



Recommendation of the Council on
Common Approaches for Officially
Supported Export Credits and
Environmental and Social Due
Diligence (The “Common
Approaches”)



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Background Information

The Recommendation on Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence (The “Common Approaches”) was adopted by the OECD Council on 28 June 2012 on the proposal of the Working Party on Export Credits and Credit Guarantees. The Recommendation builds upon Members’ experience in implementing the 2007 Revised Council Recommendation on Common Approaches on the Environment and Officially Supported Export Credits and its predecessors, which this Recommendation replaces. It sets out the common approaches for addressing environmental and social issues relating to exports of capital goods and/or services and the locations to which these are destined.

THE COUNCIL,

HAVING REGARD to the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960 and, in particular, to Article 5 b) thereof;

HAVING REGARD to the mandate from OECD Ministers given in 1999 to strengthen Common Approaches on environment and officially supported export credits by the end of 2001 and noting that this mandate was renewed in 2000 when OECD Ministers welcomed the progress towards Common Approaches;

NOTING that OECD Ministers in 2001 have recognised that export credit policy can contribute positively to sustainable development and should be coherent with its objectives;

NOTING that the present Recommendation builds upon Members' experience in implementing the 2007 Revised Council Recommendation on Common Approaches on the Environment and Officially Supported Export Credits [C(2007)65] and its predecessors which this Recommendation replaces, the 1998 Statement of Intent on Environment and the Action Statement, adopted by the Working Party on Export Credits and Credit Guarantees (ECG) in February 2000, the ECG Work Plan adopted in 2000, and the ECG Agreement on Environmental Information Exchange for Larger Projects adopted in 1999;

NOTING that, since the adoption of the 2007 Revised Council Recommendation, there have been significant developments in the field of environmental and social sustainability;

NOTING the initiatives undertaken by the OECD on corporate social responsibility, including the adoption of the updated OECD Guidelines for Multinational Enterprises [C/MIN(2011)11/FINAL];

RECOGNISING that Members and non-Members adhering to this Recommendation (hereafter "Adherents") have existing obligations to protect human rights and fundamental freedoms, and that business enterprises have the responsibility to respect human rights, as outlined in the 'Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework' endorsed unanimously by the United Nations Human Rights Council on 16 June 2011;

NOTING the key international labour standards set out in the 1998 International Labour Organization Declaration on Fundamental Principles and Rights at Work;

RECOGNISING the responsibility of Adherents to implement the commitments undertaken by the Parties to the United Nations Framework Convention on Climate Change;

RECOGNISING that, while Adherents may have different means of delivering official support for export credits through their export credit agencies (ECAs), the primary role of ECAs is to promote trade in a competitive environment, whereas multilateral development banks and development agencies focus primarily on development assistance;

RECOGNISING that project sponsors, exporters, financial institutions and ECAs have, individually or jointly, different roles, responsibilities and leverage with regard to projects benefiting from official support;

RECOGNISING the sovereign right of buyers' countries to make decisions regarding projects within their jurisdictions;

RECOGNISING the responsibility of Adherents to consider the positive and negative environmental and social impacts of projects, in particular in sensitive sectors or located in or near sensitive areas, and the environmental and social risks associated with existing operations, in their decisions to offer official support for export credits;

RECOGNISING that, whilst this Recommendation sets out common approaches for addressing environmental and social issues relating to officially supported export credits, Adherents may adopt additional measures for undertaking due diligence that are consistent with the overall objectives of this

Recommendation and that any such measures should be shared with other Adherents with the aim of improving common practices, developing guidance and promoting a level playing field;

WISHING to consolidate and build on commitments and progress made by Adherents and other countries to apply international standards to, and to develop environmental and social review procedures for, officially supported export credits;

NOTING that the Annexes to this Recommendation form an integral part thereof;

On the proposal of the Working Party on Export Credits and Credit Guarantees:

A. RECOMMENDS that Adherents, before taking decisions on officially supported export credits, apply the following common approaches for addressing environmental and social issues relating to exports of capital goods and/or services and the locations to which these are destined.

I. DEFINITIONS

1. For the purposes of this Recommendation, the following terms shall have the meaning set out below:

- “Associated facilities” are those facilities that are not a component of the project but that would not be constructed or expanded if the project did not exist and on whose existence the viability of the project depends; such facilities may be funded, owned, managed, constructed and operated by the buyer and/or project sponsor or separately from the project.
- “Due diligence” is the process through which Adherents identify, consider and address the potential environmental and social impacts and risks relating to applications for officially supported export credits as an integral part of their decision-making and risk management systems.
- “EHS Guidelines” refers to the World Bank Group Environmental, Health and Safety Guidelines: these are technical reference documents with general and industry sector performance levels and measures that are normally acceptable to the World Bank Group and that the World Bank Group generally considers to be achievable in new undertakings at reasonable costs by existing technology.
- “Environmental impacts” are the impacts on the environment as a result of the activities of an existing operation or of the construction and/or operation of a project. “Environmental risk” is the probability of such impacts occurring and the consequence of such an occurrence.
- “Existing operations” refer to applications relating to exports of capital goods and/or services to an identified location where there is an existing undertaking that is undergoing no material change in output or function.
- “Final Commitment”: for an export credit transaction (either in the form of a single transaction or a line of credit), a final commitment exists when the Adherent commits to precise and complete financial terms and conditions, either through a reciprocal agreement or by a unilateral act. For the sole purpose of the ex ante disclosure provisions in paragraph 39 of this Recommendation, the final commitment shall be either the last board decision or the issuance of a credit, insurance policy or guarantee, depending on an Adherent’s procedures.
- “IFC Performance Standards” refers to the following Performance Standards of the International Financial Corporation (IFC): Assessment and Management of Environmental and Social Risks and Impacts (PS1); Labor and Working Conditions (PS2); Resource Efficiency and Pollution Prevention (PS3); Community Health, Safety, and Security (PS4); Land Acquisition and Involuntary Resettlement (PS5); Biodiversity Conservation and Sustainable Management of Living Natural Resources (PS6); Indigenous Peoples (PS7); and Cultural Heritage (PS8).
- “Major Multilateral Financial Institutions” are the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, the European Investment Bank, the Inter-American Development Bank, the International Bank for

Reconstruction and Development, the International Finance Corporation, and the Multilateral Investment Guarantee Agency.

- “Projects” refer to applications relating to exports of capital goods and/or services to an identified location of:
 - any new commercial, industrial or infrastructure undertaking, or
 - any existing undertaking that is undergoing material change in output or function, which may result in changes to the operation’s environmental and/or social impacts.

For the purposes of screening, classification and review, a project includes those components that the buyer and/or project sponsor (including contractors) directly owns, operates or manages and that are physically and technically integrated with the undertaking.

- “Sensitive areas” include National Parks and other protected areas identified by national or international law, and other sensitive locations of international, national or regional importance, such as wetlands, forests with high biodiversity value, areas of archaeological or cultural significance, and areas of importance for indigenous peoples or other vulnerable groups.
- “Social impacts” are the impacts on the local communities directly affected by, and on the people involved in, the activities of an existing operation or the construction and/or operation of a project; these social impacts encompass relevant adverse project-related human rights impacts. “Social risk” is the probability of such impacts occurring and the consequence of such an occurrence.
- “World Bank Safeguard Policies” refers to the safeguard policies relating to: Environmental Assessment (OP 4.01); Natural Habitats (OP 4.04); Pest Management (OP 4.09); Indigenous Peoples (OP 4.10); Physical Cultural Resources (OP 4.11); Involuntary Resettlement (OP 4.12); Forests (OP 4.36); Safety of Dams (OP 4.37); International Waterways (OP 7.50); and Disputed Areas (OP 7.60).

II. GENERAL PRINCIPLES

i) **Scope**

2. This Recommendation applies to all types of officially supported export credits¹ for exports of capital goods and/or services, except exports of military equipment or agricultural commodities, with a repayment term of two years or more.

ii) **Objectives**

3. The objectives of this Recommendation are to:

- i) Promote coherence between Adherents’ policies regarding officially supported export credits, their international environmental, climate change, social and human rights policies, and their commitments under relevant international agreements and conventions, thereby contributing towards sustainable development.
- ii) Develop common procedures and processes relating to the environmental and social review of officially supported export credits, with a view to achieving equivalence among the measures taken by the Adherents and to reducing the potential for trade distortion.
- iii) Promote good practice and consistent review and assessment processes for projects and existing operations benefiting from officially supported export credits, with a view to achieving a high level of environmental and social performance as measured against the relevant international standards.
- iv) Enhance efficiency of official support procedures by ensuring that the administrative burden for applicants and ECAs is commensurate with the objectives of this Recommendation.

- v) Promote a global level playing field for officially supported export credits and increase awareness and understanding, including among non-Adherents, of the benefits of applying this Recommendation.

4. To achieve these objectives, Adherents should:

- i) Encourage the prevention and the mitigation of adverse environmental and social impacts of projects and the consideration of environmental and social risks associated with existing operations and take into account the benefits of any projects and existing operations supported, thereby enhancing the overall financial risk assessment process.
- ii) Undertake appropriate environmental and social reviews and assessments for projects and existing operations respectively, as part of their due diligence relating to applications for officially supported export credits.
- iii) Promote awareness of the OECD Guidelines for Multinational Enterprises among appropriate parties involved in applications for officially supported export credits as a tool for responsible business conduct in a global context.
- iv) Encourage protection and respect for human rights, particularly in situations where the potential impacts from projects or existing operations pose risks to human rights.
- v) Foster transparency, predictability and responsibility in decision-making, by encouraging disclosure of relevant environmental and social impact information, with due regard to any legal stipulations, business confidentiality and other competitive concerns.
- vi) Continue to build a body of experience on the practical application of this Recommendation.
- vii) Continue to encourage the application of the international standards referenced in this Recommendation or their equivalent by non-Adherents, to promote the adherence to this Recommendation by non-Adherents including through an active dialogue to increase awareness and understanding of the benefits of its application, and to take other appropriate measures with the aim of promoting a global level playing field for officially supported export credits.

III. SCREENING

5. Adherents should screen all applications for officially supported export credits covered by this Recommendation with the aim of identifying which applications should be classified and, where appropriate, subsequently reviewed. The parties involved in an application, including applicants (exporters and lenders) and project sponsors, should provide all information necessary to carry out the screening. The screening should take place as early as possible in the risk assessment process.

6. The screening should identify applications relating to exports of capital goods and/or services according to:

- whether they are related to projects or to existing operations as defined in Section I of this Recommendation;
- whether or not the exports are destined to identified locations that are in or near sensitive areas;
- whether or not there may be a high likelihood of severe project-related human rights impacts occurring; and
- whether or not the Adherent's share is equal to or above SDR 10 million.

7. Adherents shall classify, in accordance with Section IV of this Recommendation, applications relating to:

- All projects in or near sensitive areas irrespective of their share.
- All projects for which their share is equal to or above SDR 10 million.

8. Adherents shall assess for potential environmental and/or social risks applications relating to:

- All existing operations for which their share is equal to or above SDR 10 million.
- All existing operations and projects, irrespective of their share, where the screening has identified that there is a high likelihood of severe project-related human rights impacts occurring.

In undertaking this assessment, Adherents should take into account the industry sector, location and other information available relating to potential environmental and/or social impacts, before making any final commitment to provide official support. Alternatively, Adherents may classify such applications in accordance with Section IV of this Recommendation.

9. Beyond screening, no further action is required under the provisions of this Recommendation for applications relating either to projects for which an Adherent's share is below SDR 10 million and which are not in or near sensitive areas, or to existing operations for which an Adherent's share is below SDR 10 million, except where the screening has identified that there may be a high likelihood of severe project-related human rights impacts occurring.

IV. CLASSIFICATION

10. Adherents should identify the potential positive and negative environmental and social impacts relating to the applications to be classified. In this context:

- Potential environmental impacts may include, but are not limited to, generation of significant air emissions, including greenhouse gas emissions, effluents, waste, hazardous waste, wastewater, noise and vibrations, significant use of natural resources, and impacts on endangered species.
- Potential social impacts may include, but are not limited to, labour and working conditions, community health, safety, and security, land acquisition and involuntary resettlement, indigenous peoples, cultural heritage, and project-related human rights impacts, including forced labour, child labour, and life-threatening occupational health and safety situations.

11. The three categories for classification are:

- Category A: a project is classified as Category A if it has the potential to have significant adverse environmental and/or social impacts, which are diverse, irreversible and/or unprecedented. These impacts may affect an area broader than the sites or facilities subject to physical works. Category A, in principle, includes projects in sensitive sectors or located in or near sensitive areas. An illustrative list of Category A projects is set out in Annex I.
- Category B: a project is classified as Category B if its potential environmental and/or social impacts are less adverse than those of Category A projects. Typically, these impacts are few in number, site-specific, few if any are irreversible, and mitigation measures are more readily available.
- Category C: a project is classified as Category C if it has minimal or no potentially adverse environmental and/or social impacts.

12. Adherents should seek to ensure a coherent approach to the classification of projects through reporting and review of such projects, pursuant to paragraph 44 of this Recommendation.

V. ENVIRONMENTAL AND SOCIAL REVIEW

13. Adherents should undertake an environmental and social review of projects, in accordance with the international standards applied to the project as set out in paragraphs 21-26 of this Recommendation, consisting of:

- benchmarking of the project's environmental and social performance against the relevant aspects of the international standards applied to the project; and
- consideration of measures that can be taken to prevent, minimise, mitigate or remedy adverse impacts and/or to improve environmental and social performance, as appropriate to the size of the relevant parties involved in the project, the context of their operations, the nature and extent of potential adverse impacts, the international standards applied to the project, and the significance of the Adherent's share in the overall project.

14. Where there is a high likelihood of severe project-related human rights impacts occurring², the environmental and social review of a project may need to be complemented by specific human rights due diligence.

15. Adherents supporting exports forming only a minor part of a project, or in re-insurance situations, may take into account the environmental and social review carried out by another Adherents, a Major Multilateral Financial Institution, or an Adherent's development agency in accordance with this Recommendation.

16. When undertaking a review, Adherents should, where appropriate:

- assess the potential environmental and/or social impacts of any associated facilities, taking into account the timing and location of their construction, including making reasonable efforts to benchmark against relevant international standards using the available information; and
- consider any statements or reports made publicly available by their National Contact Points (NCPs) at the conclusion of a specific instance procedure under the OECD Guidelines for Multinational Enterprises.

17. When undertaking a review, Adherents should indicate to the appropriate parties involved in the project the type of information they require, including, where appropriate, the need for an Environmental and Social Impact Assessment (ESIA). The applicant is responsible for providing the appropriate information to satisfy Adherents' requirements. The information to be supplied should include, but is not limited to:

- A description of the project and its geographic, ecological, social, and temporal context.
- Information relating to the potential environmental and/or social impacts of the project, together with any information on related mitigating and monitoring measures.
- The standards, practices and processes that the parties involved in the project intend to apply, including information that the project complies with local legislation and other host country relevant regulations.
- The results of any public consultations with local communities directly affected by the project and/or their legitimate representatives and of any engagement with other parties, such as civil society organisations, that have expressed an interest in the project. It is the responsibility of the buyer/project sponsor to undertake any such public consultations and/or engagements with interested parties. For the purposes of public consultations, environmental and social impact information should be made available to affected communities in a language accessible to them.

18. For a Category A project, Adherents should require an ESIA to be undertaken; the applicant is responsible for providing the resulting ESIA report, together with other studies, reports or action plans covering the relevant aspects of the project. An ESIA report and any supporting documents should address the issues set out in the international standards applied to the project in accordance with paragraphs 21-26 of this Recommendation: in this context, Annex II contains information on the typical items to be included in an ESIA report. An ESIA should not be carried out and reviewed by the same party.

19. The scope of a review for a Category B project may vary from project to project. Adherents should require appropriate information to be provided by the applicant that addresses the relevant environmental and social impacts of the project. Such information may be contained in an ESIA or in project-related assessment reports, planning and concept documents, environmental and social studies and plans, technical documentation of pollution control plans and criteria, applicable legal and regulatory frameworks, community engagement activities (information disclosure, dissemination, consultation and other participatory processes) and information collected during discussions with applicants.

20. Beyond screening and classification, no further action is required under the provisions of this Recommendation for a Category C project.

21. When undertaking a review, Adherents should benchmark:

- non-project finance projects, against the relevant aspects of
 - all ten World Bank Safeguard Policies, or
 - all eight IFC Performance Standards, in particular where justified and/or practicable due to the size and/or structure of the transaction such as, but not limited to, certain types of structured finance transactions that share characteristics with project finance, and/or where other financial institutions forming a significant part of the project are applying these same standards;
- limited or non-recourse project finance projects, against the relevant aspects of all eight IFC Performance Standards.

22. Where such institutions are supporting the project, Adherents may instead benchmark projects against the relevant aspects of the standards of a Major Multilateral Financial Institution.

23. Where projects are benchmarked against the World Bank Safeguard Policies, Adherents may, where appropriate, also need to refer to the relevant aspects of supplementary standards and sources of guidance to ensure an adequate coverage of certain potential social impacts, such as community and gender impacts, labour and working conditions, and health, safety and security issues.

24. Adherents should also benchmark projects against the relevant aspects of the EHS Guidelines, which are referenced in World Bank Safeguard Policy OP 4.01 and IFC Performance Standard 3.

25. In the absence of any relevant industry sector EHS Guidelines, Adherents:

- should benchmark against the relevant aspects of any internationally recognised sector specific or issue specific standards such as, where appropriate, the Convention on Nuclear Safety, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, and the relevant aspects of International Atomic Energy Agency (IAEA) standards for nuclear power plants and other nuclear facilities³; and/or
- may refer to relevant international sources of guidance such as, for example, where appropriate, the Hydropower Sustainability Assessment Protocol and the Core Values and Strategic Priorities of the World Commission on Dams (WCD) Report for hydro-power projects and the standards of the World Organisation for Animal Health (OIE) for animal welfare issues, as well as any relevant IFC publications, such as its Good Practice Notes.

26. Alternatively, where appropriate, Adherents may benchmark projects against the relevant aspects of any other internationally recognised standards, such as European Union standards, that are more stringent than those standards referenced above.

27. The World Bank Safeguard Policies and the IFC Performance Standards referred to in paragraph 21 of this Recommendation are those applicable at the time of the adoption of the Recommendation. In the event of a review of such standards by the relevant standard-setting body, the ECG may decide to adopt the updated standards without undertaking a complete review of this Recommendation. The other international standards and sources of guidance referred to in

paragraphs 22-26 of this Recommendation are those applicable at the time of the environmental and social review.

28. Projects should, in all cases, comply with host country standards. Adherents should, therefore, seek assurance that the project complies with local legislation and other relevant host country regulations.

29. Projects should also meet the international standards against which they have been benchmarked, in accordance with paragraphs 21-26 of this Recommendation, recognising that some of these standards contain margins of tolerance in how their overall objectives may be achieved.

30. In exceptional cases, however, an Adherent may decide to support a project that does not meet the relevant aspects of the international standards against which it has been benchmarked. In such cases, the reasons for the choice of international standards, the reasons for the failure to meet such international standards, the related justification for supporting the project, and any related monitoring procedures must be reported to the ECG in accordance with paragraph 44 of this Recommendation. With due regard to business confidentiality, aggregated information on such cases will be made publicly available by the ECG in accordance with paragraph 42 of this Recommendation.

VI. EVALUATION, DECISION AND MONITORING

31. Adherents should evaluate the information resulting from screening and review of a project, and decide whether to request further information, decline or provide official support.

32. In the event that support is to be provided, Adherents should decide whether this should involve conditions to fulfil prior to, or after, the final commitment for official support, for example, measures to prevent, minimise, mitigate or remedy potential adverse environmental and social impacts, covenants, and monitoring requirements. In this context, Adherents may require a project sponsor to devise further action plans to describe and prioritise the mitigation measures, corrective actions, monitoring activities and timetable necessary to manage the project's environmental and/or social impacts in a manner consistent with international standards and good international industry practice.

33. Where support for a project is provided subject to fulfilment of certain conditions whether during the construction and/or the operation phase of the project, Adherents should ensure that appropriate procedures are in place to monitor the project, regardless of its classification, in order to ensure compliance with the conditions of their official support.

34. In addition, for all limited or non-recourse project finance Category A projects, Adherents should require regular *ex post* reports and related information to be provided during their involvement in the project to ensure that relevant potential environmental and/or social impacts are addressed according to the information provided by applicants during the environmental and social review.

35. In the case of non-compliance with the conditions of official support, Adherents should take actions that they deem appropriate in order to restore compliance, in accordance with the terms of the contract for official support.

36. Adherents should, where appropriate, encourage project sponsors to make *ex post* monitoring reports and related information including concerning how environmental and/or social impacts are being addressed publicly available at regular intervals, including in forms accessible to local communities directly affected by the project and other relevant stakeholders.

VII. EXCHANGE AND DISCLOSURE OF INFORMATION

37. Adherents should publish national ECA environmental and other related policy statements or principles and procedural guidance relevant to the implementation of this Recommendation.

38. Taking into account the competitive context in which they operate and constraints of business confidentiality, Adherents should:

- share information with other Adherents and, if appropriate, with other financial institutions involved in the project, with a view to seeking, where appropriate, common positions on the review of projects, including project classification, and
- reply in a timely manner to requests from other Adherents in a co-financing or a competitive situation on the environmental and social standards accepted by the Adherent.

39. Also taking into account the competitive context in which they operate and constraints of business confidentiality, for Category A projects, Adherents should⁴:

- disclose publicly project information, including project name, location, description of project and details of where additional information (e.g. ESIA report, summary thereof) may be obtained, such as a buyer and/or project sponsor contact point and/or website link, as early as possible in the review process and at least 30 calendar days before a final commitment to grant official support; and
- require that environmental and social impact information (e.g. ESIA report, summary thereof) be made publicly available as early as possible in the review process and at least 30 calendar days before a final commitment to grant official support. Such information may be made publicly available by the Adherent or by an appropriate party involved in the project, such as the buyer and/or project sponsor.

40. The purpose of the *ex ante* disclosure provisions of paragraph 39 of this Recommendation are to allow for consideration (including possible denial of support) by the appropriate decision-making body of any comments received during the 30 calendar day disclosure period preceding final commitment. As a result where such project or environmental and social impact information has not, for exceptional reasons, been made public, Adherents should explain the circumstances and report these in accordance with paragraph 44 of this Recommendation.

41. Subject to the legal provisions on public disclosure in Adherent countries, Adherents should make available to the public at least annually environmental and social information on projects classified in Category A and Category B for which an Adherent has made a final commitment with respect to providing official support, including the type of information reviewed and the international standards applied, together with an ECA contact point for obtaining additional information.

42. The ECG shall:

- Exchange views on a regular basis with appropriate civil society organisations, including business, industry, banking and trade union associations, and other non-governmental organisations, on the operation of this Recommendation.
- Share experiences with, and exchange information on, the operation of this Recommendation with non-Adherents to increase awareness and understanding of the benefits of applying this Recommendation and with the aim of promoting a global level playing field on environmental and social due diligence for officially supported export credits and encouraging formal adherence.
- With due regard to business confidentiality, make aggregated information publicly available annually based on Adherents' reporting in accordance with paragraph 44 of this Recommendation.

VIII. REPORTING AND MONITORING OF THE RECOMMENDATION

43. Adherents shall:

- Ensure, through appropriate measures and mechanisms, compliance with their policies and procedures pursuant to this Recommendation.
- Monitor and evaluate, over time, the experience with this Recommendation at a national level, and share experiences with the other Adherents, including about the standards applied to those projects that were subject to a review as referred to in paragraphs 21-26 of this Recommendation.

- Continue to enhance and improve procedures at a national level to address the environmental and social impacts of projects, and to encourage their ECAs to allocate appropriate resources for this purpose.

44. Adherents shall report to the ECG *ex post* on an on-going basis or at a minimum semi-annually, in accordance with Annex III of this Recommendation, all projects classified in Category A and Category B for which a final commitment has been issued. Where more than one Adherent is involved in a project, Adherents should, where possible, seek to exchange information with a view to providing consistent reports to the ECG.

45. Adherents shall continue to build a body of experience on the application of this Recommendation through regular reporting and exchanges of information, with the aim of improving common practices, developing guidance, and promoting a level playing field. To facilitate this work, Adherents shall:

- Examine and discuss the projects classified in Category A and Category B, and reported in accordance with paragraph 44 of this Recommendation.
- Report on and share experiences of using international standards for benchmarking purposes, in particular the use of margins of tolerance contained within such standards and the application of the IFC Performance Standards beyond project finance transactions.
- Share approaches to and experience of, *inter alia*, undertaking due diligence with regard to supply chains, assessing risks associated with existing operations, applying conditions for support and monitoring project implementation, and addressing environmental and/or social issues related to small transactions and those involving small- and medium-sized enterprises (SMEs).
- Engage with Equator Principles Financial Institutions, Major Multilateral Financial Institutions, ECAs from non-OECD countries and other relevant financial institutions with a view to sharing experiences and promoting common procedures and processes for undertaking due diligence and applying international standards.
- Exchange information on any additional measures that Adherents may have adopted for undertaking due diligence, consistent with the overall objectives of this Recommendation, and on any other issues or developments within the field of environmental and social reviews or assessments of projects or existing operations.

46. To facilitate the building of the body of experience and to give further consideration to climate change issues, Adherents shall:

- Report the estimated annual greenhouse gas emissions from all fossil-fuel power plant projects.
- Also report the estimated annual greenhouse gas emissions from other projects, where such emissions are projected to be in excess of 25 000 tonnes CO₂-equivalent annually and where the applicant or project sponsor has provided the Adherents with the necessary information, *e.g. via* an ESIA report.

In this context, where relevant and feasible, Adherents shall try to obtain and to report the estimated annual direct and indirect greenhouse gas emissions (Scope I and Scope II respectively⁵) in CO₂-equivalent and/or the estimated annual direct greenhouse gas emissions (Scope 1) by carbon intensity (*e.g.* in g/kWh) for the six greenhouse gases⁶ to be generated during the operations phase of the project⁷ as provided during the environmental and social review.

47. Adherents shall give further consideration to issues relating to support for thermal power plants and nuclear power plants, particularly the use of international standards and relevant sources of international guidance. This work should be based on:

- Reporting of any specific actions taken to avoid, minimise and/or offset CO₂ emissions, pursuant to the recommendations outlined in the EHS Guidelines for Thermal Power Plants, for all high carbon intensity fossil fuel power projects exceeding 700g/kWh, taking into

account, where appropriate, the context of the low carbon growth framework of the country where the project is located, the use of best appropriate technology to reduce carbon emissions, and other recommended actions.

- Sharing of experience gained by exporting countries in respect of handling the specific challenges of addressing the potential impacts of nuclear power plants and other nuclear facilities, with a view to sharing practices on these issues. This work should also take into account relevant international conventions and guidelines, such as those adopted or recommended by the IAEA, and that are to be applied to all projects related to the production of nuclear power and to other nuclear facilities.

48. Adherents shall give further consideration to the issue of human rights, with the aim of reviewing how project-related human rights impacts are being addressed and/or might be further addressed in relation to the provision of officially supported export credits. To facilitate this work, Adherents shall:

- Share approaches to and experience of, *inter alia*, screening and assessing applications for potential severe project-related human rights impacts, reviewing projects where there is a high likelihood of such impacts occurring, and applying relevant due diligence tools and international standards.
- Consider further issues relating to policy coherence with the OECD Guidelines for Multinational Enterprises and with the 'Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework'.

49. The OECD Secretariat shall monitor the implementation of this Recommendation through compilation of reporting by the Members and report annually to the ECG.

B. WELCOMES the commitments by non-Adherents to respect environmental and social standards, and **ENCOURAGES** them to take due account of and adhere to the present Recommendation.

C. INSTRUCTS the ECG, in the light of experience, to report to Council on the implementation of this Recommendation and on the need to amend or undertake a review of elements of this Recommendation, not later than three years from the revision of this Recommendation. Such a report will include, but may not be limited to:

- An update on the international standards to be used for benchmarking purposes, in accordance with paragraphs 21-26 of this Recommendation, and any changes to these standards agreed by the ECG in accordance with paragraph 27 of this Recommendation.
- Information on the body of experience, in particular with regard to improving common practices, developing guidance, and promoting a level playing field, including with regard to greenhouse gas estimations, to sector-specific challenges and to addressing project-related human rights impacts in relation to the provision of officially supported export credits, as set out in paragraphs 45-48 of this Recommendation.
- A progress report on efforts undertaken by Adherents to increase awareness and understanding of this Recommendation by non-Adherents, on the application of this Recommendation including the international standards referenced herein by non-Adherents, and on what amendments to this Recommendation and/or its implementation might help to promote a global level playing field for officially supported export credits.

ANNEX I

ILLUSTRATIVE LIST OF CATEGORY A PROJECTS

The following is an illustrative list⁸ containing examples of the types of new projects and major expansion projects that may be classified as Category A; however, in practice, classification should be undertaken in accordance with the potential environmental and/or social impacts of each project.

1. Crude oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.
2. Thermal power stations and other combustion installations (including cogeneration) with a heat output of not less than 300 megawatts (equivalent to a gross electrical output of 140 MWe for steam and single cycle gas turbines power stations) and nuclear power stations and other nuclear reactors, including the dismantling or decommissioning of such power stations or reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).
3. Installations designed for the production, or enrichment of nuclear fuels, the reprocessing, storage or final disposal of irradiated nuclear fuels, or for the storage, disposal or processing of radioactive waste.
4. Integrated works for the initial smelting of cast-iron and steel, e.g. installations for the production of primary steel by blast furnace route or direct reduction; installations for the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes.
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20 000 tonnes finished product; for friction material, with an annual production of more than 50 tonnes finished product; and for other asbestos utilisation, of more than 200 tonnes per year.
6. Installations for the manufacture and/or recovery of chemicals (including but not limited to petrochemicals, fertilisers, pesticides & herbicides, health care products, detergents, paints, adhesives, agro-chemicals, pharmaceuticals, explosives) on an industrial scale using physical, chemical and/or bio-chemical processes and for large scale distribution of such chemicals *via* pipelines/terminals and associated facilities.
7. Construction of airports with a basic runway length of 2 100 metres or more.
8. Construction of motorways and express roads.
9. Construction of a new road, or realignment and/or widening of an existing road, where such new road, or realigned and/or widened section of road, would be 10 km or more in a continuous length.
10. Construction of railway lines that go beyond urban areas and of long-distance railway lines.
11. Sea ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1 350 tonnes; trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1 350 tonnes.
12. Waste-processing and disposal installations for the incineration, chemical treatment or landfill of hazardous, toxic or dangerous wastes.
13. Large⁹ dams and other impoundments designed for the holding back or permanent storage of water.

14. Groundwater abstraction activities or artificial groundwater recharge schemes in cases where the annual volume of water to be abstracted or recharged amounts to 10 million cubic metres or more.
15. Industrial plants for the production of pulp, paper and board from timber or similar fibrous materials.
16. Operations that involve large scale extraction, *via* underground or open-pit mining, solution mining, or marine or riverine operations to obtain precious metals, base metals, energy and industrial minerals, or construction materials. It may also include the processing of the extracted material.
17. Greenfield cement plants where the project includes a greenfield quarry.
18. Large scale oil, gas, or liquefied natural gas development that may include any or all of:
 - exploration (seismic and drilling);
 - field development and production activities;
 - transport activities, including pipelines/terminals, pump stations, pigging stations, compressor stations and associated facilities; or
 - gas liquefaction facilities.
19. Installations for storage of petroleum, petrochemical, or chemical products with a capacity of 200 000 tonnes or more.
20. Large-scale logging.
21. Municipal waste water treatment plants with a capacity exceeding 150 000 population equivalent.
22. Municipal solid waste-processing and disposal facilities.
23. Large-scale tourism and retail development.
24. Construction of overhead electrical power transmission lines with a length of 15 km or above¹⁰ and a voltage of 110 kV or above.
25. Large-scale land reclamation.
26. Large-scale primary agriculture/sylviculture involving intensification or conversion of natural habitats.
27. Plants for the tanning of hides and skins where the treatment capacity exceeds 12 tons of finished products per day.
28. Installations for the intensive rearing of poultry or pigs with more than: (i) 85 000 places for broilers and 60 000 places for hens; (ii) 3 000 places for production pigs (over 30 kg); or (iii) 900 places for sows.
29. Projects which are planned to be carried out in sensitive areas or are likely to have a perceptible impact on such areas, even if the project category does not appear in the above list.
30. Projects which may result in significant adverse social impacts to local communities or other project affected parties, including those involved in the construction and/or operation of the project.

31. Projects involving land acquisition and involuntary resettlement of a significant number of affected people.

ANNEX II

ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) REPORT¹¹

An Environmental and Social Impact Assessment (ESIA) report focuses on the significant issues of a project. The report's scope and level of detail should be commensurate with the project's potential impacts and risks, and should address the issues set out in the international standards applied to the project in accordance with paragraphs 21-26 of this Recommendation. The ESIA report typically includes the following items (not necessarily in the order shown):

1. **Non-technical executive summary:** concisely discusses significant findings and recommended actions in lay language.
2. **Policy, legal, and administrative framework:** discusses the policy, legal, and administrative framework within which the Assessment is carried out, including host country regulations, including obligations implementing relevant international social and environmental treaties, agreements, and conventions, the international standards applied to the project, as well as any additional priorities and objectives for social or environmental performance identified by the buyer/project sponsor. Explains the environmental requirements of any co-financiers.
3. **Project description:** concisely describes the proposed project and its geographic, ecological, social, health and temporal context, including any additional project components that may be required (e.g. dedicated pipelines, access roads, power plants, water supply, housing, and raw material and product storage facilities). Encompasses facilities and activities by third parties that are essential for the successful operation of the project. Normally includes maps showing the project site and the project's area of influence.
4. **Baseline data:** assesses the dimensions of the study area and describes relevant physical, biological, socioeconomic, health and labour conditions, including any changes anticipated before the project commences. Also takes into account current and proposed development activities within the project area but not directly connected to the project. Data should be relevant to decisions about project location, design, operation, or mitigation measures. The section indicates the accuracy, reliability, and sources of the data.
5. **Environmental and Social impacts:** predicts and assesses the project's likely positive and negative impacts, in quantitative terms to the extent possible. Identifies mitigation measures and any residual negative impacts that cannot be mitigated. Explores opportunities for enhancement. Identifies and estimates the extent and quality of available data, key data gaps, and uncertainties associated with predictions, and specifies topics that do not require further attention. Evaluates impacts and risks from associated facilities and other third party activities. Examines global, transboundary, and cumulative impacts as appropriate.
6. **Analysis of Alternatives:** compares reasonable alternatives to the proposed project site, technology, design, and operation in terms of their potential environmental and social impacts; the feasibility of mitigating these impacts; their capital and recurrent costs; their suitability under local conditions; and their institutional, training, and monitoring requirements. States the basis for selecting the particular project design proposed and justifies recommended emission levels, including where relevant for greenhouse gases, and approaches to pollution prevention and abatement.
7. **Management Programme:** consists of the set of mitigation and management measures to be taken during implementation of the project to avoid, reduce, mitigate, or remedy for adverse social and environmental impacts, in the order of priority, and their timelines. May include multiple policies, procedures, practices, and management plans and actions. Describes the desired outcomes as measurable events to the extent possible, such as performance indicators, targets or acceptance criteria that can be tracked over defined time periods, and indicates the resources, including budget, and responsibilities required for implementation. Where the buyer/project sponsor identifies measures and actions necessary for the project to comply with applicable laws and regulations and to meet the international standards applied

to the project, the management programme will include an Action Plan, which is subject to disclosure to the affected communities and on-going reporting and updating.

8. Appendices:

- List of ESIA report preparers – individuals and organisations.
- References – written materials, both published and unpublished, used in study preparation.
- Record of interagency and consultation meetings, including consultations for obtaining the informed views of the affected communities and/or their legitimate representatives and other interested parties, such as civil society organisations. The record specifies any means other than consultations (e.g. surveys) that were used to obtain the views of affected groups.
- Tables presenting the relevant data referred to, or summarised in, the main text.
- Associated reports, audits, and plans (e.g. Resettlement Action Plan or Indigenous Peoples/ Natural Resource Dependent Community plan, community health plan).
- Action Plan that (i) describes the actions necessary to implement the various sets of mitigation measures or corrective actions to be undertaken, (ii) prioritises these actions, (iii) includes the time-line for their implementation, and (iv) describes the schedule for communicating with affected communities when on-going disclosure or consultation is expected.

ANNEX III

INFORMATION TO BE PROVIDED FOR CATEGORY A AND CATEGORY B PROJECTS

The following is a list of the project-specific information to be reported to the ECG *ex post* on an on-going basis or at a minimum semi-annually, in accordance with paragraph 44 of this Recommendation. Aggregated information on this reporting will be made publicly available in accordance with paragraph 42 of this Recommendation.

1. Project information:
 - i) Name of project
 - ii) Project country
 - iii) Project sector
 - iv) Project finance
 - v) Amount officially supported (SDR million)
 - vi) Brief description of capital goods and services and the project to which these are destined
2. Co-operation with other ECAs (if relevant):
 - i) Other ECAs involved
 - ii) If yes, please specify the name(s) and role(s) of each ECA
3. Classification:
 - i) Category of project
 - ii) Reasons for classification, including project type
4. Type of environmental and social information reviewed:
 - i) Environmental and Social Impact Assessment (ESIA) report
 - ii) If no ESIA undertaken, please specify the type and source of environmental and social information reviewed
5. Environmental and social standards applied:
 - i) Compliance with host country standards
 - ii) International standards against which the project was benchmarked:
 - World Bank Safeguard Policies (please specify which ones)
 - IFC Performance Standards (please specify which ones)
 - Major Multilateral Financial Institution (please specify which one)
 - iii) Please provide an explanation for the choice of the aforementioned international standards, including, if appropriate, for non-project finance transactions, the trigger criteria for applying World Bank Safeguard Policies or IFC Performance Standards

- iv) Additional standards:
- EHS Guidelines (please specify which ones)
 - In the absence of any relevant EHS Guidelines, other internationally recognised sector specific or issue specific standards used for benchmarking, or other relevant international sources of guidance used for reference (please specify which ones)
- v) Other internationally recognised standards, such as European Union standards, that are more stringent than those standards referenced above (please specify which ones)
- vi) If the project does not meet the relevant aspects of the international standards against which it has been benchmarked, please explain the reasons for the failure to meet such international standards, provide the related justification for supporting the project and report any related monitoring procedures
6. Evaluation of environmental and social information reviewed:
- i) Key environmental and social factors taken into consideration
- ii) Outcome of evaluation
- iii) If support given with additional environmental and social conditions, please describe the conditions: in this context, “*conditions*” means project-specific conditions imposed by an ECA (or other syndicate members) for the construction or operation phase of a project, not including any conditions precedent, beyond compliance with host country legislation
- iv) Please indicate whether the ECA will undertake *ex post* monitoring of the project and, if so, please provide details (required information, frequency of monitoring, etc.)
7. Disclosure of Information (for Category A projects only):
- i) *Ex ante* disclosure of project information
- ii) *Ex ante* disclosure of environmental and social impact information (where possible, please provide a link to the environmental and social impact information disclosed)
- iii) If not, please explain why
8. Additional information:
- i) Project identification code
- ii) Any comments that may help build the body of experience on the implementation of this Recommendation

¹ It is recognised that not all ECA products fall within the scope of this Recommendation, for example, those where the risk is on the exporter (such as, but not limited to, support for bonds and working capital) and there is no application relating to the same project for a product where the risk of non-payment is on the buyer.

² For example, impacts that are particularly grave in nature (e.g. threats to life, child/forced labour and human trafficking), widespread in scope (e.g. large-scale resettlement and working conditions across a sector), cannot be remediated (e.g. torture, loss of health and destruction of indigenous peoples’ lands) or are related to the project’s operating context (e.g. conflict and post-conflict situations).

- ³ Examples of other nuclear facilities may include, but may not be limited to, those types of projects provided for illustration purposes in Article 3 of Annex I of this Recommendation in the context of projects that may be classified as Category A.
- ⁴ Except in re-insurance situations, where Adherents may rely on the lead Adherent to undertake the disclosure provisions of this Recommendation.
- ⁵ Direct emissions of GHGs from the project and arising from within the physical boundary of the project, including Associated Facilities, where present, are referred to as Scope I emissions, while those emissions associated with off-site production of energy used by the project are referred to as Scope II emissions.
- ⁶ Carbon dioxide (CO₂); methane (CH₄); nitrous oxide (N₂O); hydrofluorocarbons (HFCs); perfluorocarbons (PFCs); and sulfur hexafluoride (SF₆).
- ⁷ When supporting expansions to existing undertakings, Adherents should try to obtain and to report the estimated greenhouse gases attributable to the expansion rather than to the existing undertaking.
- ⁸ The illustrative list was originally sourced for the 2003 Recommendation on Common Approaches on Environment and Officially Supported Export Credits [C(2003)236] from the revised EBRD Environmental Policy applicable as of 29 April 2003; however, it has been adapted for successor Recommendations.
- ⁹ As per the definition of the International Commission on Large Dams (ICOLD). ICOLD defines a large dam as a dam with a height of 15m or more from the foundation. Dams that are between 5 and 15m high and have a reservoir volume of more than 3 million m³ are also classified as large dams.
- ¹⁰ This 'limit' can be found in Directive EC 97/11.
- ¹¹ This Annex is based on the IFC Guidance Notes: Performance Standards on Social and Environmental Sustainability of 31 July 2007; however, for the purposes of this Recommendation, the text has been adapted.

About the OECD

The OECD is a unique forum where governments work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and to help governments respond to new developments and concerns, such as corporate governance, the information economy and the challenges of an ageing population. The Organisation provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies.

The OECD Member countries are: Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Türkiye, the United Kingdom and the United States. The European Union takes part in the work of the OECD.

OECD Legal Instruments

Since the creation of the OECD in 1961, around 460 substantive legal instruments have been developed within its framework. These include OECD Acts (i.e. the Decisions and Recommendations adopted by the OECD Council in accordance with the OECD Convention) and other legal instruments developed within the OECD framework (e.g. Declarations, international agreements).

All substantive OECD legal instruments, whether in force or abrogated, are listed in the online Compendium of OECD Legal Instruments. They are presented in five categories:

- **Decisions** are adopted by Council and are legally binding on all Members except those which abstain at the time of adoption. They set out specific rights and obligations and may contain monitoring mechanisms.
- **Recommendations** are adopted by Council and are not legally binding. They represent a political commitment to the principles they contain and entail an expectation that Adherents will do their best to implement them.
- **Substantive Outcome Documents** are adopted by the individual listed Adherents rather than by an OECD body, as the outcome of a ministerial, high-level or other meeting within the framework of the Organisation. They usually set general principles or long-term goals and have a solemn character.
- **International Agreements** are negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
- **Arrangement, Understanding and Others:** several other types of substantive legal instruments have been developed within the OECD framework over time, such as the Arrangement on Officially Supported Export Credits, the International Understanding on Maritime Transport Principles and the Development Assistance Committee (DAC) Recommendations.