



**Review and Update of the World Bank’s Environmental and Social Safeguard Policies  
Phase 2  
Feedback Summary**

**Date:** February 26, 2015

**Location:** Nairobi, Kenya

**Audience:** NGOs and CSOs

**Overview and Key Issues Discussed:** On February 26, 2015, the World Bank held a consultation meeting with representatives from Non-Governmental Organizations and Civil Society Organizations from Kenya. Some of the key subjects discussed were how the Environmental and Social Framework (ESF) would change community engagement with the World Bank; the assessment and management of environmental and social risks and impacts (ESS 1); and community health and safety (ESS 4). **This summary is subject to change after review and comments from consultation participants.**

**Specific Feedback from Stakeholders**

**1. General Comments**

*Inquiries*

- Who will be liable for bad practices, and what safeguards standards will be used when more than one institution finances a project? Are there documents that provide clarity regarding what policies/standards will be used?
- How does the World Bank create awareness of projects during design and implementation?
- How does the Bank disseminate information on projects?
- How does the Bank ensure that meaningful consultations are carried out?
- Does the Bank consider the financial situation of a borrowing country before increasing their debt?
- Does the borrower have an obligation to disclose information related to projects?
- How thorough is the due diligence process aimed at preventing corruption?
- How are allegations / situations of corruption dealt with by the Bank?

- Will the integration of negative externalities into project design be included in the redrafted ESF?
- How does the Bank ensure that project infrastructure is taken care of and that workers are safe when a country is in a bad security situation?
- Does the World Bank give preference to companies that support/respect/implement safeguards properly?
- How does the Bank ensure that borrowers provide communities the necessary funds to engage in meaningful consultations?
- How will the Bank be involved in achieving the sustainable development goals?
- How does the Bank account for short-term and long-term climate change related effects in the ESF?

*Comments*

- Some participants expressed that the government did not properly disseminate project information.
- The Bank should take the population’s opinions of loans into account before granting them because it will ultimately be citizens that will pay for those loans.

*Recommendations*

- Countries that do not respect human rights should not receive loans.
- Engagement with civil society needs to improve. The Bank should strengthen its engagement with stakeholders that deal with human rights and governance issues.

**2. A Vision for Sustainable Development**

*Inquiries*

- What measures are in place to ensure that women benefit from World Bank-financed projects?

**3. World Bank Environmental and Social Policy**

*Inquiries*

- What would a “material change” in the ESF entail? How will communities stay involved in projects when they are restructured and what will happen to the consultation process?

*Comments*

- Project affected peoples don’t understand that the World Bank lends funds to governments, and that they have to approach government project management teams to seek grievance redress before approaching the Bank.
- Participants welcomed the inclusion of “adaptive risk management” in the text of the ESF.

**4. Environmental and Social Standard 1 (ESS1): Assessment and Management of Environmental and Social Risks and Impacts**

*Inquiries*

- How does the Bank address knowledge transfer and skill building?
- How does the borrower ensure that there is a clear disclosure and dissemination of the Environmental and Social Commitment Plan?
- How is compliance with the ESCP monitored?

*Recommendations*

- There should be audit requirements that ensure that the ESCP has been properly implemented.

**5. Environmental and Social Standard 2 (ESS2): Labor and Working Conditions**

*Inquiries*

- What are the rights of people who work on Bank-financed projects?

**6. Environmental and Social Standard 3 (ESS3): Resource Efficiency and Pollution Prevention**

*Recommendations*

- Add the statement “and any other national requirements” to paragraph 21 so that it reads: *The Borrower will ensure that any pesticides it uses be manufactured, formulated, packaged, labeled, handled, stored, disposed of, and applied according to the Food and Agriculture Organization’s International Code of Conduct on Pesticide Management (2013) and any other national requirements.*

**7. Environmental and Social Standard 4 (ESS4): Community Health and Safety**

*Inquiries*

- What does the Bank mean by community health and safety? How do you ensure that people with disabilities are taken into account when dealing with issues of health and safety?
- How will the Bank ensure that most community concerns are addressed and that FPIC is achieved if the draft ESF allows projects to continue when there are disagreements?
- Who is held responsible if a dam is built and that leads to the propagation of malaria? Does the Bank write epidemiological baseline studies to ensure that there are no diseases that could be propagated by the construction of one of its projects?

<p><i>Comments</i></p> <ul style="list-style-type: none"> <li>• Paragraph 20 puts the burden of avoiding and minimize the transmission of communicable diseases on laborers who arrive at projects and not on the workers who are already there.</li> </ul>
<p><b>8. <i>Environmental and Social Standard 5 (ESS5): Land Acquisition, Restriction on Land Use and Involuntary Resettlement</i></b></p>
<p><i>Inquiries</i></p> <ul style="list-style-type: none"> <li>• How are project affected peoples compensated? How are they compensated when there is scarcity of land and when communities live in slums?</li> <li>• How are issues of non-economic land-valuation taken into account by the Bank? This situation happens, for example, in indigenous communities where lands may have invaluable spiritual significance.</li> <li>• How is the Bank helping communities assess the value of their lands?</li> </ul>
<p><b>9. <i>Environmental and Social Standard 6 (ESS6): Biodiversity Conservation and Sustainable Management of Living Natural Resources</i></b></p>
<p><i>Recommendations</i></p> <ul style="list-style-type: none"> <li>• ESS 6 does not foresee that the borrower may inadvertently introduce an outside species. A clause that states measures to prevent or minimize potential adverse impacts of inadvertently introducing outside species should be included in the Standard.</li> </ul>
<p><b>10. <i>Environmental and Social Standard 7 (ESS7): Indigenous Peoples</i></b></p>
<p><i>Inquiries</i></p> <ul style="list-style-type: none"> <li>• How will the Bank ensure that FPIC is achieved?</li> <li>• How is collective attachment and ownership to land addressed by the Bank?</li> </ul> <p><i>Comments</i></p> <ul style="list-style-type: none"> <li>• Participants welcomed the inclusion of pastoralists in ESS 7.</li> </ul> <p><i>Recommendations</i></p> <ul style="list-style-type: none"> <li>• Indigenous Peoples should be consulted on how a project will affect them, and not just on how to safeguard their cultural practices.</li> </ul>

<b>11. Environmental and Social Standard 8 (ESS8): Cultural Heritage</b>
<p><i>Recommendations</i></p> <ul style="list-style-type: none"> <li>• Indigenous Peoples are given too much importance; they should be part of ESS 8.</li> </ul>
<b>12. Environmental and Social Standard 9 (ESS9): Financial Intermediaries</b>
N/A
<b>13. Environmental and Social Standard 10 (ESS10): Information Disclosure and Stakeholder Engagement</b>
<p><i>Inquiries</i></p> <ul style="list-style-type: none"> <li>• How are meaningful consultations undertaken? How are they carried out in areas that are difficult to access?</li> <li>• How does the bank ensure that there aren't political pressures that influence the outcome of consultations?</li> </ul>