



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

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**Date: September 25, 2014**

**Location (City, Country): Tbilisi, Georgia**

**Audience (Government, CSO, etc.): Regional Civil Society and Private Sector**

**Overview and Key Issues Discussed:**

Bank representatives welcomed the participants present in Georgia and via video conference from Armenia and Ukraine. They presented 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 express their views.

<b>Specific Feedback from Stakeholders</b>
<p><b>1. General Comments</b></p> <p><i>Comments:</i></p> <ul style="list-style-type: none"> <li>• The efforts of the Bank to develop the new framework are highly appreciated.</li> <li>• There are high expectations placed on Bank projects for the value they may bring, and this should not be underestimated.</li> </ul> <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> <li>• More training and workshops are needed on the new policies and procedures.</li> </ul>
<p><b>2. A Vision for Sustainable Development</b></p>
<p><b>3. World Bank Environmental and Social Policy</b></p> <p><i>Clarifications:</i></p> <ul style="list-style-type: none"> <li>• Clarification was sought on how the Bank plans to implement protection against discrimination – in this example sexual orientation – when it is a sensitive issue in a country or even against national law.</li> <li>• Clarification was sought on how CSOs would monitor project conditionalities.</li> </ul> <p><i>Comments:</i></p> <ul style="list-style-type: none"> <li>• It seems that under the new framework, there will be more focus on infrastructure (projects) and less on policy (working to change governance).</li> <li>• The draft Framework seems to be a dilution of current clear requirements for environmental assessment, placing greater dependence on subjective judgment of World Bank staff. How transparent will the World Bank’s risk assessment be?</li> <li>• If the Bank does not feel national law is adequate, then it should rely on its own requirements.</li> </ul> <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> <li>• Civil society organizations need a platform to send complaints or recommendations, whether through the country/regional offices or headquarters.</li> </ul>

<b>Specific Feedback from Stakeholders</b>
<ul style="list-style-type: none"> <li>The Bank appears to be moving toward more high risk projects; there should be clarity on how risks will be classified and managed.</li> </ul>
<b>4. Environmental and Social Standard 1 (ESS1): Assessment and Management of Environmental and Social Risks and Impacts</b>
<p><i>Clarifications:</i></p> <ul style="list-style-type: none"> <li>Participants sought clarification on implementation under the new framework, regarding use of the Borrower’s environmental and social system, new instruments, risk classification and internal Bank reorganization.</li> <li>Participants sought clarification on how elements of the ESCP could be implemented successfully when they take place several years after project approval (such as resettlement plans). Current policy contains specific requirements, whereas the new policy only has a commitment, which can change over time.</li> <li>Clarification was sought on the type of technical instruments that can be used in the ESCP to establish how plans will be implemented later in the project’s life and to determine who will be responsible.</li> <li>Participants sought clarification on who would have responsibility, and how social issues might be addressed, if such issues are identified during a project but do not relate specifically to it.</li> </ul> <p><i>Comments:</i></p> <ul style="list-style-type: none"> <li>The current policies are very concrete; the new policies have become much more fluid. It is not clear that this is a good thing, particularly in countries that do not have strong environmental or social legislation.</li> <li>It is difficult as a practitioner to determine efficiency of resource use; this can vary from country to country and sector to sector. It may be too much to incorporate into a policy. It seems that it will be more subjective – not standardized – more related to the Board’s opinion and less quantified. It is difficult to imagine how it will work. For instance, if SEIA is not used to develop a country hydropower master plan because each project will have an environmental assessment at a later date, this will be problematic. It is important not to skip this stage, since governments may be happy to do so.</li> </ul> <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> <li>A human rights assessment should be developed before, not during a project, so that it is well understood how human rights will be impacted, otherwise the Board will not have enough information for approval.</li> </ul>
<b>5. Environmental and Social Standard 2 (ESS2): Labor and Working Conditions</b>
<p><i>Clarifications:</i></p> <ul style="list-style-type: none"> <li>Clarification was sought on which requirements would apply – the Bank’s or the national labor law (noting the difficulties that could arise if different standards were applied to staff working for a Bank-financed project or a Government project without external financing)</li> <li>Clarification was sought on how the Bank’s requirements would apply in the context of the public sector – which employees would be covered.</li> <li>Clarification was sought regarding exemption of certain categories of workers.</li> <li>Clarification was sought regarding countries whose laws do not meet international standards (specific reference was made to text of Paragraph 11 of ESS2, which seems to support workers’ rights to organize and bargain collectively only where such a right is recognized by national law).</li> </ul> <p><i>Comments:</i></p> <ul style="list-style-type: none"> <li>The Bank’s policies should help countries to develop in broader terms, including labor</li> </ul>

<b>Specific Feedback from Stakeholders</b>
<p>conditions.</p> <ul style="list-style-type: none"> <li>• “Fair treatment” objective cannot be achieved through the existing draft of ESS2.</li> </ul> <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> <li>• Training is needed on labor safety issues</li> <li>• ILO Conventions should be adopted as a universal approach, at least for those issues regarded as fundamental, that is – no child/forced labor, freedom of association and collective bargaining – the last two are currently absent from ESS2.</li> <li>• The objectives of ESS2 refer to fair treatment, but this can’t be achieved with current text. Should refer to ILO.</li> <li>• Scope of coverage should apply to contract workers, sub-contract workers and supply chains.</li> <li>• Civil servants should have equal protections.</li> </ul>
<b>6. Environmental and Social Standard 3 (ESS3): Resource Efficiency and Pollution Prevention</b>
<p><i>Recommendations:</i></p> <ul style="list-style-type: none"> <li>• Bank approach to climate change should refer to international environmental law.</li> <li>• There should be a strong methodology for greenhouse accounting and climate change adaptation for all projects (example was cited of EBRD policy being stronger on this aspect).</li> </ul>
<b>7. Environmental and Social Standard 4 (ESS4): Community Health and Safety</b>
<b>8. Environmental and Social Standard 5 (ESS5): Land Acquisition, Restriction on Land Use and Involuntary Resettlement</b>
<b>9. Environmental and Social Standard 6 (ESS6): Biodiversity Conservation and Sustainable Management of Living Natural Resources</b>
<b>10. Environmental and Social Standard 7 (ESS7): Indigenous Peoples</b>
<p><i>Comments:</i></p> <ul style="list-style-type: none"> <li>• There seems to be some dilution of previous policy.</li> </ul> <p><i>Recommendations:</i></p> <ul style="list-style-type: none"> <li>• Indigenous Peoples should be able to self-identify.</li> <li>• It is important to be able to protect the rights of all vulnerable people, whether IPs or not.</li> <li>• An alternative approach should involve a separate policy for disadvantaged ethnic groups, even if they are not minorities; it is important for them to keep their identity</li> <li>• Human rights/impact assessments should be done prior to project approval as the Bank’s Board needs this information to assess project risks.</li> </ul>
<b>11. Environmental and Social Standard 8 (ESS8): Cultural Heritage</b>
<b>12. Environmental and Social Standard 9 (ESS9): Financial Intermediaries</b>
<b>13. Environmental and Social Standard 10 (ESS10): Information Disclosure and Stakeholder Engagement</b>

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Bank representatives thanked everyone for their inputs and encouraged participants to submit written input, in particular on topics that were the subject of much discussion during the consultation, such as addressing the issues of vulnerable people, community engagement, and improving capacity of borrower systems.

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>