fair and equitable sharing of benefits from commercial use of such cultural heritage, consistent with customs and traditions of the project affected parties; and (c) identifies mitigation measures according to the mitigation hierarchy.

Reference Documents

- World Bank Environmental and Social Standard 8 – Cultural Heritage Guidance Note[28].

ESS 11 - Resource Efficiency and Pollution Prevention

Scope and Objectives

Rare's projects are unlikely to include activities that could result in inefficient use of energy, water, raw materials, and other resources; significant emissions of greenhouse gases (GHG); emissions of other pollutants to air, land, or water, including hazardous and non-hazardous waste; and the use of harmful chemical pesticides, especially considering the list of excluded activities (included in the screening tool, ESS 1). In any case, This ESS sets out the requirements applicable to efficient use of resources and pollution prevention in the context of Rare's projects.

The key objectives of this ESS are to:

- To avoid or minimize adverse impacts on human health and the environment by avoiding or minimizing pollution from project activities;
- To promote more sustainable use of resources, including energy and water;
- To reduce project-related emissions of GHG;
- To avoid or minimize generation of hazardous waste; and
- To minimize and manage the risks and impacts associated with pesticide use.

Requirements

1. Throughout the project cycle, Rare consider and apply technically and financially feasible and good international industry practices (GIIP) to improve resource efficiency, including the

[28] https://documents1.worldbank.org/curated/en/743151530217186766/pdf/ESF-Guidance-Note-8-Cultural-Heritage-English.pdf

principles of cleaner production, green design, sustainable infrastructure and sustainable procurement, where applicable.

2. Rare's projects implement a waste management hierarchy by avoiding and, where not possible, minimizing the generation of waste and reusing, recycling and recovering waste in a safe manner.

3. Rare will ensure that alternatives to reduce project-related GHG emissions are considered in a manner appropriate to the nature and scale of the project's operations and impacts. Alternatives may include, but are not limited to, alternative locations, use of renewable and low-carbon energy sources, sustainable travel and work practices, energy efficiency, and ecosystem-based adaptation and mitigation measures, as appropriate.

4. Rare's projects will avoid or minimize the potential for community exposure to hazardous materials and substances that may be released from projects. Where there is potential for the public to be exposed to hazards, projects will take special care to avoid or minimize their exposure by modifying, substituting or eliminating the condition or material causing the potential hazard.
5. To prevent pollution, Rare's projects should avoid and, if not possible, minimize and control the intensity and flow of pollutants from routine, non-routine and accidental releases.
6. Projects shall implement preventive measures wherever possible and ensure that the application of pollution prevention and control technologies throughout the project life cycle is in accordance with best international practice. Rare's projects shall comply with performance levels and measures specified in national legislation or GIIP (e.g. the World Bank Group's Environmental and Health and Safety Guidelines), whichever is more stringent. In addressing potential adverse impacts, Rare's projects shall consider the background conditions and assimilative capacity of the environment, land use, proximity to environmentally sensitive areas, and the potential for cumulative impacts.

7. Where Rare's projects have a high demand for water resources, measures must be applied to reduce water use and ensure that such use does not have significant adverse impacts on communities, other users or on the environment and ecosystems.

8. Projects must also assess the cumulative impacts of water use and implement appropriate mitigation measures in accordance with the GIIP, such as water demand management, efficiency measures, benchmarking of use, alternative supply, avoidance of resource contamination, mitigation of impacts on downstream users, and water use offsets.

9. For projects that require the procurement of eligible pesticides, Rare will ensure that these pesticides are procured conditionally on an assessment of the nature and level of risks involved, taking into account the proposed use and intended users.

10. Where pesticides are procured or used:

    - The products used do not contain active ingredients that are banned or restricted under applicable international treaties and conventions, or that meet the criteria for carcinogenicity, mutagenicity or reproductive toxicity established by relevant international agencies;

    - appropriate restrictions, skills, equipment and facilities are in place to ensure their safe use, taking into account the potential risks of the pesticide; and

- Projects avoid or minimize, where possible, the use of pesticides that harm non-target species or the natural environment, or contribute to the development of resistance in pests and vectors.

11. As part of the stakeholder engagement process (see ESS 2), potential risks and impacts and mitigation measures related to resource use and pollution are disclosed for discussion with relevant stakeholders.

Reference Documents

- World Bank Environmental and Social Standard 3 – Resource Efficiency and Pollution Prevention and Management Guidance Note https://documents1.worldbank.org/curated/en/112401530216856982/pdf/ESF-Guidance-Note-3-Resource-Efficiency-and-Pollution-Prevention-and-Management-English.pdf
- World Bank Group's General Environmental and Health and Safety Guidelines and Industry Specific Guidelines, as applicable https://www.ifc.org/en/insights-reports/2000/general-environmental-health-and-safety-guidelines

ESS 12 - Biodiversity Conservation and Sustainable Management of Living Natural Resources

Scope and Objectives

Rare is focused on the protection of biodiversity and, as such, Rare's projects are not expected to have any direct or indirect negative project-related impacts on biodiversity and ecosystem services. This is further reinforced by the list of excluded activities (included in the screening tool, ESS 1).

In any case, This ESS sets out the requirements applicable to the biodiversity conservation and sustainable management of living natural resources in the context of Rare's projects.

The key objectives of this ESS are to avoid or mitigate any significant loss or degradation and to maintain and promote the sustainable management, protection, conservation, maintenance, and rehabilitation of natural habitats and their associated biodiversity and ecosystem functions and services.

Requirements

1. In order to protect natural habitats and in accordance with international agreements, Rare endorses and applies the precautionary approach[29].
2. Rare's projects will be consistent with existing protected area management plans or other resource management strategies that are applicable to national or local situations.
3. The direct and indirect risks and impacts of the project on biodiversity and ecosystem services, including the potential for habitat loss, degradation and fragmentation, introduction or spread of invasive alien species, overexploitation of terrestrial or marine resources, hydrological changes, nutrient loading and pollution, shall be identified and assessed (see ESS 1). Cumulative impacts shall also be identified and assessed.
4. The assessment should involve, as applicable, projected affected people and communities, government authorities, relevant civil society organizations, local experts and traditional knowledge holders.
5. Where adverse impacts cannot be avoided, measures must be taken to mitigate them, making best use of scientific knowledge and the traditional knowledge of communities that depend on the resources and/or may be affected.
6. Where project affected communities are indigenous peoples, special attention will be given to traditional and customary values placed on ecosystem services, ensuring protection of traditional knowledge and indigenous consent in the provision of such information.
7. Human wildlife conflict must be specifically assessed, and corresponding management measures must be identified and planned where necessary. For this, the following principles must be taken in account: (i) engaging key stakeholders; (ii) no over focus on damage interventions; (iii) understanding species needs; (iv) understanding depth of conflict; and (v) creation of value and benefit.
8. Compensation or offsets will only be considered: (i) after all other technically feasible avoidance, minimization, or restoration measures have been considered; (ii) only in specific cases where implemented to achieve measurable conservation outcomes that can reasonably be expected to result in no net loss and preferably a net gain of biodiversity (iii) supported by rigorous, sound science and adhering to the "like-for-like or better" principle; (iv) developed in consultation with independent experts; (v) where sustainable management, support, and financing can be secured; and (vi) consistent with best practices.
9. Rare will only engage in habitat restoration activities that can be shown to restore or enhance biodiversity and ecosystem composition, structure and functions. All plantation projects will be environmentally appropriate, socially equitable and economically viable.
10. Rare's projects shall conform with applicable frameworks and measures related to access and benefit sharing (such as the Nagoya Protocol[30]) in the utilization of genetic resources.

[29] Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation
[30] Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity (https://www.cbd.int/abs/doc/protocol/nagoya-protocol-en.pdf)

Reference Documents

- World Bank Environmental and Social Standard 6 – Biodiversity Conservation and Sustainable Management of Living Natural Resources Guidance Note https://documents1.worldbank.org/curated/en/924371530217086973/ESF-Guidance-Note-6-Biodiversity-Conservation-English.pdf
- Legacy Landscapes Fund (LLF); Best Practice Guide Note: Human Wildlife Conflict Mitigation (2023) (https://legacylandscapes.org/wp-content/uploads/2023/02/230130_Annex-K-Human-Wildlife-Conflict-Mitigation-Scheme.pdf)
- Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity (https://www.cbd.int/abs/doc/protocol/nagoya-protocol-en.pdf)

ESS 13 - Climate Change and Disaster Risk

Scope and Objectives

All Rare's programs and projects support the goal of driving inclusive, equitable, and collective action to address global environmental challenges, including climate change. However, these programs and projects, especially when they have a significant field component, may be affected by climate change and disaster risks, not only in terms of the staff involved in field project activities, but also in terms of the intended outcomes to be achieved.

This ESS sets out the requirements to assess the extent to which each specific project is vulnerable to climate change and disaster risks, and to ensure that the project does not adversely affect the vulnerability of local communities to such risks but rather reduces it.

Requirements

1. The screening of E&S risks and impacts for each project includes identification, based on available information on historical climate hazard and natural disaster events, current climate trends, and future climate change scenarios, of:
    - The potential risks that climate change may pose to the project; and
    - Whether the project has the potential to increase the vulnerability of the local communities to the effects of climate change.
2. Depending on the results of the screening, further and more detailed assessment may be required. Particular attention should be paid to disadvantaged individuals or groups whose vulnerability to the effects of climate change may be adversely impacted by the project.

3. The results of the detailed assessment should lead to the identification of adjustments to the project design to mitigate risks to the project and adverse impacts on the vulnerability of local communities, activities and infrastructure, as appropriate.
4. Such adjustments may include, for example:
    - Making project activities less vulnerable to extreme events (for example, by rescheduling certain activities to avoid more critical times of the year);
    - Avoiding project activities competing with community uses of certain natural resources, the availability of which may be affected by climate change.
    - Make any infrastructure to be built or used by the project more resilient.
    - Establish early warning and response procedures for climate events and other natural disasters, with direct community involvement and appropriate coordination with local/national authorities.
5. Rare's typical projects are not expected to result in significant greenhouse gas (GHG) emissions. However, as stated in ESS 5, Rare will ensure that alternatives to reduce project-related GHG emissions are considered in a manner appropriate to the nature and scale of the project's operations and impacts. Alternatives may include, but are not limited to, alternative locations, use of renewable and low-carbon energy sources, sustainable travel and work practices, energy efficiency, and ecosystem-based adaptation and mitigation measures, as appropriate.

Reference Documents

- Conservation International (CI) - GEF/GCF Project Agency. Environmental and Social Management Framework (ESMF). Appendix XI: Guidance on Climate Risk and Related Disasters (2020) https://www.conservation.org/docs/default-source/gcf/ci_gef_gcf-esmf-version-7.pdf?sfvrsn=a788de43_4

ESS 14 - Financial Intermediation

Scope and Objectives

Rare’s Innovative Finance program connects the formal financial sector with rural and remote communities on the frontlines of our greatest environmental challenges. The program develops and implements innovative financial products and services (e.g., impact bonds, formalized microbusinesses, indemnity and parametric insurance, and natural climate solutions), delivering in-person training, working directly with financial institutions, and using a people-centered, science-based approach to engage communities.

The purpose of this ESS is to set out the minimum requirements to ensure that key environmental and social issues are addressed when Rare acts as a financial intermediary in the projects under the Innovative Finance program.

Requirements

1. As a general requirement, all issues covered by Rare's E&S Policy (ESS 1 to ESS 13) must be addressed whenever Rare acts as a financial intermediary.
2. The approach and effort to address relevant E&S issues in each project must be proportionate to the potential E&S risks and impacts associated with it and carefully adapted to the specificities of the ultimate beneficiaries of Rare's support.
3. Particular attention will be paid to the following aspects:
    - Supported beneficiaries/activities must comply with Rare's exclusion list (see ESS 1).
    - Wherever Indigenous Peoples are present, their rights, lands, territories, resources, traditional livelihoods and cultures are respected (see ESS 4);
    - Human rights are respected in all cases, with particular attention to non-discrimination and gender equality (see ESS 6);
    - The prevention of gender-based violence and violence against children (see ESS 8).
4. A grievance mechanism (see ESS 3) is available in each project, adapted to the specificities of the different rights holders and duty bearers.
5. The E&S conditions associated with each project are agreed in writing between Rare and the Beneficiaries (individually or collectively, as applicable), and Rare ensures that the Beneficiaries have the necessary capacity and resources to comply with such conditions.
6. Rare will undertake due diligence to verify that the agreed E&S conditions are being met. Any non-compliance will be promptly discussed with the Beneficiaries, and an action plan will be agreed to address the identified non-compliance.

D. List of Appendices

Appendix 1 - Screening Tool
Appendix 2 - ESMP and ESCOP Templates
Appendix 3 - Stakeholder Engagement Plan Template
Appendix 4 - BAF-ESMS_Stakeholder-Engagement-Plan_Register
Appendix 5 - Grievance Mechanism Procedures
Appendix 6 - Grievance Mechanism Register Template
Appendix 7 - Serious Incident Report Template
Appendix 8 – Chance Find Procedure Template

Email info@rare.org to request appendix content.