



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

Date: October 27, 2014

Location: Cairo, Egypt

Audience: Government (Egypt and Yemen) and development partners

Overview:

Bank representatives welcomed the Egyptian and Yemeni participants present in Cairo, consisting of Government Officials, including Project Implementation Units and technical teams. The meeting also included donor partners.

Following welcoming remarks, Bank representatives 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.

Specific Feedback from Stakeholders
1. General Comments
<p><i>Comments:</i></p> <ul style="list-style-type: none"> • The terms “forced” and “compulsory” are used many times throughout the Framework. • Participants were generally concerned about the budgetary implications of implementing the ESCP. • Framework ignores link between poverty eradication and sustainability <p><i>Clarifications:</i></p> <ul style="list-style-type: none"> • A participant sought clarification on how the World Bank would treat differences in the definition of Human Rights, which could vary broadly on the international and national level. • As the Bank shifts responsibility to the Borrower, participants wished to know at which stage of the project the Bank would provide support. • Participants sought clarification on how the project would be structured under the new Framework, and what would be the essential tools to implement it. • Participants requested a comparison table between current OPs/BPs and the new standards to clearly see what are the new requirements. • A participant sought clarification on how issues of international waterways and disputed territories would now be addressed. <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> • The term “standard” has less legal obligation than “policy”. The Bank should reconsider calling its policies standards.
2. A Vision for Sustainable Development
3. World Bank Environmental and Social Policy

Specific Feedback from Stakeholders
<p><i>Comments:</i></p> <ul style="list-style-type: none"> • A Participant emphasized that the word “commitment” is used repeatedly throughout the Framework, which entails a huge burden on the Borrower. In the case where the institutional capacity of the borrower is not sufficient, the Bank should provide clear tools to support capacity building, and ensure qualified persons handle the projects from the Borrower’s side. <p><i>Clarifications:</i></p> <ul style="list-style-type: none"> • A participant sought clarity on the difference between ESCP and EMP. • Big part of responsibility is shifted to the Borrower under the proposed Framework. Therefore the Bank needs to clarify and ensure it has the supporting mechanism to guide the Borrower in implementing the ESCP. • Participants sought clarification on the timeframe and concrete tools needed to implement the ESCP. • Further explanation should be provided on what constitutes substantial and high risk in the new risk classification methodology.
<p>4. <i>Environmental and Social Standard 1 (ESS1): Assessment and Management of Environmental and Social Risks and Impacts</i></p>
<p><i>Clarifications:</i></p> <ul style="list-style-type: none"> • A participant referred to ESS1, paragraph 14 and sought clarification on what is represented under “natural disaster” and what standards would apply in such cases “Where the Borrower is deemed by the Bank to: (a) be in urgent need of assistance because of a natural or man-made disaster or conflict” • In paragraph 40: Participant sought clarity on “third parties”, whose responsibility is it to fund them, and how monitoring will take place. • Participants sought clarification on whether social analysis will take into account poor fishermen, as one of the most important vulnerable groups. • In paragraph 33, emissions affecting the environment, a participant sought clarification on whether there will be a distinction made between renewable or non-renewable energy and whether coal usage will be explained. <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> • A participant urged the Bank to conduct thorough environmental and social assessment on international waterways projects as well as affected neighboring countries to adequately assess impact of water resources. Prior notification is not sufficient. • According to paragraph 31 in ESS1: “ <i>For projects that are High Risk or contentious, or that involve serious multidimensional environmental or social risks or impacts, the Borrower may be required to engage one or more internationally recognized independent experts. Such experts may, depending on the project, form part of an advisory panel or be otherwise employed by the Borrower, and will provide independent advice and oversight to the project.</i>” The participant urged the Bank to reconsider and pushed for flexibility on the requirement to find international experts as that may turn out to be difficult and burdensome. • A participant made a suggestion to add local risks and impacts to the global and transboundary ones mentioned in paragraph 33 of ESS1: “ The environmental and social assessment will consider potential project related transboundary and global risks and impacts, such as impacts from effluents and emissions, increased use or contamination of international waterways, greenhouse gas emissions, climate change mitigation and adaptation issues, and impacts on endangered migratory species and their habitats. “

Specific Feedback from Stakeholders
<p>5. Environmental and Social Standard 2 (ESS2): Labor and Working Conditions</p> <p><i>Comments:</i></p> <ul style="list-style-type: none"> • Child labor is prohibited in Egypt. However, paragraph 7 indicates that the Bank will allow it under exceptional circumstances. • Comment was made that Egyptian law required 5 percent of jobs to be attributed to people with disabilities. <p><i>Clarifications:</i></p> <ul style="list-style-type: none"> • A participant sought clarification on project monitoring, especially when it comes to following up at all stages of the project that youth under age do not get employed. <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> • A participant recommended that the Bank require that a majority ratio of recruitment occur locally. • ESS2 should cover contractors, subcontractors and public servants.
<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"> • There is uncertainty about climate change and responsibility of projects to contain it. Participant referred to paragraph 4, footnote 6, and asked whether energy consumption is an industrial process. <p><i>Clarifications:</i></p> <ul style="list-style-type: none"> • Clarification needed on what “technically or financially feasible” means. • In paragraph 6, clarification was sought on how 25,000 tonnes of CO2 would be quantified, and on the quantification criterion for GHG emissions and carbon footprint. <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> • A participant commended Bank for including pollution, GHG, water consumption in the Framework. However, the participant noted energy consumption, renewable resources and conservation were not explicitly mentioned in the Framework, and urged Bank to do so. • Climate change and global warming and climate adaptation should be explicitly mentioned in the Framework.
<p>7. Environmental and Social Standard 4 (ESS4): Community Health and Safety</p> <p><i>Comments:</i></p> <ul style="list-style-type: none"> • Monitoring entity will find it difficult to commit. <p><i>Clarifications:</i></p> <ul style="list-style-type: none"> • Participant requested clarification on the environmental and social components that may be neglected under emergency projects.
<p>8. Environmental and Social Standard 5 (ESS5): Land Acquisition, Restriction on Land Use and Involuntary Resettlement</p> <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> • Problems related to land and the different approaches used on land grabbing in some of the projects (e.g., community donation – often the community pays the owner so that the owner then donates the land) should be explicitly tackled by the Framework.
<p>9. Environmental and Social Standard 6 (ESS6): Biodiversity Conservation and Sustainable Management of Living Natural Resources</p> <p><i>Clarifications:</i></p>

Specific Feedback from Stakeholders
<ul style="list-style-type: none"> Participant sought clarification on whether biodiversity is inclusive of terrestrial and marine biodiversity.
10. Environmental and Social Standard 7 (ESS7): Indigenous Peoples
<p><i>Recommendations:</i></p> <ul style="list-style-type: none"> There are many definitions to Indigenous Peoples, and none are universally approved. The Bank should clearly indicate the reference on which definition of Indigenous is based. The Framework should clearly spell out what kind of “consent” is sought in ESS7, and whether it will be obtained in a verbal or written manner.
11. Environmental and Social Standard 8 (ESS8): Cultural Heritage
<p><i>Comments:</i></p> <ul style="list-style-type: none"> According to paragraph 18: “Where there is evidence of past human habitation in the area of the project, the Borrower will conduct a surface survey to document, map and investigate archaeological remains. The Borrower will document the location and characteristics of archaeological sites and artifacts discovered during the life the project and provide such documentation to the national or subnational cultural heritage authorities“. The requirement to conduct a surface survey, and provide a map is very burdensome as this will be legally binding in the ESCP. The Borrower may not find the necessary information even from the concerned authorities. <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> Paragraph 7, “Should the requirements of ESS8 differ from the provisions under ESS7 that are applicable to cultural heritage of Indigenous Peoples” implies that ESS7 will supercede ESS8. This is wrong, as ESS8 should supercede ESS7 in this case.
12. Environmental and Social Standard 9 (ESS9): Financial Intermediaries
<p><i>Clarifications:</i></p> <ul style="list-style-type: none"> In paragraph 7, clarify what is meant by restructuring of subprojects, and who is responsible for that.
13. Environmental and Social Standard 10 (ESS10): Information Disclosure and Stakeholder Engagement
<p><i>Clarifications:</i></p> <ul style="list-style-type: none"> A participant sought clarity on the difference between “participation” and “consultation” with affected communities and and stakeholders. Clarify how the Bank will ensure meaningful participation of illiterate stakeholders who do not understand the project implication. The consultation process should be rather defined as “consultation” rather than “participation” as consultation is with experts while participation is getting the views of non-experts and the general public. <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> A participant urged the Bank not to consult with simple, local communities who are not aware of the scientific meaning of the environmental and social policies, requirements and implications, and cautioned the Bank from consulting with those who want to take advantage of benefits provided for project-affected communities. The participant further emphasized that their participation should be supported to raise awareness but not for consultation purposes.

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The Bank representatives thanked everyone for their inputs and encouraged participants to submit inputs in writing, in particular on topics that were the subject of much discussion during the consultation.

The address for submitting feedback is: \

<https://consultations.worldbank.org/forums/forum-review-and-update-world-bank-safeguard-policies>

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