

**Meeting of African Governors of the World Bank Group and the
International Monetary Fund**

27-28 August, 2015

Luanda, Angola

Fourth Session: Update and Review of the World Bank's Safeguard Policies

Statements by Delegates

Ethiopia

The delegate from Ethiopia began his remarks by stating that Ethiopia had already submitted comments on the draft Environmental and Social Framework, including joint written comments on March 26, 2015. He thanked the Bank team for the diligent effort in preparing the framework and for the presentation. He acknowledged that environmental and social safeguards are important building blocks for development. He referred to the Ethiopian national constitution which he said recognizes and protects the rights of individuals or groups including those who are historically disadvantaged, as well as pastoralists. He mentioned that the constitution defines “Nations, Nationalities or Peoples” as a “group of people who have or share large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory.” He stated that Ethiopia therefore has systems in place for the protection of ethnic and vulnerable groups and these are adequate for the purposes of Bank projects. He asked that Bank safeguards and indeed all Bank operational policies should respect national constitutions and national values. With regard to ESS7, he re-emphasized that Ethiopia as well as other African countries had expressed their strong opposition to the use of the term “indigenous peoples” since it could be a source of tension and social instability.

The delegate from Ethiopia further said that the concerns of the African caucus are not simply an argument about terminology on paper but rather something which could and has had negative and violent consequences. He said that the term is inconsistent with the Ethiopian constitution and it undermines the efforts of building and solidifying a harmonious community which has existed for centuries. He expressed frustration that the Bank still uses the term “indigenous peoples” despite the many times in which members of the African caucus have objected to it. He termed this as unfair and disturbing and concluded by saying that no one has the right to impose a certain terminology as a reference for groups in a sovereign country. He urged the Bank to use a broader terminology that would be acceptable to all countries. He appreciated the explanation from the Bank team that there is a possibility for flexibility in the use of terminology but emphasized that such terms should be consistent with national constitutions and should be mutually agreed before they are used. He concluded by saying that the Bank should make every effort to be part of the solution and not the source of problems for its clients.

Kenya

The Minister of Finance from Kenya welcomed the Bank's timely decision to review its safeguard policies. He mentioned that Kenya had faced challenges in implementing the existing safeguard policies with some projects in the Kenya portfolio being delayed or slow in getting to completion. He asked the Bank to look to the procurement reform which relies on the use of country systems. He mentioned that African countries now have strengthened legal systems which provided a good platform for project implementation. He expressed the view that the focus should now be on capacity building so that the established systems can be used more effectively. He expects that the revised framework should rely more on country systems and it should be focused on establishing general standards and highlighting best practices.

On the issue of "indigenous peoples" he said that this was still a major point of concern. He emphasized that since members of the African caucus had provided a strong basis for not applying ESS7 in the African context, the Bank team should drop the idea and find a "much better terminology" (than "Indigenous Peoples") that may be acceptable. He was of the view that having come to the third round of consultations, it would be a waste of time for the Bank to continue consulting on the basis of the current terminology. He asked the Bank to come up with a different proposal on this specific point in order to be able to move forward. Finally, he raised the issue of "implementability" of the proposed framework. He said he welcomed the 'road-testing' and proposed that projects in the Kenya portfolio should be included in the exercise. He said that he was aware the Bank team has to balance differing viewpoints including from CSOs and developed countries but he emphasized that paying attention to borrower perspectives was equally critical. Finally, he asked that borrower countries should be represented on the team that is conducting the safeguards review in order to ensure that this perspective is part of what is taken into account.

Nigeria

The delegate from Nigeria sought clarification as to whether ESS7 includes "illegal settlers." He said that he was seeking clarity because the Bank has been encouraging clients to pay compensation to people breaking the law which should not happen.

Namibia

The Minister of Finance from Namibia said that his country has what he thought would be specific and unique concerns with the concept of "indigenous peoples." He said that his country liberated itself from a system of apartheid that was based on racial discrimination under the pretext of preserving racial diversity. Hence, to put in place safeguards for specific groups of people within a unitary state based on inclusive approaches and equality of opportunity would "come very close to a system that is oppressive like apartheid." He emphasized that Namibia had systems in place that ensure no one is left behind. There should therefore be no need to carve out special rights for certain groups as this would amount to discriminating against the majority. He agreed with the other speakers that the

Bank must engage carefully especially when attempting to define a certain group as indigenous within a country where national boundaries were drawn up in an artificial manner by colonial powers. He concluded by saying that ‘divide and rule’ should never be allowed and the proposed standard may open the door for that.

Angola

The Chairman and Minister of Finance of Angola of the caucus closed the discussion on the topic by reminding the Bank team that the issue of ‘indigenous peoples’ had been extensively discussed in previous meetings and that African countries had made themselves very clear on the issue. He asked the team to ensure that these views from the African caucus are taken into consideration.