



**Review and Update of the World Bank's Environmental and Social Safeguard Policies**  
**Phase 3**  
**Feedback Summary**

**Date: 8-9 January 2015**  
**Location: Yaoundé, Cameroon**  
**Audience: Government**

ESF	Issue	Items	Feedback
Vision	Human Rights	1. Approach to human rights in the ESF	<ul style="list-style-type: none"> <li>• Vision statement could be more positive and reflect that communities themselves should take charge of their development. Also: how to use natural resources for the benefit of the poor?</li> <li>• This is important; the role of the World Bank in the realization (promotion and protection) of human rights should be clearly specified and intensified</li> </ul>
ESP/ ESS1	Non-discrimination and vulnerable groups	2. Explicit listing of specific vulnerable groups by type/name (age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantages or indigenous status, and/or dependence on unique natural resources)	<ul style="list-style-type: none"> <li>• Increased attention to social aspects is welcome</li> <li>• Problem: Target vulnerable groups do not live in isolation geographically. They live with and among other people. How to ensure an objective identification?</li> </ul>

		3. Specific aspects of the non-discrimination principle in complex social and political contexts, including where recognition of certain groups is not in accordance with national law	
	Use of Borrower's Environmental and Social Framework	4. Role of Borrower frameworks in the management and assessment of environmental and social (E&S) risks and impacts where these will allow projects to achieve objectives materially consistent with Environmental and Social Standards (ESSs) 5. Approach for making decision on the use of Borrower frameworks, including the methodology for assessing where frameworks will allow projects to achieve objectives materially consistent with the ESSs, and the exercise of Bank discretion 6. Role of Borrower frameworks in high and substantial risk projects	<ul style="list-style-type: none"> <li>• Framework should prescribe more clearly how to integrate ESS with already existing norms in a country</li> </ul>
	Co-financing/ common approach	7. Arrangements on E&S standards in co-financing situations where the co-financier's standards are different from those of the Bank	<ul style="list-style-type: none"> <li>• Why not one and the same standard for all donors?</li> </ul>

	Adaptive risk management	8. Approach to monitoring E&S compliance and changes to the project during implementation	<ul style="list-style-type: none"> <li>It is important to adapt to social and environmental context, but where is the limit to flexibility? Need to define the bottom line.</li> </ul>
	Risk classification	9. Approach to determining and reviewing the risk level of a project	
ESS1	Assessment and management of environmental and social risks and impacts	10. Assessment and nature of cumulative and indirect impacts to be taken into account 11. Treatment of cumulative and indirect impacts when identified in the assessment of the project 12. Establishing project boundaries and the applicability of the ESSs to Associated Facilities, contractors, primary suppliers, FI subprojects and directly funded sub-projects 13. Circumstances under which the Bank will determine whether the Borrower will be required to retain independent third party specialists	<ul style="list-style-type: none"> <li>integration of Environmental and Social issues important</li> <li>Who pays for the independent specialists?</li> <li>Need to address financing of monitoring by CSOs</li> </ul>
	Environmental and Social Commitment Plan (ESCP)	14. Legal standing of the ESCP and implications of changes to the ESCP as part of the legal agreement	
ESS2	Labor and working conditions	15. Definition and necessity of and requirements for managing labor employed by certain third parties (brokers, agents and intermediaries)	<ul style="list-style-type: none"> <li>The inclusion of ESS2 is an important evolution, which could make the Bank become a pioneer.</li> <li>Child labor: how to best deal with orphans/vulnerable children who need to support themselves? One speaker asked if exceptions could be</li> </ul>

		<p>16. Application and implementation impacts of certain labor requirements to contractors, community and voluntary labor and primary suppliers</p> <p>17. Constraints in making grievance mechanisms available to all project workers</p> <p>18. Referencing national law in the objective of supporting freedom of association and collective bargaining</p> <p>19. Operationalization of an alternative mechanism relating to freedom of association and collective bargaining where national law does not recognize such rights</p> <p>20. Issues in operationalizing the Occupational Health and Safety (OHS) provisions/standards</p>	<p>granted to enable them to work; others however pointed at mandatory school age in child’s interest, and ILO convention.</p> <ul style="list-style-type: none"> <li>• Will this ESS not increase conditionality and increase project costs and time?.</li> <li>• Need for capacity building</li> <li>• Increased focus on social aspects is welcome</li> <li>• Translation of paragraph 2 should be verified (should probably read “règlement des conflits” instead of “règlement des griefs”, and “liberté d’ association” should read “liberté syndicale”</li> </ul>
ESS3	Climate change and GHG emissions	<p>21. The relation between provisions on climate change in the ESF and broader climate change commitments, specifically UNFCCC</p> <p>22. Proposed approaches to measuring and monitoring greenhouse gas (GHG) emissions in Bank projects and implications thereof, in line with the proposed</p>	<ul style="list-style-type: none"> <li>• The Bank should help communities deal with effects of climate change.</li> <li>• Costs of Greenhouse Gas accounting is an additional burden on borrowers; is that really necessary for a country such as Cameroon?</li> <li>• Cameroon is a net absorber of GHG</li> <li>• What are the proposed methods to measure and monitor GHGs, and what are the implications for the borrower?</li> </ul>

		<p>standard, including determining scope, threshold, duration, frequency and economic and financial feasibility of such estimation and monitoring</p> <p>23. Implications required for the Borrower of estimating and reducing GHG emissions for Bank projects, in line with the proposed standard</p>	
ESS5	Land acquisition and involuntary resettlement	<p>24. Treatment and rights of informal occupants and approach to forced evictions in situations unrelated to land acquisitions</p> <p>25. Interpretation of the concept of resettlement as a “development opportunity” in different project circumstances</p>	<ul style="list-style-type: none"> <li>• To what extent can financing of resettlement compensation be built into the project; is it currently possible to use proceeds of the loan?</li> <li>• How will ESS5 apply to forced displacement in vulnerable states, and situations of insecurity? How to address cases of forced displacement of informal occupants, in cases without land acquisition?</li> <li>• Need to build capacity not only in Bank, but also in country CSOs. Administration, project staff), and between development partners. Varied levels of capacity exist inside the country. Need for a transition period.</li> <li>• Timing: requirement to compensate before taking of land and leaving the government in charge of compensation may hold up projects. Can the Bank take on responsibility for compensation?</li> <li>• If there are multiple actors in a project, responsibilities for handling resettlement should be spelled out clearly in financing agreement</li> <li>• Take account of gender aspects when providing compensation.</li> </ul>

			<ul style="list-style-type: none"> <li>• Treatment of squatters under Framework more generous than under national law; afraid that this will create jurisprudence.</li> </ul>
ESS6	Biodiversity	<p>26. Operationalization of the provisions on primary suppliers and ecosystem services, especially in situation with low capacity</p> <p>27. Role of national law with regard to protecting and conserving natural and critical habitats</p> <p>28. Criteria for biodiversity offsets, including consideration of project benefits</p> <p>29. Definition and application of net gains for biodiversity</p>	
ESS7	Indigenous Peoples	<p>30. Implementation of the Indigenous Peoples standard in complex political and cultural contexts</p> <p>31. Implementation of ESS7 in countries where the constitution does not acknowledge Indigenous Peoples or only recognizes certain groups as indigenous</p> <p>32. Possible approaches to reflect alternative terminologies used in different countries to describe Indigenous Peoples</p> <p>33. Circumstances (e.g. criteria and timing) in which a waiver</p>	<ul style="list-style-type: none"> <li>• The objectives as outlined in ESS7 are already part of national law</li> <li>• Why not use title “indigenous peoples and vulnerable groups”</li> <li>• Protection of IPs and vulnerable groups in Cameroon is not very well developed as part of ESIA (structures involved with ESIA are not equipped etc; hence request to please also involve Ministry of Social Affairs</li> <li>• Providing FPIC is potential source of conflict when IP’s are living alongside other groups</li> <li>• IP capacity building should be done with respect to FPIC</li> </ul>

		<p>may be considered and the information to be provided to the Board to inform its decision</p> <p>34. Criteria for establishing and implementation of Free, Prior and Informed Consent (FPIC)</p> <p>35. Comparison of proposed FPIC with existing requirements on consultation</p> <p>36. Application of FPIC to impacts on Indigenous Peoples' cultural heritage</p>	<ul style="list-style-type: none"> <li>• Put in place a support program on IP issues in each (?) office to help with project monitoring</li> <li>• Capacity building should include self-determined development; all this should be done by IP organizations themselves</li> </ul>
ESS8	Cultural Heritage	<p>37. Treatment of intangible cultural heritage</p> <p>38. Application of intangible cultural heritage when the project intends to commercialize such heritage</p> <p>39. Application of cultural heritage requirements when cultural heritage has not been legally protected or previously identified or disturbed</p>	<ul style="list-style-type: none"> <li>• Treatment of intangible cultural heritage and inclusion of intangibles in this standard should only be if the project intends to commercialize such heritage</li> <li>• How to protect national cultural heritage against (illegal) commercial .exploitation?</li> <li>• Tombs and ritual sites are important cultural heritage; cases of resettlement infringes; how to address?</li> <li>• Delineate the content of "Cultural Heritage"</li> <li>•</li> </ul>
ESS9	Financial Intermediaries	<p>40. Application of standard to FI subprojects and resource implications depending on risk</p> <p>41. Harmonization of approach with IFC and Equator Banks</p>	<ul style="list-style-type: none"> <li>• Will FIs have to apply the ESS?</li> <li>• Need to reduce administrative burden: Going through financial intermediaries increases transaction costs, while maintaining government's capacities weak.</li> <li>• Arrangements on standards in co-financing situations where the co-financiers standards are different from those of the Bank.</li> </ul>

ESS10	Stakeholder engagement	<p>42. Definition and identification of project stakeholders and nature of engagement</p> <p>43. Role of borrowing countries or implementing agencies in identifying project stakeholders</p>	<ul style="list-style-type: none"> <li>• Stakeholder engagement should be done as a function of the type of project.</li> <li>• Need for grievance redress mechanisms/complaints handling</li> <li>• Need to provide for use of local language.</li> <li>• The Framework will need to clarify who project stakeholders are and what it really means by “engagement”.</li> <li>• This is additional paperwork for the borrower.</li> </ul>
General	EHSG and GIIP	44. Application of the Environmental, Health and Safety Guidelines (EHSGs) and Good International Industry Practice (GIIP), especially when different to national law or where the Borrower has technical or financial constraints and/or in view of project specific circumstances	
	Feasibility and resources for implementation	45. Implementation and resource implications for Borrowers, taking into account factors such as the expanded scope of the proposed ESF (e.g., labor standard), different Borrower capacities and adaptive management approach	Build the Borrower’s capacities at all levels/layers of the project execution.



		46. Mitigation of additional burden and cost and options for improving implementation efficiency while maintaining effectiveness	
Client capacity building and implementation support		47. Funding for client capacity building 48. Approaches and areas of focus 49. Approach to implementing the ESF in situations with capacity constraints, e.g., FCS, small states and emergency situations	<ul style="list-style-type: none"> <li>• Foresee major middle to long term needs for capacity building inside the administration, and for CSOs and consultants. Express request for specific (not generic) capacity building in the country.</li> <li>• Need to consider environmental and social education, from primary school to university, beginning with primary school.</li> </ul>
Disclosure		50. Timing of the preparation and disclosure of specific environmental and social impact assessment documents (related to ESS1 and ESS10)	
Implementation of the ESF		51. Bank internal capacity building, resourcing, and behavioral change in order to successfully implement the ESF 52. Ways of reaching mutual understanding between Borrower and Bank on issues of difficult interpretation	<ul style="list-style-type: none"> <li>• Need to envision implementation (of a system) beyond projects financed by World Bank. Need to assess capacity of borrower..</li> </ul>
Other issues			<ul style="list-style-type: none"> <li>• Suggest to add section with definitions.</li> <li>• ESS increases conditionality; is this an “all or nothing”? How much flexibility is there?</li> <li>• Framework should pay more attention to aspects of (in)security in the project area.</li> </ul>

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|  | <ul style="list-style-type: none"><li>• Weak intersectorial cooperation inside the administration; a culture shift will take 10-20 years.</li><li>• What will be done about communicable and non-communicable diseases; what about worker's burn-out syndrome?</li><li>• Need transitional period to allow time for capacity building to take place.</li><li>• Develop guidance material as function of the type of risk.</li></ul> |
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