

- The World Bank’s safeguards review process is very important. **The World Bank sets the standards concerning environmental and social issues. It should continue to have the best policies in these areas and serve as a reference for the management of social and environmental risks.** However, **Paraguayan civil society organizations consider they were given a relatively short time contribute to this important process** and there is a lot of information that needs to be digested. These activities require time, effort and expertise to reach a satisfactory outcome. **A consultation period lasting only through February 2015 is too short.**
- It is important to **disseminate the draft ESF within civil society**, but the proposed time for consultation and dissemination is very short. **Other organizations should be included in the face to face consultation process.** This consultation meeting, in particular, **should have included peasant organizations**, as well as relevant sub-groups, including small family farmers.
- The Bank **should include unions and private and public workers in these consultations. The Bank should not carry out only sporadic consultation meetings. There should be a systematic mechanism for citizens’ participation in the safeguards review process.**
- **Consultations should not be separated by type of audience.** It is crucial for people to participate, even if only as observers, in consultations with the government and the private sector. **Civil society should participate in the other scheduled consultations.**
- A consultation process roadmap should be available and this should not be the only meeting in which Paraguayan civil society participate. **A continued process should be planned**, including synergies between consultations, since projects presently have regional cross-border impacts. International forums should also be utilized, including the upcoming COP meeting in Lima that could enhance this consultation process.
- In regards to the **Bank procurement regulations, there are obstacles to free competition between NGOs and consulting companies to execute World Bank projects.** NGOs may possess the technical ability to implement projects but occasionally they cannot meet the Bank’s procurement regulations and this should change.
- **The existing safeguard policies are clearer than the proposed environmental and social standards. The existing rights should be protected.**
- The document should include the concept of reparations.
- **The document should address the concepts of climate vulnerability and resilience and climate smart development.**
- Some NGOs support that this **Framework should be drastically modified** because it curtails the rights of indigenous people, does not guarantee the protection of fundamental human rights, excludes forest protection and excludes half of the Bank’s projects (one of the participants read the *Civil Society Declaration on World Bank’s safeguards*).

2. A Vision for Sustainable Development

N/A

3. Environmental and Social Standard 1 (ESS1): Evaluation and management of environmental and social risks and impacts

- **The concept of disability should be an integral part of the projects’ design.** In Paraguay, there should be a participation forum that represents the six types of disabilities (including the relatives of persons with disabilities) as a special group for consultation and interaction with the World Bank, so that they can actively participate in projects’ design, including the inclusion of appropriate indicators.
- The ESF should include a **description of the mechanisms that will be used to ensure the social inclusion of persons with disabilities.**

- **The Environmental and Social Commitment Plans** agreed with the governments should include **policy compliance indicators approved by consensus with civil society**.
- The expression “gender or sexual orientation” is not correct, or comprehensive. Instead, the expression “gender, gender expression and sexual orientation” should be used.

4. Environmental and Social Standard 2 (ESS2): Labor and working conditions

- Some **NGOs consider that ESS2 fails to protect workers’ rights**. The draft has not acknowledged international standards and sets the process back 30 years.

5. Environmental and Social Standard 3 (ESS 3): Resource efficiency and pollution prevention

- **It is positive that the Bank has adopted a standard for resource efficiency and pollution prevention.**
- ESS3 should include criteria to prevent pollution caused by the use of pest management chemicals. In Paraguay, some 30,000 peasant households are affected by the use of chemicals for pest management.
- In relation to forest protection, civil society’s opinion should be binding for certain issues before project financing is approved. In Paraguay the government is presently enforcing a policy for the use of forests and the Bank could be contributing to the forests’ destruction.

6. Environmental and Social Standard 4 (ESS 4): Community health and safety

N/A

7. Environmental and Social Standard 5 (ESS 5): Land acquisition, restrictions on land use and involuntary resettlement

N/A

8. Environmental and Social Standard 6 (ESS 6): Biodiversity conservation and sustainable management of living natural resources

- The new ESS on biodiversity, **which combines the forests and natural habitats policies, should adopt the concepts used by the International Union for Conservation of Nature (IUCN). The concept of threatened ecosystem** (more than threatened species) **should be used**. In Paraguay, in particular, the “Gran Chaco” should be treated as an ecosystem. It has never been regarded as an internationally recognized habitat. Last year 2000 hectares were deforested every day (the highest world’s deforestation rate).
- The Environmental and Social Framework **should include the concept of environmental services**. The document only addresses ecological structure and functionality issues.

9. Environmental and Social Standard 7 (ESS 7): Indigenous Peoples

- From the view point of indigenous peoples, **the concept of “pastoralism” involves land use**. In Paraguay, the Guaranis as other Indigenous Peoples have their own grazing and gathering areas. **Those should be regarded as uses of their territory**.

- ESS7 should explicitly include the requirement to involve independent experts in the consultation process. **It should also mention explicitly that the World Bank will be involved in ensuring these processes are both adequate and effective.**
- Although it is positive the inclusion of the concept of free, prior and informed consent of Indigenous Peoples, there are concerns related to **the alternative approach, which may give borrowers the ability to determine whether ESS7 Indigenous Peoples applies** (ESS7, paragraph 9).
- **It is not appropriate to include a possible exception to the application of ESS7**, even if only under special circumstances. **Governments are already reluctant to enforce the existing Indigenous Peoples Policy and might want to try to use this exception** even if there is no real risk of ethnic conflicts.
- ESS7 should clarify **the methodology and indicators to evaluate whether Indigenous Peoples have collective attachment to a territory.**
- According to paragraph 20 of ESS7, free, prior and informed consent does not need to be a unanimous decision. However, ESS7 should clearly establish **who will determine if such unanimity has been reached, the criteria to be followed in a consultation process and which groups will be included.** There is also a risk of **coercion** in the process. For instance, the number of foreigners in Paraguay is increasing and indigenous peoples are being forced to give away or lease their lands.
- The Bank **should provide the necessary resources for wider dissemination and deeper analysis of this Environmental and Social Framework among Indigenous groups** to ensure that these key issues related to Indigenous Peoples are properly addressed.
- **Few representatives from indigenous communities were invited to the consultation; more should have been invited.**
- **Indigenous Peoples are the poorest and most vulnerable people. Indigenous Peoples cannot properly contribute in a single consultation meeting. They have their own processes and times. The existing Safeguards policies are clearer than the current proposal. The reform process is moving too quickly. There should be more indigenous participation, but real participation.** Indigenous peoples need to first understand what is being proposed. They do not have the education or knowledge of technology that would allow them to participate through the other proposed channels.
- **Indigenous organizations request the World Bank to facilitate and finance the participation of representatives from Paraguay in the Regional Dialogue with Indigenous Peoples to take place in Colombia.**

10. Environmental and Social Standard 8 (ESS 8): Cultural heritage

N/A

11. Environmental and Social Standard 9 (ESS 9): Financial intermediaries

N/A

12. Environmental and Social Standard 10 (ESS 10): Information Disclosure and Stakeholder Participation

- The ESF should provide **greater clarification on the required grievance mechanism and propose specific procedures, since this is one of the channels for civil society participation. The document should propose priorities, timeframe for processing and responding to grievances and criteria or parameters that will need to be followed.** Also certain legal issues should be included, as for instance, the

documentation needed to file complaints, with the greatest possible specification (although refraining from interfering with internal issues). All this would shed light on how the World Bank would address this issue.

- The ESF should also include **an explanation on the relationship between the grievance mechanisms and the Inspection Panel.**