



**World Bank's Safeguard Policies' Review and Update
Stage 2
Summary of Feedback**

Date: February 4th, 2015

Location (City, Country): Lima, Peru

Audience (Government, Civil Society): Civil Society

Specific Feedback from Stakeholders

1. General Comments

Comments and Recommendations

- More Human Rights language should be used in the Framework, including **language from international human rights conventions and treaties.**
- There is concern the Framework applies only to investment project financing and not to development policy loans or to program for results, which account for a large percentage of the Bank's investments in Peru.
- **All Bank projects**, including development policy loans and program for results, should require **social evaluations.**
- **The disability topic should be cross-cutting in the Environmental and Social Framework and in all the Bank's activities.**
- For the Framework, the Bank could base its approach to people with disabilities on the **United Nations Convention on the Rights of Persons with Disabilities.**

- **Inclusion and universal access should be cross-cutting principles**, not only regarding people with disabilities but for all people, including children, senior citizens, indigenous peoples, and other groups. **Bank-financed projects should be built on the concept of inclusion.**
- The participants expressed **concern the Bank may not be able to enforce the new Framework** in its operations due to the large amount of new requirements, especially in the social area.
- The participants recommended the Bank **to involve civil society organizations permanently as advisors, as the new Environmental and Social Framework is rolled out.**
- The Framework should include a **clear definition of sustainable development.**
- The Framework should include explicit references to the needs of **Afro-descendants.**
- The Framework should recognize **diversity and include the principle of inclusive and equal development.** This should be reflected in all standards.
- Directives and specific guidelines should be developed for each vulnerable group: people with disabilities, children, and senior citizens, among others.
- **Relevant international conventions on human rights should be mentioned in the directives and guidelines.**
- The Framework **does not establish clearly any parameters or methodology to classify projects in the four risk levels.** This may cause difficulties when matching the World Bank standards to national legislation.
- There should be clear consequences for situations in which the standards are not complied with.
- Respect for fundamental rights should be ascertained before a project is approved.
- The Bank must **use adequate terminology to refer to persons with disabilities**, and it must also require borrowing countries to do so.

Questions

- **How will the feedback received during consultation processes be taken into consideration?** There is concern on whether the feedback from the first phase has been taken into account.
- What process should be followed when safeguard policies are breached? How will these processes change when the new Framework is implemented?

2. A Vision for Sustainable Development

N/A

3. World Bank Environmental and Social Policy

N/A

4. Environmental and Social Standard (ESS1): Evaluation and management of environmental and social risks and impacts

Comments and Recommendations

- The participants recognized the Framework is a step forward in addressing social matters.
- The Framework should include more detailed and specific language on how projects must ensure **access to people with disabilities**.
- The Framework pays attention to the inclusion of vulnerable groups. However, it lacks **detail on how specific measures benefiting these groups will be implemented in the projects**.
- The directives and guidelines in the context of the principle of non-discrimination should be developed by experts in each of the issues to ensure that the needs and requirements of each vulnerable group are addressed.
- Indicators are needed to measure the **projects' impact on people with disabilities**.
- Disability issues must be included **as a mandatory component of a project's social assessment**.

- The World Bank should **train governments on disability issues**.
- The participants shared their disappointment the Bank safeguards' environmental standards are **less stringent** in the proposed Framework.
- There is concern about the fact that the Framework does not establish explicitly **at what stage environmental impact assessments should be done**.
- The Framework does not adequately define the thresholds for environmental risks.
- Projects should be required to use clean technologies.

5. Environmental and Social Standard 2 (ESS2): Labour and working conditions

N/A

6. Environmental and Social Standard 3 (ESS 3): Effectiveness in resources and pollution prevention

Comments and Recommendations

- The Environmental and Social Standards should effectively preserve natural and human resources, without affecting the environment and while preventing contamination that could contribute to the development of physical or mental disabilities.

7. Environmental and Social Standard 4 (ESS 4): Community and health security

N/A

8. Environmental and Social Standard 5 (ESS 5): Land purchases, restriction to land use and involuntary resettlement

Comments and Recommendations

- Persons with disabilities should be consulted in cases where their relocation is necessary, preference should be given to places where they can improve their quality of life, even if these are different from the rest of the population.

9. Environmental and Social Standard 6 (ESS 6): Biodiversity conservation and sustainable management of living natural resources

Comments and Recommendations

- Environmental evaluations must be detailed enough to produce **reliable baseline studies, especially regarding biological diversity**. Enough time should be allowed to prepare environmental evaluations for complex projects.

10. Environmental and Social Standard 7 (ESS 7): Indigenous peoples

Comments and Recommendations

- The participants recognized that including free, prior and informed consent for indigenous peoples is an advance.
- The **alternative strategy will jeopardize indigenous peoples' protection** as it will allow governments to ignore indigenous peoples' rights.
- The participants recommended including **language from ILO 169 Convention and the United Nations' Declaration on Indigenous Peoples' Rights**. They recommended specifically complementing the section on free, prior and informed consent with the language in ILO's 169 Convention.
- Consultations with indigenous peoples should have **more robust information processes** to ensure that the communities have sufficient and appropriate knowledge on the projects' potential positive and negative impacts when making their decisions.
- ESS 7 should consider indigenous peoples as **rights bearers** and not as subjects of assistance or generosity.
- There is concern that the Framework allows commercialization of indigenous peoples' traditional knowledge.
- The right to have places for the **exercise of the spiritual life** of indigenous peoples should be recognized.
- The right to **self-determination**, including the right to choose their own development model should be recognized.
- There is concern that forests are not protected and that the transformation of the economic life of forest indigenous peoples is assumed.

11. Environmental and Social Standard 8 (ESS 8): Cultural heritage

Comments and Recommendations

- Beyond protecting cultural heritage, ESS 8 should try to **strengthen communities' culture and identity**.

12. Environmental and Social Standard 9 (ESS 9): Financial intermediaries

N/A

13. Environmental and Social Standard 10 (ESS 10): Dissemination of information and participation of stakeholders

Comments and Recommendations

- ESS 10 should explicitly require the **participation of people with disabilities** in the planning, execution and evaluation of Bank-financed projects. **Participation of people with different types of disabilities** should be encouraged.
- The World Bank should ensure that project information is disclosed to stakeholders in simple and accessible form, in the stakeholders' languages, and in accordance with any special needs or requirements of the different social groups.
- Civil Society Organizations and other stakeholders should be informed about the results of the consultation processes, as well as how their feedback has been incorporated and how it will be incorporated in future projects.