



Review and Update of the World Bank's Environmental and Social Safeguard Policies Phase 3 Feedback Summary

Date: February 8, 2016

Location: Addis Ababa, Ethiopia

Audience: Ethiopian Government Officials from Multiple Ministries

Overall Comments

- ❖ The following feedback summary captures the comments that were made during the Consultation Meeting held in Addis Ababa, Ethiopia, with Ethiopian government officials. The meeting was well attended and included representatives from several government ministries. The meeting was held under Chatham House Rules.
- ❖ In general the Government of Ethiopia acknowledged the need for the review of the old safeguards policies and welcomed the proposed framework and the efforts the Bank is making to get input from its shareholders. Below are some of the general comments that were stated during the meeting while more specific comments can be found in the table within the various standards.
 - The **Government of Ethiopia** stated that their national environmental and social management framework was equitable to that of the World Bank.
 - They expressed that issues pertaining to women deserve a more prominent role in the Environmental and Social Framework.
 - Additionally, the **Government** highlighted that there should be greater clarity regarding how contractors will comply with the proposed Environmental and Social Framework.
 - They also stated that there was no need for explicit listing of groups by religion, sexual orientation and gender identity in the proposed Environmental and Social Framework.

- Regarding Environmental and Social Standard 7, the **Government of Ethiopia** stated that it preferred the use of the word “Consultations” over “Consent.”
- The **Government** underscored that measuring and monitoring greenhouse gas (GHG) emissions in Bank projects would be a very costly exercise and that it could lead to delaying project implementation.

Key: C = Comment and Q = Question

ESF	Issue	Items	Feedback
Vision	Human Rights	1. Approach to human rights in the ESF	
ESP/ ESS1	Non-discrimination and vulnerable groups	2. Explicit listing of specific vulnerable groups by type/name (age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantages or indigenous status, and/or dependence on unique natural resources) 3. Specific aspects of the non-discrimination principle in complex social and political contexts, including where recognition of certain groups is not in accordance with national law	<p>C: Women’s issues deserve a more prominent role in the Framework.</p> <p>C: Women should be further included within the proposed ESF. There should be more mentions of women within the Framework.</p> <p>Q: How are vulnerable peoples addressed within the standard? How, for example, are the aged granted provisions to ensure that they equally access from project benefits?</p> <p>C: The list of possible groups that are discriminated against should eliminate SOGIE and Religion.</p> <p>C: There is no focus on women issues throughout the ESSs.</p> <p>Q: What is the Bank’s stand regarding gender issues at the project level? Does the Bank have a policy or strategy?</p> <p>C: The Government of Ethiopia (GOE) expressed that there should not be explicit listing of groups in terms of religion, sexual orientation and gender identity.</p>

	Use of Borrower's Environmental and Social Framework	<p>4. Role of Borrower frameworks in the management and assessment of environmental and social (E&S) risks and impacts where these will allow projects to achieve objectives materially consistent with Environmental and Social Standards (ESSs)</p> <p>5. Approach for making decision on the use of Borrower frameworks, including the methodology for assessing where frameworks will allow projects to achieve objectives materially consistent with the ESSs, and the exercise of Bank discretion</p> <p>6. Role of Borrower frameworks in high and substantial risk projects</p>	<p>C: The GOE expressed that their national environmental and social management framework was equitable to that of the Bank.</p> <p>C: The GOE expressed that the Bank should use countries' framework. The Bank should help countries in strengthening the countries' frameworks by building institutional capacity.</p>
	Co-financing/ common approach	7. Arrangements on E&S standards in co-financing situations where the co-financier's standards are different from those of the Bank	
	Adaptive risk management	8. Approach to monitoring E&S compliance and changes to the project during implementation	
	Risk classification	9. Approach to determining and reviewing the risk level of a project	
ESS1	Assessment and management of environmental and social risks and impacts	<p>10. Assessment and nature of cumulative and indirect impacts to be taken into account</p> <p>11. Treatment of cumulative and indirect impacts when identified in the assessment of the project</p> <p>12. Establishing project boundaries and the applicability of the ESSs to Associated Facilities, contractors, primary suppliers, FI subprojects and directly funded sub-projects</p> <p>13. Circumstances under which the Bank will determine whether the Borrower will be required to retain independent third party specialists</p>	C: ESS 1 should cover indirect and cumulative impact analysis as well as waste and pollutant transfer in urban planning projects.
	Environmental and Social Commitment Plan (ESCP)	14. Legal standing of the ESCP and implications of changes to the ESCP as part of the legal agreement	
ESS2	Labor and working conditions	15. Definition and necessity of and requirements for managing labor employed by certain third parties (brokers, agents and intermediaries)	Q: How do you ensure that contractors are well monitored and that they respect occupational work and safety guidelines?

		<p>16. Application and implementation impacts of certain labor requirements to contractors, community and voluntary labor and primary suppliers</p> <p>17. Constraints in making grievance mechanisms available to all project workers</p> <p>18. Referencing national law in the objective of supporting freedom of association and collective bargaining</p> <p>19. Operationalization of an alternative mechanism relating to freedom of association and collective bargaining where national law does not recognize such rights</p> <p>20. Issues in operationalizing the Occupational Health and Safety (OHS) provisions/standards</p>	<p>C: There should be greater clarity on the standards that contractors must abide by.</p>
ESS3	Climate change and GHG emissions	<p>21. The relation between provisions on climate change in the ESF and broader climate change commitments, specifically UNFCCC</p> <p>22. Proposed approaches to measuring and monitoring greenhouse gas (GHG) emissions in Bank projects and implications thereof, in line with the proposed standard, including determining scope, threshold, duration, frequency and economic and financial feasibility of such estimation and monitoring</p> <p>23. Implications required for the Borrower of estimating and reducing GHG emissions for Bank projects, in line with the proposed standard</p>	<p>C: It is good that climate change is considered, but there needs to be a more balanced view between mitigation and adaptation.</p> <p>Q: The GOE expressed the view that measuring and monitoring greenhouse gas (GHG) emissions in Bank projects would be a very costly exercise. It would also delay project implementation.</p> <p>C: The GOE expressed the view that this requirement should be withdrawn from the ESF.</p> <p>C: In the ESF, provisions on climate change mitigation and climate change mitigation should be balanced.</p>
ESS5	Land acquisition and involuntary resettlement	<p>24. Treatment and rights of informal occupants and approach to forced evictions in situations unrelated to land acquisitions</p> <p>25. Interpretation of the concept of resettlement as a “development opportunity” in different project circumstances</p>	<p>C: Resettlement is only undertaken on a voluntary basis in Ethiopia.</p> <p>C: People in the area where projects are happening, who will be displaced, whose cultural values will be affected should not be called project-affected- people (PAPs). That is an insufficient and confusing term that lumps them together with everyone else.</p>

			<p>C: Squatters should be compensated for loss of livelihoods and land.</p> <p>C: Ethiopian law mandates that assistance is provided to people who do not hold legal rights to land.</p> <p>C: PAPs should be notified of any adverse effects that may fall on them with enough time in advance.</p>
ESS6	Biodiversity	<p>26. Operationalization of the provisions on primary suppliers and ecosystem services, especially in situation with low capacity</p> <p>27. Role of national law with regard to protecting and conserving natural and critical habitats</p> <p>28. Criteria for biodiversity offsets, including consideration of project benefits</p> <p>29. Definition and application of net gains for biodiversity</p>	<p>Q: Does the ESF include measures to ensure the transfer of ecological technologies?</p>
ESS7	Indigenous Peoples	<p>30. Implementation of the Indigenous Peoples standard in complex political and cultural contexts</p> <p>31. Implementation of ESS7 in countries where the constitution does not acknowledge Indigenous Peoples or only recognizes certain groups as indigenous</p> <p>32. Possible approaches to reflect alternative terminologies used in different countries to describe Indigenous Peoples</p> <p>33. Circumstances (e.g. criteria and timing) in which a waiver may be considered and the information to be provided to the Board to inform its decision</p> <p>34. Criteria for establishing and implementation of Free, Prior and Informed Consent (FPIC)</p> <p>35. Comparison of proposed FPIC with existing requirements on consultation</p> <p>36. Application of FPIC to impacts on Indigenous Peoples' cultural heritage</p>	<p>C: The government has two main concerns: the title of the policy and its content; how it is applied.</p> <p>C: The Bank should use the term historically underserved communities instead of Indigenous Peoples (IPs).</p> <p>C: The government underscored their stand that there are no IPs in Ethiopia. The term IP does not apply to Ethiopia they said and will not be accepted.</p> <p>C: For historical reasons some communities have been disadvantaged and should be referred to as “historically underserved” or “historically disadvantaged.”</p>

			<p>C: The government has institutions, such as Pastoral Affairs, that take care of communities that have been historically marginalized.</p> <p>Q: What is the extent of the application of FPIC?</p> <p>Q: Is Consent operationally equivalent to Consultations leading to Broad Community Support?</p> <p>C: The government prefers the use of the term “Consultations” as stated in the current ESF. If FPIC means “consultations leading to broad community support”, then this should be written as such in the ESF.</p>
ESS8	Cultural Heritage	<p>37. Treatment of intangible cultural heritage</p> <p>38. Application of intangible cultural heritage when the project intends to commercialize such heritage</p> <p>39. Application of cultural heritage requirements when cultural heritage has not been legally protected or previously identified or disturbed</p>	
ESS9	Financial Intermediaries	<p>40. Application of standard to FI subprojects and resource implications depending on risk</p> <p>41. Harmonization of approach with IFC and Equator Banks</p>	
ESS10	Stakeholder engagement	<p>42. Definition and identification of project stakeholders and nature of engagement</p> <p>43. Role of borrowing countries or implementing agencies in identifying project stakeholders</p>	<p>Q: Is the approach to stakeholder consultation and engagement changing?</p> <p>Q: When will the borrower be required to consult with stakeholders?</p> <p>Q: Where can we find a detailed explanation of what stakeholder consultation and engagement entails?</p> <p>C: The World Bank needs to clarify exactly what the consultation process entails.</p>

			C: The World Bank needs to clearly state who should be consulted and how many times.
General	EHSG and GIIP	44. Application of the Environmental, Health and Safety Guidelines (EHSGs) and Good International Industry Practice (GIIP), especially when different to national law or where the Borrower has technical or financial constraints and/or in view of project specific circumstances	
	Feasibility and resources for implementation	45. Implementation and resource implications for Borrowers, taking into account factors such as the expanded scope of the proposed ESF (e.g., labor standard), different Borrower capacities and adaptive management approach 46. Mitigation of additional burden and cost and options for improving implementation efficiency while maintaining effectiveness	C: The proposed ESF may cause a greater burden on the borrower.
	Client capacity building and implementation support	47. Funding for client capacity building 48. Approaches and areas of focus 49. Approach to implementing the ESF in situations with capacity constraints, e.g., FCS, small states and emergency situations	C: The GOE expressed that they required capacity building in the areas of climate change and greenhouse gas emission measurements. C: The World Bank should focus on building the capacity of countries on environmental and social issues. Bridging that gap should be the Bank's top priority. C: There may be decreasing marginal costs in the implementation of the proposed ESF, especially in cases where the incremental changes are low to none. This will be true when building capacity to address new issues from the proposed ESF.
	Disclosure	50. Timing of the preparation and disclosure of specific environmental and social impact assessment documents (related to ESS1 and ESS10)	
	Implementation of the ESF	51. Bank internal capacity building, resourcing, and behavioral change in order to successfully implement the ESF	

		52. Ways of reaching mutual understanding between Borrower and Bank on issues of difficult interpretation	
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Other issues

Q: Has the World Bank made an assessment on the cost implications of the new Framework?

C: Several countries have improved their environmental and social management capacity. The World Bank should therefore decrease its environmental and social management requirements, not increase them.

C: The World Bank is increasing its requirements and making them more difficult to fulfil.

C: The cost of implementing the proposed ESF will likely be offset by avoiding the risks that could emerged if it is not followed.

Q: Is there a safeguards policy on sanitation, hygiene, and wastewater management?

Q: Why are aspects pertaining to traffic accidents included in the Framework?

C: More time should be allocated to project preparation so that there is sufficient time to evaluate environmental and social impacts.

Q: Most of the Occupational and Health Safety provisions fall under the contractor's responsibility. How do we assure that the contractor applies them?

C: There is a need to build institutional capacity in managing contractors.

C: Project preparation should be given enough time to enable the borrower to present a good product.