


To:
Mr. Frank Heemskerk,
World Bank Executive Director
fheemskerk@worldbank.org

Amsterdam, July 08th 2013.

Dear Mr. Heemskerk,



In advance of the upcoming July 23 Board meeting on the safeguards review we kindly request you to convey our concerns regarding the environmental and social safeguards policies update. With this letter we would like to stress our positions which were earlier shared with the Board in the submission of CSOs, dated December 2012 and the briefing paper of the Euro IFI working group on the World Bank's safeguards review of April 2013.

We are concerned that the direction in which the update process is moving might lead to a weakening of existing policies and contains shortcomings in terms of providing the policy foundation for effective and efficient safeguards. Therefore the board has to insist that no dilution of the existing policies is allowed and a strengthening will be needed according to highest standards and contractually legally binding in accordance with international law.

To prevent a weakening of the safeguards to happen we hope that the Bank takes the necessary steps to address our concerns, in specific regarding the scope, architecture and implementation of the policies, as well as their content.



Scope:

It is premature to limit the Bank's safeguards review to investment lending. The safeguards must apply to all types of bank activities, including development policy lending (DPL), program for results (P4R), all the different types of climate funding, financial intermediary lending, technical assistance and other advisory services, and the use of country systems, as well as to the broad scope of Bank-supported activities, including associated facilities and recurrent expenditures.

Architecture:

The safeguards framework has to be rules-based, mandatory, contractually and legal binding, which allows affected communities to know what to expect. A rules-based system also allows the Inspection Panel to fulfill its mandate.

A shift towards a greater reliance on the client's environmental and social risk management systems raises questions about the Bank's own responsibility and accountability.

Implementation:

The safeguards must be accompanied by detailed BPs / Guidance Notes (implementation manuals for staff) prior to Board submission.

The effectiveness of the policy will depend on diligent implementation. Mandatory requirements to hold staff and implementing agencies accountable are needed. Policies must go accompanied with language about financial obligations and budgetary allocation as well.

For a further detailed treatment of the above mentioned three topics we kindly refer you to the earlier mentioned CSO submission and briefing paper. Besides these three topics, we would like to receive your support for our following positions on contents:

1. Any update process of the policies must draw on the experiences of affected communities and assess outcomes in terms of poverty eradication, the prevention of social and cultural deprivation, environmental and nature degradation and pollution. Therefore, due attention should be given to their voices in all the stages of the update.
2. Safeguards assessments should look beyond each project and/or activity to address its cumulative and potential broader impacts. The Bank should be held accountable for its project's /activity's environmental and social impacts, including after project / activity completion.
3. The safeguards should prevent any harmful impact on climate to occur out of Bank activities, and should place effective provisions against carbon dioxide emissions. If not avoided, emissions undermine the Bank's objectives of poverty eradication, and sustainable development. Moreover the safeguards must be binding for all climate finance activity.

From a European (and neighbourhood countries) perspective we request you and your constituency members together with the other European EDs to promote a coherent approach to the safeguards by taking into account existing European environmental and social principles, standards and directives requirements. The World Bank should aim at high levels of protection of the environment and people's livelihoods based on the application of the precautionary principle, and the polluters pay principle, the EU charter and international human rights laws.

Thank you for your consideration of our requests. We look forward to working with you to achieve a successful review and update of the World Bank safeguard policies.

Sincerely,

Pieter Jansen,
Both ENDS