



## Review and Update of the World Bank's Safeguard Policies Consultation Feedback Summary Meeting with Government Representatives, Cairo, Egypt

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**March 20, 2013**

A consultation meeting with government representatives was held on March 20, 2013 in Cairo to discuss the World Bank Safeguards Review and Update process. After a presentation by the World Bank Safeguards Review Team on the background, intended scope and process for the review, the floor was open for participants' questions and comments. Suggestions are outlined below:

### **Compatibility with National Systems and Harmonization**

- The safeguards are characterized by rigidity in some cases and they need to be tailored within a flexible frame to fit and accommodate the social and environmental specificities of the various countries the Bank works with. In reviewing the policies, The Bank should consider carefully the discrepancies that exist between the Bank's requirements and the legal national requirements. This normally results in reluctance on the part of Governmental officials to accept additional standards (the Bank's) outside the national law.
- On involuntary resettlement for example, the requirements of the Bank are not in harmony with national legislation. The Bank treats project affected persons (PAPs) who are in the area where the project will take place in the same way whether they are there illegally or legally, therefore requiring equal payment/reimbursement. This causes conflict. The recommendation is to examine national law and to have some flexibility. This also applies to environmental requirements.
- While the role of the safeguards is very clear, going forward there should be a way for the policies to create a compatible space between the Bank's safeguards and the national safeguards. For example, country specific annexes to reflect national legislation could be considered.

- For national authorities, projects that are funded by more than one institution are difficult to manage because each institution has different requirements. It would be useful for the Bank to ensure that safeguard requirements are harmonized with those of other international funding agencies.
- It would be important to evaluate and incorporate harmonization between international treaties and national laws.

#### **OP 4.01 Environmental Assessment**

- Because the need to take the environmental dimension into account is new to certain implementing authorities, considerable support and capacity building are needed.
- The Bank's project classification for the Environmental and Social Impact Assessment (ESIA) is sometimes higher than both the classification according to national legislation and what is warranted by the actual impacts.
- Socioeconomic aspects of all projects should be thoroughly examined, because this dimension tends to be ignored, which can lead to challenges in project implementation.
- If the ESIA process is launched before project design is complete, it is important to adjust the timeframe so that the needed information is available to ensure comprehensiveness and completeness of the studies. This would help avoid the limitations and uncertainties in preparation of the ESIA, the RPF and RAP.
- For consultancy assignments that involve partnerships between international and national consultancy firms, it is important to obtain approval from both the Bank or other donors and the national environmental authority (EEAA in Egypt's case), so that all parties have an opportunity to provide comments in a timely manner.
- The Bank should help to ensure that contractors use appropriate disposal methods for hazardous waste.
- Egypt is vulnerable to many environmental problems due to its location. These problems need to be addressed on both the national and local level or the level of the local communities (e.g., farmers in issues like land degradation). Egypt has a very high level of local engagement by farmers, yet policies on the national level are absent. We hope the Bank can support both levels to ensure effectiveness.

## **OP 4.12 Involuntary Resettlement**

- There is a pressing need for awareness raising and building the capacity of national authorities on the importance of safeguards and what is required by the policies, in particular OP 4.12. Certain requirements under the safeguards generate little interest and are taken lightly, particularly if they are not consistent with national laws (for example, it may not be clear why the interests of illegal street vendors should be taken into account, although under OP 4.12, any groups whose income and livelihoods will be impacted by a project must be addressed).
- Social and resettlement issues have not received the attention needed at the national level; there is a great need to build capacity in this regard.

## **Safeguarding Biodiversity**

- A focus on biodiversity conservation issues and how to integrate them in the safeguards is needed. Guidelines on how to mainstream biodiversity issues in policies and plans could be a way forward.
- There is a need for stipulating measures for minimizing the biodiversity losses and maintaining a balanced ecosystem.
- Sustainable use of natural resources should be emphasized and the policies should reflect the right of local communities to benefit from natural resources.

## **Indigenous Peoples**

- The criteria for identifying Indigenous Peoples vary from one country to the next. It is important for the borrower to understand that these groups need to be considered within the national system.

## **Monitoring Compliance with Safeguard Implementation**

- The discussion at the policy level is very important but equally important is to focus on the measures that the Bank will take to monitor and ensure efficient implementation of the policies.
- To this end, it would be important to establish an Environmental Observer for ongoing monitoring and evaluation activities related to borrower compliance with environmental, health and social measures.
- The monitoring indicators that the Bank is using need to be known/disclosed.

- The Bank should be expected to help in project monitoring and in building monitoring capacity.

### **Public Consultations**

- The safeguard consultation requirements are important and should be tools that provide opportunities for local communities to be part of the development process. Project design should pay the maximum level of attention to the comprehensiveness and integration of the various activities and voices to ensure that no local community groups are marginalized, in particular with regard to benefits. However, in implementing consultation, the Bank should be attentive to the fact that sometimes, powerful individuals with different interests might complain or push public consultations to stop a project simply because their voices are louder. The issue of representativeness should be taken into serious consideration.

### **Newly Emerging Areas**

- The emerging areas should be integrated into the safeguards because they are crosscutting and not standalone topics.
- It will be important also to include appropriate guidance for implementation of these areas.
- Occupational health and safety procedures could be linked to projects funded by the Bank. One could also consider the possibility for separate projects where the Bank would finance occupation health and safety, including capacity building.

### **Comments on the Consultation Process for Reviewing the Safeguard Policies**

- Participants should have received the questions earlier to be able to prepare and actively participate in the discussion and to direct the questions to appropriate staff.
- The consultation should engage all relevant staff who are engaged in work on the projects and not only representatives of the authority.

### **Other Comments and Recommendations**

- The Bank should contribute to the establishment of a set of environmental indicators for Small and Medium Enterprises (SMEs), which make a major contribution to the economy but which are operating with very limited environmental awareness. The Bank needs to help raise awareness of SMEs

and provide support for embedding environmental and social safeguards in SME management.

- Egypt is a member of the Bank Board of Executive Directors and we hope that dialogue between the Egyptian Government and the Bank takes place to review the country's environmental policy and bridge any gaps between the policies and the Bank's safeguards.
- In addition to the importance of the safeguard policies, attention should be paid to raising community awareness and mobilization. Such activities should be incorporated in project preparation and should be factors to ensure project readiness. Communication, awareness raising and outreach activities should be considered in project design to strengthen local communities' ownership for the project and minimize opportunities for conflict with a variety of local interests.
- It would be important during the review to find ways for the Bank to ensure that safeguards do not become a challenge/obstacle that prevents developing countries from obtaining funds for development projects.
- In the specific case of Egypt, it would be important to recognize that the region is in a period of transition and that there may be challenges in applying some safeguards requirements. Local communities are in the midst of waves of activism, there have been several demonstrations on project sites, and attendance at public consultations or participation in resettlement surveys is not always safe.
- Clean energy issues are marginal in our country. However, renewable energy is the salvation of the country and needs to be taken more seriously; the safeguards should also apply to renewable energy projects.
- For certain projects that are controversial and problematic for groups of scientists, local communities and other stakeholders, it is important to emphasize the appraisal and feasibility stages and deploy more resources.
- Policies should reward projects that add great value to localities and regions. There could be a system for ranking and rewarding projects based on abiding by safeguards and guidelines.
- The review should provide an opportunity for the Bank to consider an integrated vision for development and to translate it in the safeguards.
- The review could benefit from the recommendations of the United Nations Conference on Sustainable Development (Rio+20) related to the green economy and embed these recommendations in the review of the safeguards policies.

## **Other Issues related to Safeguards**

- The safeguards should consider impacts beyond a country's boundaries and jurisdiction, and the Bank, in general terms, should play a role in helping solve transboundary issues and putting in place the principles of "no harm" and "win-win".
- It is important to consider the rights of countries that share resources (such as the Nile Basin Countries) and the measures the Bank could put in place to ensure that countries do not violate each other's rights, particularly in the absence of agreements.