



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

**Date:** November 25, 2014

**Location (City, Country):** Dhaka, Bangladesh

**Audience (Government, CSO, etc.):** Indigenous Peoples

**Overview and Key Issues Discussed:** Key issues discussed include: FPIC; alternative approach; dialogue with the government; monitoring by the Bank; and recognition of traditional or customary IP land. **This summary is subject to change after review and comments from consultation participants.**

Specific Feedback from Stakeholders
<b>1. General Comments</b>
N/A
<b>2. <i>A Vision for Sustainable Development</i></b>
N/A
<b>3. <i>World Bank Environmental and Social Policy</i></b>
N/A
<b>4. <i>Environmental and Social Standard 1 (ESS1): Assessment and Management of Environmental and Social Risks and Impacts</i></b>
N/A
<b>5. <i>Environmental and Social Standard 2 (ESS2): Labor and Working Conditions</i></b>
N/A

<b>6. Environmental and Social Standard 3 (ESS3): Resource Efficiency and Pollution Prevention</b>
N/A
<b>7. Environmental and Social Standard 4 (ESS4): Community Health and Safety</b>
N/A
<b>8. Environmental and Social Standard 5 (ESS5): Land Acquisition, Restriction on Land Use and Involuntary Resettlement</b>
N/A
<b>9. Environmental and Social Standard 6 (ESS6): Biodiversity Conservation and Sustainable Management of Living Natural Resources</b>
N/A
<b>10. Environmental and Social Standard 7 (ESS7): Indigenous Peoples</b>
<p><i>Clarifications</i></p> <ul style="list-style-type: none"> <li>• Clarification was sought on how the Bank ensures the rights of IPs where the Indigenous Peoples are <b>not recognized</b> as such by the government.</li> <li>• Clarification was sought on the rationale of the proposed “<b>alternative approach</b>” in Para 9.</li> <li>• Clarification was sought on the meaning of “stand-alone plan” in Para 13 and “time-bound action plan” in Para 15.</li> <li>• Clarification was sought on how <b>FPIC</b> will be implemented.</li> </ul> <p><i>Comments and recommendations</i></p> <ul style="list-style-type: none"> <li>• It requires clarification how to apply FPIC and compensate when the government does not recognize <b>customary or traditional IP land</b> (Para 23), such as on many tea gardens/plantations in Bangladesh.</li> <li>• While <b>UNDRIP</b> is the achievement of long-term movement of IPs, it should be referred to in the Framework.</li> <li>• Conducting a <b>meaningful consultation</b> with the government that does not recognize IPs land and other rights is a big challenge. It should be clarified how the Bank will ensure and monitor that the Borrower will actually conduct such consultations.</li> <li>• While the Borrower is required to <b>engage independent specialists</b> for circumstances requiring FPIC, the Bank should ensure that the Borrower will duly consult and engage with IPs.</li> </ul>

- It should be clarified what compensation mechanism will be utilized where there is no formal documentation for traditional or customary land.
- It was questioned how the Bank will incorporate IP’s traditional or customary law into the Framework.
- While the provisions in Paras 32 and 33 are provided with “may”, they should be mandatory.
- The Bank should assist victims of **gender-based violence**, including in IP communities.
- While **dialogue with the government** has not been so positive, the Bank should facilitate a tripartite, continuous dialogue among the Bank, IPs and the government.
- The Bank should note that examples in Latin America may not be relevant in South Asia.
- While the Framework sets out a general requirement for the active participation of IPs in the project design, it will not work with an unwilling government, such as military regime.
- The Framework should be **translated** in local languages.

**11. Environmental and Social Standard 8 (ESS8): Cultural Heritage**

N/A

**12. Environmental and Social Standard 9 (ESS9): Financial Intermediaries**

N/A

**13. Environmental and Social Standard 10 (ESS10): Information Disclosure and Stakeholder Engagement**

N/A