



# Emerging Areas: Our Key Takeaways

Civil Society Policy Forum, April 20, 2013

**Preliminary Report Out:**

**Safeguard Policies Review and Update Consultations**

**Phase One**

# External Focus Groups

- The Bank commitment is to consider whether and how the Bank can address the seven emerging areas in the new safeguards
  - Consider policy and non-policy options
  - Consistent with Bank Articles
- Internal Focus Groups → Proposed guiding questions for the External Focus Group (EFG) discussions
- EFG Objective: International experts and practitioners coming together to brainstorm
- Identity of experts, meeting notes will be online
- We are grateful for the experts' participation and contributions!

# What we heard on Land

## February 20, Johannesburg

- Raise the profile of land in safeguards
- Reflect international consensus on land issues
  - Voluntary Guidelines
  - African Land Policy Guidelines
- Adopt a broader view of land-related impacts and outcomes
  - Take a landscape approach / land-water linkages, etc
- Protect and enable vulnerable and marginalized people / ensure and strengthen their “voice”
- Reorient safeguards from “doing no harm” to “doing good”

# What we heard on the Free, Prior, and Informed Consent of the Indigenous Peoples

## March 21, Manila

- FPIC will not resolve the broader challenge of development of / development that negatively affects Indigenous Peoples
- FPIC should be couched in the rights context – right to land, natural resources, development, due process; the EA process must assess impacts on the broader IP rights
  - Consider how Performance Standard 7 deals with these
- Take into account the language of the UN Declaration on the Rights of Indigenous Peoples
- Who, when, and how of FPIC:
  - If and when Indigenous Peoples' rights under the Declaration are affected or are likely to be affected, protect those rights
- Need to learn from countries that implement FPIC
  - Need the right amount of prescription but not too much
  - Indigenous Peoples need capacity building – not just access to information but access to capacity to enable them to be partners in development, not passive recipients of development

# What we heard on Labor / Occupational Health & Safety

## March 23, Jakarta

- The World Bank needs to address labor issues in its lending more effectively
  - Labor requirements in procurement are not sufficiently managed; the Bank does not guide borrower on how to manage its contracts
  - Whether this topic becomes a safeguard or not should be considered in tandem with the procurement policy review
- Some aspects of PS2 work well with public and private sector lending
  - Reflects ILO requirements and covers requirements under local law
  - Occupational health & safety section needs to stress worker participation, voice
  - PS2 should be considered with PS1, EHS Guidelines
- Importance of grievance mechanisms
  - Third parties should be able to raise grievances on behalf of workers
  - Several mechanisms are needed to address different stages/magnitudes of grievances
- Need strategic discussions beyond the safeguards to:
  - raise awareness & capacity
  - deal with persistent issues
  - emphasize positive aspects / incentives for borrowers
- Need a joined up approach among social protection, social security, social development - safeguards cannot do everything

# What we heard on Disability

**April 4, Washington DC**

- 155 signatories and 130 ratifications of the Convention on the Rights of Persons with Disabilities – the World Bank should work with countries toward progressive realization
- An explicit reference to disability in the safeguards should be made
  - In this context, the Bank should consider:
    - Universal accessibility to built environment, transport, information and communication
    - Embed disability within a context of inclusive and equitable development
    - Social assessment in which disability is systematically looked at
- Implementation does not require an increased cadre of specialists in the Bank
  - More about asking the right questions at key points in project preparation and following through on implementation
  - Incremental progress, guided by experience
- Beyond the safeguards, the Bank should have an overarching principle / strategy for this sector; address needs for education and rehabilitation programs, and access to transportation; and use trust funds to stimulate demands for programs in countries

# What we heard on Climate Change

**April 9, Mexico City**

- Climate change has to be addressed upstream of safeguards because climate is a long-term and programmatic agenda
- Climate change should be mainstreamed in safeguards too, but:
  - Role for safeguards uncertain since they apply downstream and at a project level
  - PS3 works at a project level ; resource efficiency works at national level, but short on adaptation or the open climate action needed by the public sector
  - Who will pay the extra cost ? Link to Green Climate Fund?
- Climate assessments need:
  - GHG accounting including short-lived climate pollutants (but don't go overboard)
  - Economic analyses to allow consideration of alternatives, multiple co-benefits
  - Availability for data for baselines and assessments are constrained (the World Bank can play the role of data custodians)
- Generally the Bank should provide principles/guidance to staff on how to:
  - Assess risks and opportunities from climate change
  - Focus on “doing good” and not just “doing no harm” by adopting proactive measures of adaptation, & additional consideration for mitigation
  - Identify climate risks, indicate what to do about them, and monitor risks

# What we heard on Human Rights

**April 15, New York City**

- Recognition for the constraints related to the mandate and operating environment of the Bank
- Important to establish the Bank's space for engagement - important to put on table something that could work
- While there is a range of opinions regarding what human rights are, it is possible to identify unifying principles; Procedures also important
- For the Bank, the key principles are participation, non-discrimination, empowerment, accountability, transparency, inclusive development; also the rule of law
- Important for the Bank to stress an enabling role, to support empowerment of the poor
- Issues need to be incorporated in a coherent way into everything the Bank does - Safeguards are just one aspect
- Important to set up a framework for dialogue - the Bank needs an entry point for discussion which will allow civil society to get more involved; support for borrower capacity building is essential



# Gender

- Consultation planned with Gender Advisory Council (high level multi-stakeholder group for WDR implementation)
- April 20 meeting of the Gender Advisory Council for direct engagement
- Online consultations with Advisory Council experts on April 29 and 30
- Meeting summary will be posted

# Cross-Cutting Issues

- EFGs recognized issues that cut across one / more EFGs
  - for example:
    - Land issues were emphasized by Indigenous Peoples
    - Gender, Indigenous Peoples were emphasized by land EFG
    - Climate change and human rights were mentioned in multiple EFGs
- We also heard that the Bank should consider additional issues:
  - Children's rights, social conflict, LGBT, animal rights. . . .
- Any emerging area, if incorporated into the integrated framework, will have to be reviewed for fit with other issues to be addressed in the framework

# Next Steps

- Comments and feedback on the emerging areas are still welcome till the end of the month
- Opportunities for deeper engagement in Phase Two



# Thank you!

