



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

**Date:** November 17, 2014  
**Location:** Dakar, Senegal  
**Audience:** Government Officials  
**Number of Participants:** 31

**Overview:**

Bank representatives welcomed Senegalese participants consisting of Government officials, Project Implementation Units and technical teams. An overview of the process to date was provided followed by a presentation of the “Draft Environment and Social Framework: Setting Standards for Sustainable Development”.

Specific Feedback from Stakeholders
<b>1. General Comments</b>
<ul style="list-style-type: none"> <li>• Participants acknowledged constraints on legal capacity and social capacity to implement projects and asked how this would be dealt with.</li> <li>• Participants expressed the high importance of Human Rights and labor issues. They asked whether institutional partners involved in HR and Labor were consulted, because some state institutions have been working on these matters.</li> <li>• Need to upgrade the national expertise. Country should be assisted to build capacity and training should be provided to Government and consultants.</li> <li>• Capacity building should be at the core of these new measures and explained in detail.</li> <li>• Participants highlighted problems with baseline information, which prevents proper treatment of issues. Support from development partners is needed.</li> <li>• Private sector at national level often doesn’t have E&amp;S capacity.</li> <li>• Timeframe for project preparation is already lengthy and there are concerns that adding these new sets of measures will increase</li> </ul>

project preparation.

- Need to address Climate Change matters better. More attention is given to mitigation and not enough to adaptation and specifically reduction of Green House Emissions (GHG). African countries are the victims of such process, not producers of GHGs. It would be relevant to begin with pilot projects and assess the experience before the review is finalized.
- Officials also indicated that consolidated comments will also be sent in writing to the safeguards consultation website.
- What happens if an ESS is not triggered during preparation?
- Need for more resources of the Government level for M&E and to account for changes.
- Will ESSs apply retroactively?

**Specific concerns regarding legal aspects, harmonization and country frameworks:**

- EA process: Senegal is bound by 1992 Rio Principle 17 on Environmental Assessment. Need to harmonize with country systems on the EA process.
- ESCP: Clarify its legal standing and its link with the environment and social management safeguard documents
- Explain linkages with existing Bank policies.
- Comment that new Framework is too voluminous.
- Harmonization of procedures is needed for efficient implementation.
- Which standards apply when other partners have more stringent standards?
- Declaration of Paris should be taken into account.
- Standards are more stringent than some of other partners. Question raised on how the WB would remain competitive ( i.e., China)
- Aligning and harmonizing procedures: we are told that the WB is responsible for policies and borrowers have to comply with standards. What do we do with country regulations?
- Why not harmonize with national legislation?
- What happens if ESSs contravene national law?
- Participants asked whether the new framework will take into consideration the national context. They expressed concern that Borrowers don't all have the same country systems. How will these differences be taken into account particularly for transboundary projects?

**2. A Vision for Sustainable Development**

- Participants expressed the need to include Human Rights in the Framework's vision

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

- Need to clarify measures that will be taken to ensure that ESSs will be complied with.

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

- Social and Environmental risk assessment approach needs to be discussed in further detail. It's fairly new to Senegal.
- A participant expressed his interest in having a slide or table with the differences between prior risk categorization and the new one
- Borrowers will need further guidance on the new approach for project classification.
- Need to establish differences on upstream impacts and downstream impacts.
- The M&E should be integrated in ESCP
- A participant highlighted the need to take into account the sustainability of projects. In terms of M&E, the main indicators relate to disbursement and the physical implications. At the end of a project, sustainability aspects are difficult to determine as indicators have not been adequately articulated. Therefore there is a need to establish indicators for environment and social impacts within a project M&E framework.
- If risk classification can change over time, would there be additional financial compensation available as part of the project?
- Clarify linkage between the ESCP and the social and environmental safeguard documents.
- Avoid creating lengthy delays in preparation and implementation
- When talking about infrastructure, there are guidelines in place but with various challenges. These challenges are not tackled in the same manner. For example for the Toll road, will this new Framework facilitate a more integrated approach to implementation? If so, how?
- Participants asked what is the linkage between the national EIA process and the WB processes, particularly regarding consultations required under national law
- Need for countries to spell out laws on project related risks.

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

- Participants expressed concern on how cultural realities are taken into account. (For example, a farmer who needs his children to help him cultivate the land)
- ESS2 includes non-discrimination and equal treatment. Do local realities conflict with this principle?
- Who is responsible of negative impacts of child labor or gender related impacts?
- Problem of lack on control vis a vis contractors. Follow up measures are not available.

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

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

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**8. Environmental and Social Standard 5 (ESS5): Land Acquisition, Restriction on Land Use and Involuntary Resettlement**

- Compensation of people without title creates inequitable treatment.

<ul style="list-style-type: none"> <li>• In some cases of projects involving resettlement, high level of compensation is paid to project affected people. This creates inequity and social tensions with others.</li> <li>• Participants expressed the need for stronger measures that take into account the needs of the host communities and avoid risks of social conflict.</li> <li>• Indemnification will vary depending on who is financing. State needs more clarity on how to deal with the issue of inequitable treatment and tensions with host communities.</li> </ul>
<p><b>9. Environmental and Social Standard 6 (ESS6): Biodiversity Conservation and Sustainable Management of Living Natural Resources</b></p>
<ul style="list-style-type: none"> <li>• Senegal does not have baseline information on critical habitats. No nomenclature on critical habitats in Senegal. Because of that, implementing this standard will be difficult.</li> </ul>
<p><b>10. Environmental and Social Standard 7 (ESS7): Indigenous Peoples</b></p>
<ul style="list-style-type: none"> <li>•</li> </ul>
<p><b>11. Environmental and Social Standard 8 (ESS8): Cultural Heritage</b></p>
<ul style="list-style-type: none"> <li>•</li> </ul>
<p><b>12. Environmental and Social Standard 9 (ESS9): Financial Intermediaries</b></p>
<ul style="list-style-type: none"> <li>• Participants discussed their experience with WB projects and other donors. Specific comments referred to industrial projects that have funding from different groups and not all of them have the same standards? Some industries use obsolete technologies, others have clean technologies. Level of effort during operations varies.</li> </ul>
<p><b>13. Environmental and Social Standard 10 (ESS10): Information Disclosure and Stakeholder Engagement</b></p>
<ul style="list-style-type: none"> <li>• What measures have been in place so that local communities are involved in monitoring and evaluating projects?</li> <li>• Need to make sure that all voices are taken into account.</li> <li>• In some contexts women cannot speak in presence of men. Need for separate focus groups.</li> <li>• Might be good to develop <b>gender based action plans</b>. To account for vulnerable groups to voice their concerns. Women and children are the most exposed. Need to include their views.</li> <li>• Capacity building on new standards is a must. Budget issues could arise.</li> <li>• Proper dissemination of guidelines is needed.</li> <li>• Need to provide capacity building for our private partners.</li> <li>• During consultations, participation of the private sector is only partly taken into consideration by the Bank.</li> <li>• Need to take into consideration all groups, including affected communities.</li> <li>• What to do during a public investigation. How to better use resources. Projects are bound to fail because local communities need to accept the project implementation. Capacity building is required in this area.</li> </ul>

Bank representatives thanked participants for their valuable insights and encouraged them to submit further comments via:  
<https://consultations.worldbank.org/forums/forum-review-and-update-world-bank-safeguard-policies>

Additional information including links to the policies, annexes, fact sheets on the Framework and Q&A can be found at the World Bank Safeguards Consultations site: <http://consultations.worldbank.org/consultation/review-and-update-world-bank-safeguard-policies>