Review and Update of the World Bank's Environmental and Social Safeguard Policies
Phase 2
Feedback Summary

**Date:** November 25, 2014  
**Location (City, Country):** Dhaka, Bangladesh  
**Audience (Government, CSO, etc.):** Indigenous Peoples

**Overview and Key Issues Discussed:** Key issues discussed include: FPIC; alternative approach; dialogue with the government; monitoring by the Bank; and recognition of traditional or customary IP land. **This summary is subject to change after review and comments from consultation participants.**

<table>
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<th>Specific Feedback from Stakeholders</th>
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<tbody>
<tr>
<td>1. <strong>General Comments</strong></td>
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<tr>
<td>N/A</td>
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<td>2. <strong>A Vision for Sustainable Development</strong></td>
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<td>N/A</td>
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<td>3. <strong>World Bank Environmental and Social Policy</strong></td>
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<td>N/A</td>
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<td>4. <strong>Environmental and Social Standard 1 (ESS1): Assessment and Management of Environmental and Social Risks and Impacts</strong></td>
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<td>N/A</td>
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<td>5. <strong>Environmental and Social Standard 2 (ESS2): Labor and Working Conditions</strong></td>
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6. **Environmental and Social Standard 3 (ESS3): Resource Efficiency and Pollution Prevention**

N/A

7. **Environmental and Social Standard 4 (ESS4): Community Health and Safety**

N/A

8. **Environmental and Social Standard 5 (ESS5): Land Acquisition, Restriction on Land Use and Involuntary Resettlement**

N/A

9. **Environmental and Social Standard 6 (ESS6): Biodiversity Conservation and Sustainable Management of Living Natural Resources**

N/A

10. **Environmental and Social Standard 7 (ESS7): Indigenous Peoples**

**Clarifications**

- Clarification was sought on how the Bank ensures the rights of IPs where the Indigenous Peoples are not recognized as such by the government.
- Clarification was sought on the rationale of the proposed “alternative approach” in Para 9.
- Clarification was sought on the meaning of “stand-alone plan” in Para 13 and “time-bound action plan” in Para 15.
- Clarification was sought on how FPIC will be implemented.

**Comments and recommendations**

- It requires clarification how to apply FPIC and compensate when the government does not recognize customary or traditional IP land (Para 23), such as on many tea gardens/plantations in Bangladesh.
- While UNDRIP is the achievement of long-term movement of IPs, it should be referred to in the Framework.
- Conducting a meaningful consultation with the government that does not recognize IPs land and other rights is a big challenge. It should be clarified how the Bank will ensure and monitor that the Borrower will actually conduct such consultations.
- While the Borrower is required to engage independent specialists for circumstances requiring FPIC, the Bank should ensure that the Borrower will duly consult and engage with IPs.
• It should be clarified what compensation mechanism will be utilized where there is no formal documentation for traditional or customary land.
• It was questioned how the Bank will incorporate IP’s traditional or customary law into the Framework.
• While the provisions in Paras 32 and 33 are provided with “may”, they should be mandatory.
• The Bank should assist victims of gender-based violence, including in IP communities.
• While dialogue with the government has not been so positive, the Bank should facilitate a tripartite, continuous dialogue among the Bank, IPs and the government.
• The Bank should note that examples in Latin America may not be relevant in South Asia.
• While the Framework sets out a general requirement for the actively participation of IPs in the project design, it will not work with an unwilling government, such as military regime.
• The Framework should be translated in local languages.

11. Environmental and Social Standard 8 (ESS8): Cultural Heritage

N/A

12. Environmental and Social Standard 9 (ESS9): Financial Intermediaries

N/A


N/A