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 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!