

#### The World Bank

## Review and Update of Environmental and Social Safeguard Policies Consultation Meeting with Government Representatives in Lima (Peru)

#### **13 February 2013**

The consultation with government representatives in the Latin American and Caribbean region was held on 13 February 2013 at the Sonesta El Olivar hotel in Lima, Peru. The consultation was opened by Susan Goldmark, Director and Resident Representative of the World Bank for the Plurinational State of Bolivia, Ecuador, Peru and the Bolivarian Republic of Venezuela. Annex 1 contains the list of participants.

#### Summary of comments received during the consultation meeting

- The idea of using national systems is welcome, because the application of both national laws and the Bank's safeguard policies can result in project implementation difficulties (e.g., problems with terminology, duplication of processes). Nonetheless, the Bank needs to respond to the need to strengthen institutional capacity, mainly at the regional and local levels. What is the real likelihood of institutional strengthening? As part of the institutional strengthening program, the Bank could support the review of regulatory frameworks, and the preparation of guides, manuals and guidelines. Institutional support should be provided on a more generalized basis and not only focused on the specific project.
- It should be acknowledged that the national regulatory framework sometimes goes beyond the Bank's environmental policies, which should be harmonized for more effective project implementation.
- Incorporation of the requirement for free, prior and informed consent could cause certain difficulties in project implementation. The consent terminology is interpreted differently by the government and civil society.
- Legislation on consultation can be applied in order to fulfill the requirement to hold prior
  consultations in project implementation, but institutional capacities need to be strengthened.
  This could be done through guidelines allowing for citizen participation throughout the process.
  Such guidelines should specify the requirements needed in cases where prior consultation is
  held in zones where most of the population is indigenous.
- There are few interagency mechanisms to ensure that social and environmental policies are applied in detail. Policies need to be reviewed to achieve real and effective integration of environmental and social aspects. This is particularly important in the case of projects that affect indigenous communities. Environmental management is closely linked to food security and hence problems of malnutrition, both of which are particularly important in Peru.
- Crosscutting issues, such as climate change, citizen participation, prior consultation, etc., are
  very important. They need to be standardized in all sectors through sector regulations and an
  adequate risk-management framework. A platform for the exchange of crosscutting measures
  need to be considered.

- A more integrated policy should be considered, because the current structure of policies divides issues that form part of an integrated concept.
- Safeguards also serve to identify risks.
- It is important to incorporate the human rights approach in the policies.
- On institutional strengthening there are two areas to be considered. Firstly, how can
  interagency coordination be strengthened in multisector programs? Secondly, staff turnover in
  government and between the government and the private sector renders specific training for
  specific projects ineffective. How can the Bank help to retain staff in the government? A more
  global approach needs to be considered.
- Consultation processes need a more holistic approach and to not only consider specific projects.
- The failure to incorporate the Afrodescendant population in current policies is an extremely important issue in the region. To achieve genuine integration of the Afrodescendant and indigenous populations in sustainable development projects in Peru, and elsewhere in the region, censuses need to be conducted to produce differentiated statistical data to help the government and the Bank plan specific development policies for these population groups. This, in turn, will provide specific social indicators to measure whether this population sector is being served adequately, and to combat the problem of inequality.
- It is important to note that regional governments are also attempting to adapt their regulations to the Bank's safeguards, but the national level is where substantial progress on regulation has been made. The capacity of regional governments needs to be strengthened.
- The Bank's policies are very rigid and unsuited to certain projects, particularly national ones that are not confined to a specific land area. Current instruments, particularly the Indigenous Peoples policy, relate to projects that are territorially focused, which is not necessarily the case in many projects under current public policy, such as non-infrastructure related projects that support national programs. Instruments and protocols to improve ways of working need to be reviewed.
- The review of the Bank's policy should consider including the topic of current and potential social conflicts and their impact on project implementation. This is particularly important in projects involving the extractive industries. How can the issue of social conflict be analyzed with a preventive approach?
- A dialogue should be set up to consider the standardization and integration of safeguard policies in all multilateral and bilateral organizations, to work towards a global standard.
- The role of the private sector has grown tremendously, changing the current project financing profile. This should be taken into consideration, and include not only large private organizations but also the role played by small and medium-sized enterprises.
- Dissemination of the Bank's policies has to be improved. The Bank should implement a policy dissemination plan with the governments.
- The Bank should strengthen project supervision, and as part of this improve the training of local teams. There is doubt as to whether the Bank currently has the right balance between project preparation and implementation.
- On environmental matters, the review of the Bank's policy should include ecological offset mechanisms and mitigation actions.

- It is important to take account of the differentiated impact of the Bank's policies according to the gender of the person affected, his or her membership in an indigenous or Afrodescendant community, and whether he/she has a disability.
- The fact that Peru has already included a climate change policy in regional programs shows how
  this topic can be integrated in program implementation. Peru is attempting to think beyond
  climate change mitigation or adaptation projects, by visualizing the concept of climate change
  on a more crosscutting basis, and incorporating it into regional government planning.
- To manage forests more effectively, forestry and Indigenous Peoples policies need to be better integrated with emerging issues such as climate change, landholding, and natural resources. Steps must be taken to analyze how to harmonize the parallel REDD+ program with the incorporation of a number of emerging issues.
- The topic of occupational health and safety should be integrated into agricultural projects, and steps should be taken to ensure that protective measures reach small-scale producers.
- On the topics of biodiversity and new species, the issue of patents and intellectual property needs to be analyzed.
- The review of the Bank's policies needs to take account of the concept of living well, which includes both social and environmental issues.
- Analysis of the incorporation of emerging issues should cover the relevant national legislation, because several of these issues are already incorporated into national law.
- The fact that Peru's environmental guidelines and laws are better developed than those dealing with social issues also has an impact on implementation of the Bank's policies.
- Policies to protect cultural heritage raise operational issues that are different from those of environmental and social policies, and this should be made clear in the review process.



### **The World Bank**

# Review and Update of Environmental and Social Safeguard Policies Consultation Meeting with Government Representatives in Lima (Peru) List of Participants

**Date:** 13 February 2013 **Number of participants:** 35

No.	Name of participant	Organization
1	Daniel Sánchez Velásquez	Office of the Ombudsperson
2	Bruce Barnaby Rubio	Office of the Ombudsperson
3	Julia Justo	FONAM - National Environment Fund
4	Inés Mendoza	FONAM - National Environment Fund
5	Ricardo Gutiérrez Quiroz	MINAG - Ministry of Agriculture
6	Liliana Honorio	Ministry of Foreign Trade and tourism
7	Blanca Alva Guerrero	Ministry of Culture
8	Jerka Guerrero Varas	Ministry of Culture
9	Iván Kriss Lanegra Quispe	Ministry of Culture
10	Gian Luiggi Massa Villafuerte	Ministry of Culture
11	Rocio Muñoz	Ministry of Culture
12	Lic. Luis Cáceres Rey	Ministry of Culture
13	Valeria Biffi	Ministry of Development and Social Inclusion
14	Rocío García Naranjo	Ministry of Economy and Finance
15	Lener Guimaraes Vasquez	Ministry of Education
16	Liliana Miranda	Ministry of Education

17	Rols Pérez Camarena	Ministry of Energy and Mining
18	Jorge Luis Palomino (engineer)	Ministry of Energy and Mining - FONER
19	Maritza León PhD	Ministry of Energy and Mining - FONER
20	Javier Butrón	Ministry of Production
21	Rosa María del Castillo Rosas PhD	Ministry of Production
22	Richard Montes Escalante (engineer)	Ministry of Housing, Construction, and Sanitation
23	Danilia Rojas	Ministry of the Environment
24	Fiorella León	Ministry of the Environment
25	Fiorella León	Ministry of the Environment
26	Elvira Gómez	Ministry of the Environment
27	Lorena Durán	Ministry of the Environment
28	Lucas Dourojeanni	Ministry of the Environment
29	Ana Franzua Rugel Oyoia	OEFA - Environmental Evaluation and Inspection Agency
30	Iván Mendoza Villareal	Office of the President of the Council of Ministers
31	Verónica Angulo	PRONASAR
32	Angel Pavel Sosa Espinoza (engineer)	PROVIAS
33	Pedro Gamboa Moquillaza	SERNANP - State Protected Areas Service
34	Santiago Alayza	Ministry of Foreign Relations - AP
35	Ruth López	INIA