



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

Date: November 4, 2014

Location: Dar-es-Salam, Tanzania

Audience: CSOs and Academia from Tanzania, Uganda, and Kenya

Overview and Key Issues Discussed:

Specific Feedback from Stakeholders
<p>1. General Comments</p> <p><i>Comments</i></p> <ul style="list-style-type: none"> • A participant noted that the Bank had been held to account for violations of its policies in the Bujagali project. Environment is not just the physical but rather, it is a multi-dimensional issue. • A participant wanted to obtain more information on the various projects that the Bank finances. • A participant asked about the level of protection available to forest-dependent communities and other marginalized groups that may not necessarily be indigenous. • Information was sought on what protections are available to whistle-blowers under Bank policies. • A participant noted the necessity of including anti-corruption systems in the proposed framework. <p><i>Recommendations</i></p> <ul style="list-style-type: none"> • A participant recommended the adoption of ‘analog forestry’ and ‘agroecological farming’ in environmental impact mitigation measures. • A participant suggested that documentation should be available in braille so that visually impaired people can also read the documents and provide comments. A request was made for enlarged print copies and electronic copies of the same documentation.
<p>2. A Vision for Sustainable Development</p> <p><i>Comments</i></p> <ul style="list-style-type: none"> • The Bank’s characterization of Human Rights as a social issue was misleading since Human Rights implies accountability. <p><i>Recommendations</i></p> <ul style="list-style-type: none"> • A participant recommended the inclusion of a section on manifestations of impact in the introductory section of the proposed framework, noting that this would help understand the various layers of impact. • It was suggested that the framework incorporate notions of ecological justice.

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<p>3. World Bank Environmental and Social Policy</p> <p><i>Comments</i></p> <ul style="list-style-type: none"> • A participant asked about opportunities for third party monitoring. • A participant noted that the framework documents are hardly ever enforced. • There was concern that social analysis seemed to be presented as the answer to everything. • Concern was expressed that Governments tend to avoid areas with Indigenous Peoples in terms of project support. <p><i>Clarifications</i></p> <ul style="list-style-type: none"> • A participant noted that the application of safeguards varies from country to country and that it has been inconsistent. Clarification was sought on the remedies available in cases where borrowers violate the terms of their lending from the Bank. • A participant asked whether a country that has enacted a law criminalizing LGBT would be declared ineligible from receiving Bank support. <p><i>Recommendations</i></p> <ul style="list-style-type: none"> • A participant suggested that gender and access to land should not be captured only in a footnote but should be given greater prominence. • A participant wanted to know how disabled people could be protected from discrimination especially in accessing employment opportunities. The Bank should promote the adoption of disability laws and policies across the world.
<p>4. Environmental and Social Standard 1 (ESS1): Assessment and Management of Environmental and Social Risks and Impacts</p> <p><i>Recommendation</i></p> <ul style="list-style-type: none"> • A participant referred to the virtual absence of children’s rights issues in the draft. It was recommended that this be explicitly mentioned and that the need to assess the unique impacts of projects on children be systematically analyzed.
<p>5. Environmental and Social Standard 2 (ESS2): Labor and Working Conditions</p> <p><i>Recommendation</i></p> <ul style="list-style-type: none"> • A participant recommended specific reference to ILO labor standards in ESS2.
<p>6. Environmental and Social Standard 3 (ESS3): Resource Efficiency and Pollution Prevention</p>
<p>7. Environmental and Social Standard 4 (ESS4): Community Health and Safety</p>
<p>8. Environmental and Social Standard 5 (ESS5): Land Acquisition, Restriction on Land Use and Involuntary Resettlement</p> <p><i>Comments</i></p> <ul style="list-style-type: none"> • A participant expressed solidarity with the CSOs that recently walked out of a consultations meeting in Washington DC noting that this was warranted action.

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<ul style="list-style-type: none"> • Concern was expressed that the “opt out” clause would mean opting out of fundamental rights of Indigenous Peoples, including FPIC for example. • Concern was expressed about the exclusion of land titling projects from ESS5 requirements, as this would endanger communities. • The current ESS 5 does not align with the Voluntary Guidelines on Land Tenure. <p><i>Recommendation</i></p> <ul style="list-style-type: none"> • It was suggested that instead of the “opt out” clause, the Bank should make all rights available to all people. • A participant urged the Bank to include specific instruments that will ensure gender equality. It was noted that land is often owned by men and a commitment is needed to ensure women’s right to land.
9. Environmental and Social Standard 6 (ESS6): Biodiversity Conservation and Sustainable Management of Living Natural Resources
10. Environmental and Social Standard 7 (ESS7): Indigenous Peoples
<p><i>Comments</i></p> <ul style="list-style-type: none"> • A participant noted that ESS7 lowers the levels of protection that Indigenous Peoples have. • A participant asked what became of the P4R consultations that were undertaken earlier and how the proposed standards would apply to P4R operations. • Opting out will weaken the progress that has been made by IPs around the world. <p><i>Clarifications</i></p> <ul style="list-style-type: none"> • Clarification was sought on why the Bank was giving itself the power to undertake screening and to determine who is Indigenous and who is not when “self-identification” is the key criterion. • A participant asked how transparency will be ensured in the application of the ‘alternative approach’ and why the Bank was “exonerating itself from obligations and pushing them to borrower countries” in the proposed framework. • A participant noted that Tanzanian government does not recognize IP groups, such as the Masai. The question was asked how such groups would be protected if the government is given the option of ‘opting out’ of ESS7. <p><i>Recommendations</i></p> <ul style="list-style-type: none"> • It was suggested that the term “Indigenous Peoples” should be dropped from the proposed ESS7.
11. Environmental and Social Standard 8 (ESS8): Cultural Heritage
12. Environmental and Social Standard 9 (ESS9): Financial Intermediaries
13. Environmental and Social Standard 10 (ESS10): Information Disclosure and Stakeholder Engagement

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Comments

- A participant noted that many people are not aware of their right to complain and raise concerns. The Bank needs to spread knowledge and raise awareness about the grievance redress mechanism.