



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

Date: November 12, 2014

Location (City, Country): Oslo, Norway

Audience (Government, CSO, etc.): Regional Government Representatives from Sweden, Denmark, Iceland, Finland, Lithuania and Norway.

Overview and Key Issues Discussed:

Bank representatives welcomed the participants present in Oslo. They provided an [overview](#) of the process undertaken to date on the review and update of the policies and presented the draft “Environmental and Social Framework: Setting Standards for Sustainable Development.” Participants were then invited to ask questions and to express their views. For purposes of conciseness, the following summary highlights comments and recommendations that were provided by individual representatives; collective comments and recommendations are noted as such.

Specific Feedback from Stakeholders
<p>1. General Comments</p> <p><i>Comments:</i></p> <ul style="list-style-type: none"> • Within the Bank’s current categorization system, only 9% of all projects are considered Category “A” projects, which means that approximately 90% of the projects do not carry the same levels of Supervision. It is unclear how this situation will improve with the new ESSs. • Currently, the safeguards instruments are “front-loaded” during project preparation. The Nordic Countries have heard considerable concern from local NGOs about the Bank’s incentive system not providing sufficient resources to ensure proper supervision of these instruments during implementation. • What happens when a country requests a P4R operation rather than an Investment Lending (for which the Safeguards apply)? Can this be considered an “opt-out”? • The lack of consistent integration of gender equality in the draft framework is of particular concern for the Nordic Countries. The use of non-discrimination is not concise enough to consistently reflect and address the different needs of women, men, boys and girls, which is paramount to realize the Bank’s twin goal of poverty eradication and shared prosperity. <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> • The draft needs to be in accordance with the UN standards. In the case of the African Development Bank, they have adopted [some] ILO standards.
<p>2. A Vision for Sustainable Development</p>

Specific Feedback from Stakeholders
<p><i>Comments:</i></p> <ul style="list-style-type: none"> • The Bank’s reference to human rights within the Vision Statement was welcomed (but see recommendations below). • There were different opinions on the level to which the Bank should be involved in the application of human rights. While recognizing that it is the state’s responsibility to fulfill their human rights obligations, it was emphasized that the Bank should support states in upholding its own obligations to the international human rights standards. Human rights instruments relevant to the project should be used. <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> • The Nordic Governments urged the Bank to adopt the UN Guiding Principles on Business and Human Rights • There is an established set of norms on human rights (e.g., no torture, the right to education) – these should be included in the Bank’s draft, including in the operational safeguards. • The Bank should take a more active role in increasing the policy coherence and better integrate human rights into its assessments through human rights-based due diligence
<p>3. World Bank Environmental and Social Policy</p>
<p><i>Comment:</i></p> <ul style="list-style-type: none"> • There are inherent tensions within the policies, which may lead to conditionalities. The implications rely on the ownership of the Borrowers.
<p>4. Environmental and Social Standard 1 (ESS1): Assessment and Management of Environmental and Social Risks and Impacts</p>
<p><i>Comments:</i></p> <ul style="list-style-type: none"> • The scope of the application of the assessments and the categorizations are of concern with the draft safeguards. The 2010 IEG Report notes that only 9% of the projects are category A project which are better managed than other investment projects – how will the draft Safeguards improve this? <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> • Social assessments should be seen as part of the risk and sustainability analysis and be linked to expected outcomes.
<p>5. Environmental and Social Standard 2 (ESS2): Labor and Working Conditions</p>
<p><i>Recommendations:</i></p> <ul style="list-style-type: none"> • The draft should come closer and refer explicitly to the ILO Standards on labor.
<p>6. Environmental and Social Standard 3 (ESS3): Resource Efficiency and Pollution Prevention</p>
<p><i>Comments:</i></p> <ul style="list-style-type: none"> • How will the ESS meet issues such as the Cancun Safeguards on REDD+? • This ESS has a passing reference to climate and Green House Gas accounting - how will the Bank pursue this operationally in projects? • It is unclear within the World Bank Group will be harmonizing the policies regarding the quantities of CO2 emissions. • It was questioned whether a separate ESS on Climate Change should be included as it is unclear how activities/policies will be developed across the portfolio.
<p>7. Environmental and Social Standard 4 (ESS4): Community Health and Safety</p>

Specific Feedback from Stakeholders
8. Environmental and Social Standard 5 (ESS5): Land Acquisition, Restriction on Land Use and Involuntary Resettlement
<p><i>Recommendation:</i></p> <ul style="list-style-type: none"> The UN Voluntary Guidelines on Land Tenure should be included as part of the ESS.
9. Environmental and Social Standard 6 (ESS6): Biodiversity Conservation and Sustainable Management of Living Natural Resources
<p><i>Recommendation:</i></p> <ul style="list-style-type: none"> It was recommended that guidance for biodiversity and natural habitats are revised to ensure that the formal and informal rights of stakeholders are respected; that protected areas are granted the same protection as in the current policies and that current practice of certification is strengthened.
10. Environmental and Social Standard 7 (ESS7): Indigenous Peoples
<p><i>Comments:</i></p> <ul style="list-style-type: none"> It appears that there is a tension between the international standards and national laws in most countries within this ESS – how will this be reconciled on a project basis? The Nordic-Baltic governments perceive the Bank’s alternative approach as an “opt out” approach. <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> The alternative approach (“opt out”) should be discarded. There should be no exceptions to applying the policy.
11. Environmental and Social Standard 8 (ESS8): Cultural Heritage
12. Environmental and Social Standard 9 (ESS9): Financial Intermediaries
<p><i>Recommendation:</i></p> <ul style="list-style-type: none"> ESS9 should cover all projects, not just high risk ones.
13. Environmental and Social Standard 10 (ESS10): Information Disclosure and Stakeholder Engagement
<p><i>Comment:</i></p> <ul style="list-style-type: none"> There was recognition that the Bank’s approach on disclosure and access to information is very important, in accordance with the Bank’s policy on access to information. The need for <i>meaningful</i> consultations was emphasized. <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> Clarify that the Commitment Plan, the Stakeholder Engagement Plan and the ESA (no “I” since the terms is “Environmental and Social Assessment”?) will all be disclosed, as well as how and when this will happen. This is not explicitly written in the standard.