



The World Bank

Review and Update of the World Bank's Environmental and Social Safeguard Policies Consultation Meeting at Norad, Ruseløkkvn 26, 0251 Oslo, Norway

On December 4, 2012 from 10.00 to 13.00, a multi-constituency meeting to discuss the World Bank safeguards review and update process was chaired by the Norwegian Agency for Development Cooperation, Norad. The meeting was opened by the Ministry of Foreign Affairs. Around 20 people from civil society organizations, the private sector and bilateral partners participated in the meeting (see Annex 1).

Comments and questions from the participants included the following:

- When reviewing the safeguards it is important to be clear on what constitutes acceptable and defensible safeguards, and what outcomes must be avoided. That is, the Safeguards review should lead to the Safeguards being better, more efficient tools in guiding World Bank investment lending, while a dilution of the Safeguards should be avoided.
- Participants appreciated the clear message that the Safeguards review is not a dilution. A next step should be to ensure that the review leads to an upwards harmonization of safeguards.
- There should be new, clear and more effective Bank guidelines to facilitate project implementation and communication with governments. The guidelines should be user-friendly and operational, for donors, recipients and those contracted. Furthermore it should be noted that not all government agencies have the authority to enforce the guidelines.
- The updated Safeguards should not be restricted to investment lending but apply to all Bank instruments, be they lending or non-lending. This is a matter that should be discussed with the Board before the first draft.
- Voluntary standards are not efficient enough to achieve the development impacts that the Bank aims for. Safeguards must therefore be mandatory.
- Even if the Bank considers IFC standards to be up to date, there is still room for improvement. Human rights due diligence, for instance, is still voluntary, and businesses self-report. The Bank must maintain oversight of Safeguards implementation.
- The World Bank's current standards are not as high as those of IFC, which are seen as "best in class."

- The Inspection Panel should be included in the review process. The Safeguards consultation process must give an explicit role to the Inspection Panel in the new system to be effective.
- While it is ambitious to have safeguards apply in countries around the world, the World Bank should continue to ensure clear definition of terms. Some terms such as principle or consent can be vague and lead to lack of accountability.
- The World Bank should set a global standard. How can this review help make human rights the starting point for safeguards?
- When evaluating country systems under OP 4.00, how is the Bank evaluating a weak/strong country? It was suggested to use the United Nation's system to evaluate countries and apply the UNCTAD criteria for responsible borrowing, which in return would shift the focus of Bank lending from volume to the extent to which the lending is responsible.
- Environment and social planning instruments are important; Safeguards should be included on the planning level and measures taken to ensure that Safeguards are implemented concomitantly with project progress.
- The Safeguards review should provide clear guidance on how human rights will be addressed in a practical manner.
- The Bank has a defining role on the global stage and other institutions look to it. To what extent is the World Bank working to better harmonize with other bodies?
- How do World Bank Safeguard standards compare with those of the African Development Bank?
- Official Norwegian Government policy is to harmonize Safeguards standards upwards. It was advised that the Bank use similar criteria for the Safeguards review.
- Reference was made to private sector complaints that safeguards imply costs and thereby constitute a competitive disadvantage against emerging market companies. How can the World Bank evolve its standards and meet competitiveness from emerging countries at the same time?
- More practical guidance is needed on gender sensitive standards and how they can be made operational.
- The Bank should include persons with disabilities in its consultations process as well as in the process of monitoring, planning and implementing (make sure that all consultation meetings are accessible). There should be clear internal standards so they are fully integrated in all aspects. Systematic cross cutting inclusion in all policies should be ensured, based on UN language. Binding disability rights should be adopted in projects.

- The risk of under-categorization of projects is important to take into consideration in the Safeguards update (for example, a project categorized as “B” when it should be “A.”)
- The role of panels of experts should be enhanced and adequate supervision provided to ensure that Safeguards are being implemented.
- Land use and land grabs are an issue. Can the Bank align its Safeguards with the May 2012 FAO guidelines?
- Safeguards should address climate change risk. Will the WDR2014 deal sufficiently with climate risk? What are the implications for the Safeguards review? To what extent is the Bank taking cues from international climate conventions?
- Guidelines from the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation. (UN REDD) should be followed.
- Current Bank Safeguards slow processes down to an unhelpful pace. It will be important for the review to consider how the revised Safeguards can be applied faster and more efficiently.
- What does FPIC really mean? What is the minimum requirement for consent? And how will the revised Safeguards include FPIC? Participant suggested using consent by “Forestry Stewardship Councils” as a benchmark (see Annex 2).
- Evaluations show that better incentives are key to success, notably incentives for politicians and bureaucracies. Is the Bank using WBI political economy analysis as input to the Safeguards review?
- Participants made reference to the IEG evaluation that applying safeguards is less costly than not using them.
- Practical guidance on how to apply safeguards and standards will be helpful.

The following written inputs were forwarded by participants:

NORAD:

- Noted appreciation of the open and inclusive Safeguard consultation process – in itself is a good example of how to develop and run programmes.
- The revision of the environmental and social safeguards policies provide examples of a commitment to introduce a principled approach to the global economy.
- The legal obligations voluntarily adopted by states across the globe to comply with the principles enshrined in international human rights law are significant. Practical, concrete tools for programme development. LIRE recommends PANTHER: participation, accountability, non-discrimination, transparency, human dignity, empowerment and rule of law (principles of human rights-based development programming). The principles of human rights-based development should provide the bedrock of the new safeguards.

The UNDP Oslo Governance Center:

- Following up on our discussion, here is some information about the UNDP-UNEP Poverty-Environment Initiative: <http://www.unpei.org/> and here is the Evaluation Report that was mentioned: <http://www.unpei.org/PDF/PEI-Africa-pilot-programme-2004-2008-evaluation.pdf>
- The point made during the consultation, and which is surely well known in the Bank, is that unless there is political will, safeguards alone are not enough – they need to be enforced. Although social and environmental safeguards could go a long way in *the planning stage* to ensure that loans for specific projects do not have adverse consequences, those who have to ensure that a project is implemented in a manner that follows the agreed parameters within a specific safeguard policy at the national level are still subject to an array of incentives that may lead to implementation looking very different than intended.
- This makes the case for recommending a political economy analysis to see where the landmines may lie in terms of compliance with safeguards. WBI has put a lot of thinking into formulating a political economy analysis framework for the Bank which can be useful in these cases. UNDP's, which was developed in Oslo, is similar but puts more emphasis on a stakeholder analysis as a means to identify like-minded stakeholders who can engage in collective action (and act as watchdogs for safeguard compliance, for example) and formulate risk mitigation strategies. It is available at http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/oslo_governance_centre/Institutional_and_Context_Analysis_Guidance_Note/.

GIEK (Norwegian Export Credit Agency):

- Suggested the Bank participate in the next OECD “Practitioners’ meeting” in Hamburg end January (the Environmental Practitioners of the OECD Export Credit Group).

Annex 1. Participant List



The World Bank

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Consultation Meeting – Participant List

Date: 4 Dec 2012

Venue: Infosenter at Norad, Ruseløkkvn 26, 0251 Oslo, Norway

Total Number of Participants: 27

No.	Participant Name	Organization Represented	Organization Type
1	Erik Helland-Hansen	Norconsult	Private sector
2	Kevin C.R. Burton	Norconsult	Private sector
3	Ingvild Reymert	Norwegian Church Aid (NCA)	NGO
4	Elin Fjestad	The Atlas Alliance	NGO
5	Ronny Hansen	Rainforest Foundation Norway	NGO
6	Ingrid Harvold Kvangraven	The Norwegian Coalition for Debt Cancellation (Slettgjelda)	NGO
7	Gina Ekholt	The Norwegian Coalition for Debt Cancellation (Slettgjelda)	NGO
8	Dona Hoxha	FIAN Norway (FoodFirst Information and Action Network)	NGO
9	Tom Henning Bratlie	FIAN Norway (FoodFirst Information and Action Network)	NGO
10	Trond Sæbø Skarpeteig	FIAN Norway (FoodFirst Information and Action Network)	NGO
11	Hans Morten Haugen	Forum for Environment and Development	NGO
12	Ane Schjolden	Forum for Environment and Development	NGO
13	Nikolai Ostrat Owe	Guarantee Institute for Export Credits (GIEK)	Government
14	Ivar T. Jorgensen	Norad	Government
15	Giske C.Lillehammer	Norad	Government
16	Hans Olav Ibrek	Norad	Government
17	Parvez Kapoor	Norad	Government
18	Livia Costa Kramer	Norad	Government
19	Evelyn Hoen	Norad	Government
20	Knut Gakkestad	Norad	Government
21	Margot Skarpeteig	Norad	Government

No.	Participant Name	Organization Represented	Organization Type
22	Ingrid Marie Mikelsen	Ministry of Foreign Affairs	Government
23	Bjørn Brede Hansen	Ministry of Foreign Affairs	Government
24	Harriet Solheim	Ministry of Foreign Affairs	Government
25	Claudia Melim-Mcleod	UNDP Oslo Governance Center	Multilateral
26	Tina Hageberg	UN REDD	Multilateral
27	Marianne Johansen	Ministry of Environment	Government
28	Johan Tingulstad	Statkraft	State owned energy company

