



Review and Update of the World Bank's Environmental and Social Safeguard Policies

Phase 3

Feedback Summary

Date: November 24, 2015

Location: Riyadh, KSA

Audience: Multi-stakeholders & CSOs

ESF	Issue	Items	Feedback
Vision	Human Rights	1. Approach to human rights in the ESF	<ul style="list-style-type: none"> Participants emphasized the importance of Human Rights within the economic, social, civil and political rights.
ESP/ ESS1	Non-discrimination and vulnerable groups	<ol style="list-style-type: none"> 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) Specific aspects of the non-discrimination principle in complex social and political contexts, including where 	<ul style="list-style-type: none"> There are big concerns with respect to LGBTI issues. The participants suggested that the World Bank should adapt the governmental rules of each country. It wasn't a good idea to enforce a set of rules to countries. This is a controversial issue in the Kingdom of Saudi Arabia in addition to religious issues that are strictly against it. Participants asked the Bank to take gender more into account in projects.

		recognition of certain groups is not in accordance with national law	
	Use of Borrower's Environmental and Social Framework	<p>3. 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)</p> <p>4. 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</p> <p>5. Role of Borrower frameworks in high and substantial risk projects</p>	
	Co-financing/ common approach	6. Arrangements on E&S standards in co-financing situations where the co-financier's standards are different from those of the Bank	
	Adaptive risk management	7. Approach to monitoring E&S compliance and changes to the project during implementation	

	Risk classification	8. Approach to determining and reviewing the risk level of a project	
ESS1	Assessment and management of environmental and social risks and impacts	9. Assessment and nature of cumulative and indirect impacts to be taken into account 10. Treatment of cumulative and indirect impacts when identified in the assessment of the project 11. Establishing project boundaries and the applicability of the ESSs to Associated Facilities, contractors, primary suppliers, FI subprojects and directly funded sub-projects 12. Circumstances under which the Bank will determine whether the Borrower will be required to retain independent third party specialists	
	Environmental and Social Commitment Plan (ESCP)	13. Legal standing of the ESCP and implications of changes to the ESCP as part of the legal agreement	
ESS2	Labor and working conditions	14. Definition and necessity of and requirements for managing labor employed by certain third parties (brokers, agents and intermediaries) 15. Application and implementation impacts of certain labor requirements to	

		<p>contractors, community and voluntary labor and primary suppliers</p> <p>16. Constraints in making grievance mechanisms available to all project workers</p> <p>17. Referencing national law in the objective of supporting freedom of association and collective bargaining</p> <p>18. Operationalization of an alternative mechanism relating to freedom of association and collective bargaining where national law does not recognize such rights</p> <p>19. Issues in operationalizing the Occupational Health and Safety (OHS) provisions/standards</p>	
ESS3	Climate change and GHG emissions	<p>20. The relation between provisions on climate change in the ESF and broader climate change commitments, specifically UNFCCC</p> <p>21. Proposed approaches to measuring and monitoring greenhouse gas (GHG) emissions in Bank projects and implications thereof, in line with the proposed standard, including determining scope, threshold, duration, frequency and</p>	<ul style="list-style-type: none"> • Participants indicated that GHG estimations would be difficult for many countries. The Bank would therefore need to take into account energy security. • Questions were raised on whether the GHG estimations will be used to determine whether the Bank finances a project or not. • There was a remark about Oil/gas being much cleaner fuel than coal. • Further clarifications were sought on what the Bank is doing in the area of climate change and resilience.

		<p>economic and financial feasibility of such estimation and monitoring</p> <p>22. 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>23. Treatment and rights of informal occupants and approach to forced evictions in situations unrelated to land acquisitions</p> <p>24. Interpretation of the concept of resettlement as a “development opportunity” in different project circumstances</p>	
ESS6	Biodiversity	<p>25. Operationalization of the provisions on primary suppliers and ecosystem services, especially in situation with low capacity</p> <p>26. Role of national law with regard to protecting and conserving natural and critical habitats</p> <p>27. Criteria for biodiversity offsets, including consideration of project benefits</p> <p>28. Definition and application of net gains for biodiversity</p>	
ESS7	Indigenous Peoples	29. Implementation of the Indigenous Peoples standard	<ul style="list-style-type: none"> • Participants inquired about the availability of micro financing for indigenous peoples.

		<p>in complex political and cultural contexts</p> <p>30. Implementation of ESS7 in countries where the constitution does not acknowledge Indigenous Peoples or only recognizes certain groups as indigenous</p> <p>31. Possible approaches to reflect alternative terminologies used in different countries to describe Indigenous Peoples</p> <p>32. Circumstances (e.g. criteria and timing) in which a waiver may be considered and the information to be provided to the Board to inform its decision</p> <p>33. Criteria for establishing and implementation of Free, Prior and Informed Consent (FPIC)</p> <p>34. Comparison of proposed FPIC with existing requirements on consultation</p> <p>35. Application of FPIC to impacts on Indigenous Peoples' cultural heritage</p>	
ESS8	Cultural Heritage	<p>1. Treatment of intangible cultural heritage</p> <p>2. Application of intangible cultural heritage when the project intends to commercialize such heritage</p> <p>3. Application of cultural heritage requirements when</p>	

		cultural heritage has not been legally protected or previously identified or disturbed	
ESS9	Financial Intermediaries	<p>4. Application of standard to FI subprojects and resource implications depending on risk</p> <p>5. Harmonization of approach with IFC and Equator Banks</p>	
ESS10	Stakeholder engagement	<p>6. Definition and identification of project stakeholders and nature of engagement</p> <p>7. Role of borrowing countries or implementing agencies in identifying project stakeholders</p>	<ul style="list-style-type: none"> • Questions were raised about whether there is a mandate for every project to have an awareness campaign for the stakeholders.
General	EHSG and GIIP	8. 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	9. 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	

		10. Mitigation of additional burden and cost and options for improving implementation efficiency while maintaining effectiveness	
	Client capacity building and implementation support	11. Funding for client capacity building 12. Approaches and areas of focus 13. Approach to implementing the ESF in situations with capacity constraints, e.g., FCS, small states and emergency situations	
	Disclosure	14. Timing of the preparation and disclosure of specific environmental and social impact assessment documents (related to ESS1 and ESS10)	
	Implementation of the ESF	15. Bank internal capacity building, resourcing, and behavioral change in order to successfully implement the ESF 16. Ways of reaching mutual understanding between Borrower and Bank on issues of difficult interpretation	
Other issues			<ul style="list-style-type: none"> • Participants requested further clarification about the structure of the standards and how they're prioritized or whether they are equally important. • Participants inquired about the prioritization of World Bank loans and flow of funds for projects.

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| | <ul style="list-style-type: none">• There were general questions about how the Bank selects projects to finance.• Questions were asked about Project implementation best practices and the kind of problems projects face.• An idea was raised to link entrepreneurs with others to obtain franchise projects “International Partners” in developed countries where there’s lack of experience.• Participants asked for further clarifications on the Bank’s financial surplus and what it does with it. |
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