



The World Bank

## REVIEW AND UPDATE OF THE WORLD BANK'S ENVIRONMENTAL AND SOCIAL SAFEGUARD POLICIES

Multi-stakeholder Safeguards Consultation  
London, March 7, 2013

The multi-stakeholder consultation meeting was held on March 7, 2013 and facilitated by Richard Burrett (University of Cambridge Programme for Sustainability Leadership, CPSL). After a presentation by the World Bank Safeguards Review Team on the background, intended scope and process for the review, the floor was open for participants' questions and comments.

### SUMMARY

#### PPROCESS of REVIEW AND CONSULTATIONS

- **Agenda of the meeting.** Preference expressed by some in the group for an agenda to have been circulated before the consultation, giving more structure to discussions and the opportunity to influence the focus of discussions in advance.
- **Concerns over consultation process in Phase I.** Some in the group noted that consultations have been rushed in Phase I, with many topics requiring discussion in a very short space of time over just a few hours (eight safeguards, issues surrounding the scope of the review, eight emerging issues as well as implementation matters). The Bank was asked how it plans to address concerns raised about the consultations in the meeting in Lima and in communications sent by civil society in Indonesia. The Bank responded that it has received the feedback and will be exploring how these may be addressed in remaining consultations, in particular in Phase II.
- **Incorporation of lessons learned and strengthening safeguard implementation.** There should be time allocated in the review process for incorporating lessons already learned (particularly on implementation) from the Inspection Panel and from previous Independent Evaluation Group (IEG) reports. If previous lessons have been learned then this should be more explicitly explained in Safeguards Review documentation. Some in the group highlighted the need for the new framework to include a component setting out how the World Bank will improve arrangements for safeguard implementation. Without this element any new safeguard framework would be incomplete.
- **The role of the Inspection Panel.** Concern was expressed that the Inspection Panel did not seem to have been sufficiently consulted, and that the framework would need to effectively encompass issues of implementation and compliance with social and environmental safeguards and the role of the Inspection Panel in that. The Safeguards Team clarified the role of the Inspection Panel and the communication with it to date; however, participants raised concerns related to the transparency of this approach.

- **Detail and Language.** Some pointed out that the documentation provided so far on the content and direction of the review is lacking in sufficient detail to allow for informed debate. Further detailed drafts of the integrated framework would be needed for effective input, including a request for at least two rounds of consultation on detailed language.
- **Expert Focus Groups.** More detail was requested on the expert groups, including how members were chosen, when and where the meetings were to be held and more generally on how civil society organizations (CSOs) could be involved and could provide input. In particular, participants expressed that the short notice for expert group meetings is likely to make them less effective and is making it very difficult for experts to attend and provide meaningful input.  
 Questions were asked about whether or not there would be an Expert Group looking into how safeguards can and should apply in fragile and conflict affected states (FCS).  
 It was recommended that disabled people be adequately represented in the Expert Groups. It was also recommended that the Bank considers extending the use of Expert Groups to Phase 2.
- **Project Affected Communities.** More detail also requested on how “project affected communities” were defined and how the sample was chosen.  
 It was suggested that an Expert Group (or wider working group) be created to include people from project affected communities. The group asked the Bank to find a way to do whatever is necessary to ensure that project affected communities who are going to be consulted are given as much notice as they need to meaningfully engage with the process , and that there be transparency about the countries and projects selected.
- **Development impact measurement and incentives.** Questions were asked about how the safeguards’ effects on development outcomes would be measured and how Bank staff could be incentivized to apply safeguards effectively and maximize positive development outcomes from their work.
- **Indigenous Peoples.** It was recommended that the review have clear and specific outreach to Indigenous Peoples as a separate stakeholder group, which has been requested a number of times.

## **SCOPE of THE REVIEW**

- Concern about the **review focusing on investment lending only**: the revised safeguards should apply to all Bank lending, including DPLs and other programmatic lending. There was also concern that other multilateral development banks (MDBs) would follow the World Bank’s lead in adopting a narrow approach to review of their safeguard policies. It was pointed how other MDBs had wide scopes for their recent safeguards review processes. It was emphasized that any harmonization across MDBs should be upward. Participants were interested to hear how the Safeguards Review fitted into wider World Bank sector and country strategies and warned against it being developed in isolation.

## **POLICY**

- **Biodiversity issues** should be adequately reflected in the review.
- Existing international core **labor standards** should be included in the review.
- The inclusion of **land tenure** and management of natural resources was welcomed but concern was expressed over land tenure/involuntary settlement issues being caused by World Bank funded projects.

Concern was also expressed over the lack of recognition of customary land tenure and that there are “gaps” in current safeguards re land tenure. A specific safeguard on land tenure should be adopted.

- As recommended by the 2013 report by the UN Special Rapporteur on Adequate Housing, it is important to align the safeguard policies with human rights law and standards, for example in the context of resettlement, including a clear statement that the Bank would not support projects that might, directly or indirectly, lead to human rights violations such as forced evictions.
- Where the Bank is providing **advisory services** (especially on agricultural investment) and technical assistance, it should be made clear that safeguards apply to these types of Bank activity.
- An inquiry was made as to whether the review would look at how safeguard policies affect and include micro and small businesses. The Safeguards Team welcomed a written submission on this.
- **Vulnerable groups.** Children and disabled people were found not to be adequately referenced or provided for. Recognition of the differing needs of different groups of vulnerable people is needed. A question was asked as to how the Bank will address downstream and upstream risks for vulnerable groups. It was suggested that implementing more robust impact assessment policies would be helpful and the EBRD’s (European Bank for Reconstruction and Development) approach on forced labor was referenced as an example to follow.
- The review process should take into account parallel work being done on inclusion and sustainability in the post 2015 Millennium Development Goals (MDGs) and Sustainable Development Goals (SDGs) processes. Some participants thought a goal of achieving equity and inclusion should be included in the new safeguards framework and that the Safeguards Team should ensure that the *disaggregated* data exist to monitor progress made towards the goal.
- **Adequate human rights** due diligence carried out by the Bank, as increasingly suggested by a number of UN Special Procedures, would be an excellent tool to identify the potential risks to human rights the Bank’s activities might pose and would also help identifying potential impact on different interest groups, such as children and women. Human rights due diligence was considered across the group to be of the utmost importance. Where governance or the rule of law is weak, participants asked that the Bank not completely devolve responsibility to governments, but rather also take responsibility for its role in contributing to potential detrimental effects on human rights through its lending. In this regard, the Bank should ensure that impact assessments carried out by the borrowers adequately identify potential adverse impact to communities likely to be affected.
- **Impact on livelihoods.** It is important to mainstream livelihoods more robustly throughout the safeguards so that the impact of World Bank projects on livelihoods can be much better and also more consistently understood.
- **Current forest provisions** are considered by certain groups as outdated and there was a call for a strengthened approach towards forests and eco systems. There was also a call for it to be made clear that the provisions that apply to Indigenous Peoples also apply to vulnerable groups.
- **Transparency.** More transparency should be included in the safeguards especially for early disclosure and to prevent country vetoes over publication.

## Annex



### The World Bank

## Review and Update of the World Bank's Environmental and Social Safeguard Policies

### Consultation Meeting – Participant List

**Date:** March 7, 2013

**Venue:** Central Hall Westminster, London, SW1H 9NH

No.	Name	Organization
1.	Tim Wainwright, Chief Executive	ADD International
2.	Alessandra Masci, Global Thematic Issues	Amnesty International
3.	Malavika Vartak, Coordinator, ESCR Rights	
4.	Joanna Ewart-James, Supply Chain Project Coordinator	Anti-Slavery International
5.	David Banisar, Senior Legal Counsel	Article 19
6.	Elana Berger, International Child Rights Campaign	Bank Information Center
7.	Stephen Mooney, Global Policy Safeguards Officer	Bird Life
8.	Peter Chowla, Coordinator	Bretton Woods Project
9.	Beck Wallace, Extractive Industries & Corruption	Cafod
10.	Josh Roberts, Lawyer	Client Earth
11.	Tom Griffiths, Coordinator, Responsible Finance Prog.	Forest People Programme
12.	Alexandra Pardal, Sr. Campaigner – Europe	Global Witness
13.	Megan MacInnes, Sr. Land Campaigner	
14.	Eleonor Blatchley, Comms. & Advocacy Coordinator	Human Rights Watch
15.	Monica Stephen, Head of International Institutions	International Alert
16.	Corinne Davey, Director	Keeping Children Safe
17.	Sally Warren, Communications and Advocacy Manager	
18.	Giles Henley, Research Officer	ODI
19.	Hannah Stoddart, Head of Economic Justice Policy Team	Oxfam
20.	Andy Whitmore, Indigenous Peoples Links	PIP Links
21.	Catherine Stevens, People & Performance Director	Restless Development
22.	Daniel Pullan, Int. Site Casework Officer	RSPB
23.	Sunit Bagree, Policy Advisor, Education	Sightsavers
24.	Bandula Kothalawala, EU and Int. Relations	TUC
25.	Sanae Fujita, School of Law/Human Rights	University of Essex