

Safeguard Policies Review Team  
The World Bank  
1818 H Street, NW  
Washington, DC 20433  
United States of America

28 February 2015

Dear World Bank Safeguard Policies Review Team,

On behalf of the Zoological Society of London (ZSL), I would like to respond to the World Bank's call for comments on the first draft Framework of its revised Environmental and Social Safeguard Policies. ZSL has already submitted detailed comments as per the attached joint response from Forest Trends, the Wildlife Conservation Society and a number of other members of the Business and Biodiversity Offsets Programme (BBOP), but would also like to submit a few additional comments as follows, which focus on Environmental and Social Standard (ESS) 6.

Thank you for the opportunity to comment and to partake in consultations held here in London in January. We would welcome the opportunity to discuss any of the issues raised further, and look forward to receiving updates on the development of the Safeguard Policies, in particular ESS6.

Yours faithfully,

Dr Noëlle Kumpel  
Policy Programme Manager  
Zoological Society of London (ZSL)  
Regent's Park  
London NW1 4RY  
UK  
[noelle.kumpel@zsl.org](mailto:noelle.kumpel@zsl.org)

## Comments on Environmental and Social Standard 6 - Biodiversity Conservation and Sustainable Management of Living Natural Resources (ESS6)

1. **Setting the bar.** As the world's leading development donor, we believe that the World Bank could and should 'set the bar' with regard to environmental and social safeguards, and go over and above the standards set by the IFC and other agencies.
2. **Defining limits.** There needs to be greater clarity on what the Bank would and would not finance, and we suggest a clear statement listing some limited areas which would be 'no go' for Bank projects would help back up MEAs such as the World Heritage Convention and clarify government and private sector obligations and limitations. There are

numerous areas important for biodiversity and other environmental and social values that we should not develop, but as a starting point we suggest that natural World Heritage Sites be listed as an example of a 'no go' area for industrial-scale development such as agriculture, forestry and extractives activities. Attached is a [statement signed in November 2014 by 9 of the world's leading conservation NGOs](#), demonstrating wide consensus for 'no go' and 'no impact' policies concerning industrial-scale extractives activities in and around natural and mixed World Heritage Sites, and calling on '...financial institutions... that have not already done so to adopt and implement no-go and no-impact policies for all mineral and oil/gas exploration and extraction activities (including associated infrastructure and activities) in and around all natural and mixed World Heritage sites'. We suggest that such extractives activities in and around natural and mixed World Heritage sites could be cited as an example in a footnote as to the sorts of project/area that the Bank would not support.

3. **Hierarchy of protected areas.** While all protected areas under the definition given in #20 of ESS6 require some sort of risk assessment and assurance of safeguards, some protected areas such as World Heritage Sites require a much higher level of protection and should be off-limits to key industrial-scale activities. Again, natural World Heritage Sites could be cited under - arguably - any one of the three types of more sensitive habitat listed under #7 of ESS6, within the footnote definitions, but particularly as an example of a 'legally protected area of biodiversity value'. Natural World Heritage sites could also be listed as another example of a 'priority biodiversity feature' under footnote 2 definition (c) in the same way as KBAs or IBAs – and are actually easier to define/demarcate than these examples.
4. **Importance of different types of habitats.** There should be stronger provisions for other types of natural habitat – and 'intact' natural habitat particularly (e.g. primary forests as opposed to logged natural forests, which could be listed as an example of a 'priority biodiversity feature' under footnote 2 definition (d)). However, some 'non-natural' habitats may also have important biodiversity or ecosystem service value and should not necessarily be excluded from protection. The focus on species-value of biodiversity does not help here.
5. **Protection of primary forests.** The mention of forest areas as a critical habitat under #10 of ESS6 is good, but the inclusion of the undefined term 'significant' under section (b) could allow industrial-scale forestry in critical habitats such as primary forests. We do not believe that the Bank should finance industrial-scale forestry activities – even if defined as sustainable forest management – in primary forest, as outlined in the IntAct (International Action on Primary Forests) [statement of principles](#), signed by a large number of organisations and individuals. Consistent with FAO, this defines primary forests as naturally regenerated forest of native species that have not been subjected to industrial activities and where ecological processes are not significantly disrupted.
6. **Need for National Red Lists.** [National Red Lists](#) are critical for making informed decisions relating to safeguarding biodiversity. Unfortunately many countries have yet to complete National Red Lists due to low capacity and inadequate funding. We propose that where National Red List assessments have not been conducted in a Borrower country, the World Bank should finance production of a National Red List to facilitate an adequate assessment of the environmental risks in advance of proposing a Bank-financed project.

7. **Specific comments.** We include below some specific comments or edits relating to wording of some sections not so specifically covered in the joint BBOP statement:
- i.#10 – sections (a) and (b) could be merged to provide more consistency
  - ii.#16(a) – as for #30, includes a potential loophole that should be addressed – the Borrower will not implement activities where ‘there are no technically and financially feasible alternatives’
  - iii.#17 – we suggest the following edits:
    - a) ‘no other viable alternatives...’ is a potential loophole
    - b) Should read ‘international obligations **AND** national law’ – a Bank-financed project should comply with both
    - c) A habitat could still function but important biodiversity could be lost
    - d) By just stating that the project should be ‘designed’ to deliver net gains, this leaves out any sort of outcome/impact requirement
    - e) The specification of ‘net reduction in the population of any Endangered or Critically Endangered species’ is concerning in two respects. Firstly, this should cover all threatened species (i.e. Vulnerable species as well). Secondly, a reduction in population can be significant and thus undesirable or locally severe without being sufficient to change a species’ national, regional or certainly global red list status, so local-scale impacts must also be taken into account.
  - iv.#23 – this should not just be about introducing ‘any new alien species’ but about increasing the propagule pressure of an alien species – i.e. controlling/limiting repeat introductions which are likely to increase the risk of establishment over time.
  - v.#32d – this is one of many examples where the wording is rather weak (‘wherever possible, require actions’) – should tighten up.
  - vi.#26 – this clause doesn’t list specific sustainable forest management criteria relating to environmental and social aspects, and ESS6 in general has limited wording specific to forests.

### **General comment**

1. FPIC. There should be clearer reference throughout to the FPIC process that should be followed – this is not adequately defined (e.g. #G44).