

Recommendations of Egyptian Civil Society Organizations Pertaining to the World Bank Social and Environmental Safeguard Policies

April 2013

In March 2013, the World Bank organized a consultative meeting with Egyptian civil society organizations (CSOs) around the review of the Bank's Safeguard policies. The participating organizations affirmed the importance of involving Egyptian civil society in the revision process. The meeting was attended by a number of CSOs with expertise in different topics ranging from labor rights to land tenure rights and other topics. The organizations discussed their concerns around certain projects financed by the World Bank in Egypt and presented a number of proposals to enhance the Bank's policies in order to address some of the problems which seemed to be systematic rather than limited to one specific project.

This paper reflects a number of interventions and remarks made by the Egyptian CSOs at the consultative meeting and it represents the positions of the organizations listed on the final page of the document.

Cross-cutting issues

- Bank policies should align with the best international standards and charters. The Bank's policies should also further key international development objectives, including the Millennium Development Goals and the Post 2015 Development Agenda.
- The safeguard policies should contribute towards – not hinder - the overarching goal of the World Bank, which is to reduce poverty.
- The World Bank should more effectively monitor borrowing governments' implementation, application and commitment of the Bank's safeguard policies. The responsibility of application and implementation should rest with both the Bank and the government.
- The World Bank should disclose project documents in the appropriate language of a country, within a specific time frame and in each of the phases of the project cycle, so that the documents are accessible and the information disclosure policy becomes meaningful and effective.

Suggestions pertaining to the Environmental Impact Assessment

Criteria for the Environmental Impact Assessment

The Environmental Impact Assessment should be based on a number of criteria and principles as follows:

- 1) There should be coherence between the World Bank's environmental criteria and those set out in international conventions.
- 2) The Bank should clarify within its safeguard policies the criteria that disqualify projects from being financed by the Bank. I.e. what are the limits of environmental and social risk that the Bank would be willing to accept before refusing to finance a project? The Bank should have benchmarks that abide by international charters and standards and it ought to refuse to finance any project that does not meet those benchmarks.
- 3) There is a need for upstream screening even prior to starting the identification of projects and at the time of developing the country assistance/partnership strategy.
- 4) There is a need for evaluation after the "end" of the project, since some environmental or social impacts might not appear until after the end of the Bank's close date for the project.
- 5) Beyond consultations with civil society and impacted communities about the Environmental Impact Assessment, CSOs should also be allowed the role of drawing up parallel/shadow impact assessment studies which are then taken into account in the project design and environmental management plan.
- 6) CSOs should also play a role in monitoring the implementation of, and ensuring accountability with regard to, the implementing agency respecting the environmental action plan that follows the Environmental Impact Assessment studies.
- 7) There is a need for civil society to have access to all documents pertaining to all projects, among which is the draft of the environmental impact assessment, in order to comment on it long before the scheduled Board approval date, and in accordance with international best practices.
- 8) The Environmental Impact Assessment should be done in an institutional, deliberative, accountable, transparent and systematic way. It should also be undertaken by independent institutions that are held accountable by elected institutions and also by civil society.
- 9) The Environmental Impact Assessment study should be subject to discussions by elected popular institutions and approved through those elected boards according to standards of integrity and transparency.
- 10) The Environmental Impact Assessment study should concentrate more on the social impacts as well as the impacts on human rights, among which are the impacts on persons with disabilities.

Integrated Safeguards Data Sheet

The Integrated Safeguards Data Sheet should be subject to continuous revision throughout the project duration in order to revise the risk categorization when needed, since some risks might

emerge after the datasheet has already been prepared including during implementation of the project.

Consultations with civil society

Consultations should take place with representatives of the different sectors of civil society that have different expertise and focuses, so as to include organizations interested in human rights, in development issues, charitable organizations, etc.

Studies of the Alternatives

- 1) Studying project alternatives should not be limited to assessing the economic benefits only, but should also consider the social risks as well as the social benefits that may result from each of the proposed alternatives.
 - 2) The Environmental Impact Assessment should include studies on the potential and available alternatives in a more detailed manner taking into account factors such as project location, the technology that can be used, etc.
 - 3) The issue of food security should be taken into consideration within the Bank's policies. Accordingly, the Bank's policies should ensure that no infrastructural projects are implemented on agricultural land, especially those close to water-ways (like rivers/canals). This is because given the often extreme scarcity of resources such as land and water in those areas, a project may have the unintended consequence of creating a situation wherein food security is threatened. Building projects on agricultural land leads to the loss of arable lands which then threatens food security. Thus, the said issue should be taken into consideration when studying the different alternatives for the location of future projects.
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Suggestions pertaining to Involuntary Resettlement and the Right to Land and Housing

- 1) The Resettlement Action Plan should clearly identify the criteria for reparation.
- 2) The Resettlement Action Plan should include a quantitative measure of potential risks and damages.
- 3) The Bank ought to have specific criteria for the process of consultations with communities that will face involuntary resettlement. The Bank should also monitor the government's adherence to these criteria as it implements the consultative process.
- 4) Since it is difficult to measure the extensive impacts of resettlement on a community, it is important that the Bank work towards reducing the need for resettlement all together. The Bank should therefore conduct more robust studies of alternatives to determine and select projects that won't trigger resettlement.
- 5) The Bank should refrain from any kind of involuntary resettlement. Instead there should only be voluntary and consensual resettlement, where consent is achieved through effective community participation and consultation. This consultation process should start at the beginning of the project planning stage.

- 6) Any given project must directly benefit the inhabitants of the project area. This should apply to all phases of the project, whether during implementation or after completion.

Suggestions pertaining to the Rights of Indigenous Peoples

The extent of application of the Bank's policies often depends on the country's national laws and standards. Thus, if the state does not recognize a community as being Indigenous, whether in constitution or law, then the World Bank does not apply its safeguard policy pertaining to Indigenous Peoples. This is problematic and the World Bank should not limit its application of the Indigenous Peoples policy according to the state's definition only but should also apply it when a community identifies itself as being Indigenous.

Suggestions pertaining to Labor Rights

The Bank should respect the international conventions, standards and charters concerning the Occupational Health and Safety of workers. Several countries, among them the Arab Republic of Egypt, have ratified a number of international labor standards issued by the International Labor Organization (ILO), for example:

- Convention No. 98 of 1949 concerning the right to organize and collective bargaining.
- International Convention No. 87 of 1948 on freedom of association and protection of the right to organize.
- The International Covenant on Economic Social and Cultural Rights issued by the UN General Assembly in December 1966

We ask that the World Bank's safeguard policies stipulate the following:

- 1) The right of workers to organize according to international conventions.
- 2) Firm application of the international standards on occupational health and safety.
- 3) A guarantee of a minimum fair wage that suffices an average family of four. The minimum wage should be sufficient to guarantee a decent life for the worker and his/her family through his/her ability to face his/her needs in terms of food, clothes, housing, transportation and health expenditures. This minimum should automatically change on an annual basis according to the same percentage of the officially declared inflation rate.
- 4) Working hours should be in accordance with international standards (from 6 to 8 hours daily)
- 5) Full health care should be guaranteed.
- 6) There should be a commitment to the provision of social insurance for all workers.

- 7) There should be a commitment to transfer knowledge and technology to local populations. For example, projects should include the transfer of skills and experiences to Egyptian workers rather than limiting job provisions for Egyptians to specific kinds of jobs.

Suggestions pertaining to Child Protection

- 1) The World Bank should not implement projects where there is child labor involved, whether directly or indirectly. This commitment should be written within the safeguard policies.
- 2) There is a gap in the current safeguard policies in that there is no policy for the protection of the best interests of the child.
- 3) In order for the Bank or the borrowing country to measure expected impacts on children, they should know the base line condition of children and work with civil society to obtain the different data sets, for example: knowing the number of child laborers, the real number of homeless children, children with disabilities, children who are not in school, children who regularly attend school, sick children, healthy children, child victims of abuse and children who have been harmed as a result of Bank projects.
- 4) We recommend that the Bank follows the provisions of the Convention on the Rights of the Child and that it uses the Convention's language in its safeguard policies. We want the Bank to apply the minimum level of the best interests of the child which is included in the Convention on the Rights of the Child, and which prevents child labor for children below the age of fifteen. Vocational training should start from the age of thirteen. We also want the Bank to apply ILO convention no. 138 and the Convention on Combating the Worst Forms of Child Labor. Thus the Bank should abide by those conventions and consider them a basic reference for protecting children from child labor.
- 5) We would like the Bank to apply the system of uniform codes for buildings and public transportation in order to secure the rights of children with disabilities, improve the level of their access to services, especially in the fields of health access and education. This should be the case even if it is not one of the project's primary objectives. That means that for each project the Bank should take into consideration the potential opportunities for improving the lives of children.

Suggestions pertaining to the Scope of the Safeguard Policies

- 1) The responsibility of compliance: the World Bank should consider itself a partner in its projects that are implemented in various countries. It should thus consider itself a partner

in a project's successes or failures, as well as in the responsibility of the borrowing government's compliance or non-compliance with the safeguard policies.

- 2) The Bank should bear the responsibility of the projects that it finances through all phases of the project's life cycle.
- 3) Even if all the project funding has been disbursed, the World Bank should remain responsible for any harms resulting from the project.
- 4) The Bank should apply its safeguard policies to lending committed through financial intermediaries as well as other types of non-traditional lending.

Thank you for the opportunity to present our concerns and proposals and we look forward to staying engaged in this review process.

Signed by,

Egyptian Federation of Independent Trade Unions

Habitat International Coalition - Egypt

Egyptian Association for Collective Rights

Egyptian Initiative for Personal Rights

Egyptian Center for Civic and Legislative Reform

Egyptian Center for Economic and Social Rights

Forum of Dialogue and Participation for Development

Arab NGO Network for Development