

**UNIDO input to a questionnaire on Resettlement as a human rights issue**

1. In accordance with UNIDO’s Environmental and Social Safeguards Policies and Procedures (ESSPP), there are several key principles and operational safeguards relevant to resettlement:
2. ESSPP Integrated Safeguard Policy Statement (ESSPP, p. 5) – although not specifically mentioning resettlement, it incorporates human rights issues through the following Guiding Principles
   * Compliance with national and international law
   * Transparency and inclusivity
3. ESSPP Operational Safeguard (OS) – specifically covers resettlement
   * OS 3: Involuntary Resettlement and Land Acquisition (ESSPP, p. 15 )
   * OS 1: Vulnerability and community impacts (ESSPP, p. 11)
   * OS 4: Indigenous People (ESSPP, p. 16 )
   * OS 10: Community Health, Safety and Security (ESSPP, p. 25)
   * OS 11: Information Disclosure and Stakeholder Consultation Safeguard (ESSPP, p. 26)
   * OS 12: Accountability and Grievance System (ESSPP, p. 28 )

All UNIDO projects and programmes require to be screened for issues related to human rights and potential resettlement, and undertake additional assessments and management plans in cases where any social and/or environmental issues have been identified.

[UNIDO Environmental and Social Safeguards Policies and Procedures (ESSPP)](https://www.unido.org/sites/default/files/files/2021-07/AI_2021_03_UNIDO_ENVIRONMENTAL_AND_SOCIAL_SAFEGUARDS.pdf)

No assessment on the implementation and impact of UNIDO ESSPP and outcomes for the rights of affected individuals and communities has been undertaken.

1. N/A
2. ESSPP OS 3: Involuntary Resettlement and Land Acquisition (ESSPP, p. 15) promotes avoidance of physical and economic displacement as a result of project-related land use. (…) Ensures that interventions will be conducted in accordance with national land use rights and building and zoning permits, and will not involve involuntary displacement. (…) The project development team is responsible for overseeing relevant studies.

ESSPP OS 10: Community Health, Safety and Security (ESSPP, p. 25) ensures that health, safety, and security risks and impacts are avoided or minimized and that the safeguarding of personnel and property is carried out in accordance with relevant human rights principles.

ESSPP OS 11: Information Disclosure and Stakeholder Consultation Safeguard (ESSPP, p. 26) stipulates that UNIDO’s approach to information disclosure is guided by openness and open and transparent consultation with project stakeholders.

No assessment on the implementation and impact of UNIDO ESSPP and outcomes for the rights of affected individuals and communities has been undertaken.

1. According to UNIDO ESSPP (p. 10), projects that focus on the setting-up of financial mechanisms, accelerator/incubator schemes, business models and the like are to incorporate the requirements set out in ESSPP in the design of selection criteria for such mechanisms/schemes/models. The selected financial intermediaries are expected to have their own environmental and social management systems in place that meet a level of acceptable compliance with the requirements of the ESSPP, including those regarding adherence to national laws, human rights standards and resettlement.
2. Since the majority of UNIDO projects do not entail resettlement elements in their design, UNIDO does not have a mechanism specifically mandated to deal with resettlement.
3. The cost of any potential resettlement is to be covered either by the national government counterparts contributing to the project design and implementation and/or should be built into the project design.
4. No, there is no specific guidance in UNIDO ESSPP related to human rights impact assessments.
6. Through ESSPP Safeguard Policy Statement on Transparency and Inclusivity (ESSPP, p. 5) UNIDO commits to ensure that affected communities, particularly vulnerable groups, can participate in a free, prior and informed manner in decisions about avoiding or managing environmental or social impacts. Through ESSPP OS 4: Indigenous People (ESSPP, p. 17) UNIDO commits to undertake a process to obtain the Free, Prior and Informed Consent of indigenous peoples (…).
7. Since the majority of UNIDO projects do not entail resettlement elements in their design, UNIDO ESSPP does not provide specific guidance on administrative and judicial remedies.
8. Since the majority of UNIDO projects do not entail resettlement elements in their design, UNIDO ESSPP does not provide specific guidance on resettlement action plan and policy.
9. ESSPP OS 12: Accountability and Grievance System (ESSPP, p. 28) describes the UNIDO mechanism for dispute resolution and for ensuring accountability and compliance with UNIDO’s environmental and social safeguards.
10. Since the majority of UNIDO projects do not entail resettlement elements in their design, UNIDO does not systematically collect data on formal indicators or otherwise track the situation of persons who have been subject to resettlement.
11. A clear and specific guidance document to determine adequate compensation and resettlement criteria would be helpful.
12. N/A
13. ESSPP OS 1: Vulnerability and community impacts (ESSPP, p. 11) stipulates that the screening/categorization process should systematically identify vulnerable groups on the basis of a careful screening and analysis of the social and economic context in which the project will operate

Through ESSPP OS 4: Indigenous People (ESSPP, p. 16) UNIDO ensures that, consistent with the rights and responsibilities set forth in the United Nations Declaration on the Rights of Indigenous Peoples, projects are designed and implemented in a way that fosters full respect for indigenous peoples, including those living in voluntary isolation, and for their dignity, human rights, and cultural uniqueness. (…) Where appropriate, UNIDO ensures that provisions are made in the ESS studies to support activities that would result in the establishment of legal recognition of customary or traditional land tenure and management systems and collective rights used by project-affected indigenous peoples.

1. Since the majority of UNIDO projects do not entail resettlement elements in their design, there is no specific guidance in UNIDO ESSPP in regard to requiring proof of formal property ownership.
2. Since the majority of UNIDO projects do not entail resettlement elements in their design, there is no specific guidance in UNIDO ESSPP for determining compensation for those who need to be resettled.
3. In a recent experience from a UNIDO project, due to the national political situation in the country and related budgetary constraints, it is not certain whether the foreseen project benefits - which justified the need for the resettlement in the first place- can materialize as planned. In the long term, in case the established industrial park is not fully operational or decommissioned, there would be negative impacts related to the potential lack of jobs and alternative employment for the people affected by the project. Consideration of alternative scenarios at the project design stage would have been helpful.
4. N/A