



THE DAVID & LUCILE

Packard Foundation

January 6, 2025

Attention: Federica DONATI
Officer-in-charge
Special Procedures Branch
Office of the UN High Commissioner for Human Rights
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ohchr-registry@un.org

Re: JOINT COMMUNICATION FROM SPECIAL PROCEDURES - REF AL OTH 143/2024

Dear Ms. Donati, Special Rapporteurs, and Members of the Working Group,

The David and Lucile Packard Foundation (Packard Foundation) welcomes the opportunity to reply to the concerns raised in the Joint Communication from Special Procedures (Ref AL OTH 141/2024).

The Packard Foundation is one of the member foundations of the Climate and Land Use Alliance donor collaborative (the "Alliance"), which is not a legal entity. As part of the Alliance, the Packard Foundation makes grants aligned with the Alliance's shared strategies and coordinates with the Secretariat of the Climate and Land Use Alliance ("CLUA Secretariat"). The CLUA Secretariat is a separate limited liability corporation with its own governance and decision-making processes. The CLUA Secretariat also does its own regranting on behalf of the Alliance member foundations and other aligned foundations.

In the specific instance raised in the Joint Communication, the CLUA Secretariat's grant to Architecture for REDD+ Transactions (ART) was not funded by the Packard Foundation or any of the other Alliance member foundations. Consequently, respecting the CLUA Secretariat's independent exercise of control, discretion, and due diligence over the ART grant, the Packard Foundation kindly refers you to the CLUA Secretariat's response related to their grantmaking process and position on carbon markets.

Nevertheless, the Packard Foundation believes it is important to respond to other questions raised in the Joint Communication regarding the Packard Foundation's practices and commitments to prevent and mitigate human rights violations.

Most relevant, in alignment with Packard Foundation's core value of equity, over the last two years, the Packard Foundation has been involved in the development of the United Nations Environment Programme's Core Human Rights Principles for Private Conservation Organizations and Funders. These efforts informed the formal adoption of a safeguarding policy by the Packard Foundation Board of Trustees in September 2024, expressing our commitment to adhering to international human rights principles. The Packard Foundation is committed to ensuring free, prior, informed consent (FPIC) is achieved in Foundation-funded projects where there is potential for adverse impacts on Indigenous Peoples and other nature-dependent local communities; the rights of Indigenous Peoples and other



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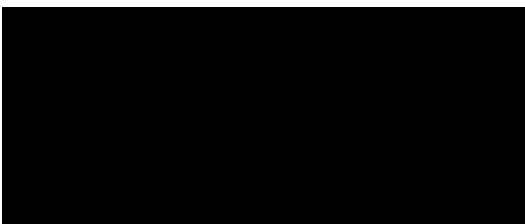
nature-dependent local communities to withhold FPIC are respected; and culturally appropriate grievance mechanisms are available.

For our overall grantmaking, as a tax-exempt nonprofit regulated by the United States government, the Packard Foundation conducts a risk-calibrated due diligence process on all grantees prior to their receipt of funds. The Packard Foundation focuses on ensuring the funds are used for charitable purposes and in alignment with its strategies and values. The Packard Foundation reviews and approves grant proposals and enters written agreements requiring, among other conditions, that grantees comply with applicable national and local laws. If a grantee fails to meet these requirements, the Packard Foundation may seek the return of grant funds and, in some cases, may lead to a grantee's future ineligibility to receive any Packard Foundation funds.

The Packard Foundation supports a strong compliance culture to ensure we are informed of concerns and allegations of misconduct or non-compliance. We have a whistleblower policy and ombudsman service that offers multiple, anonymous methods for concerns to be reported regarding any aspect related to the Packard Foundation, its personnel and related parties, and its grants, which is available in range of languages to increase accessibility. If a material concern is raised, the Packard Foundation follows misconduct protocols to ensure issues are timely and appropriately addressed.

The Packard Foundation will continue to advance our human rights safeguarding work internally and with partners to protect the rights and dignity of communities impacted by our funding. We appreciate the opportunity to provide additional information about how our internal policies and procedures support these shared goals.

Kind regards,



Nancy Lindborg