

Chapter 4 Highlights

PUBLIC CONSULTATIONS

- Issues In Public Consultations
- Findings of Public Consultations Review
- Impact of Improved Public Consultation Work on EA
- Changing Attitudes
- Recommendations for Improving Public Consultations
- OED Safeguard Review of Participation Practices
- Review of Public Consultations Effectiveness in India

More public consultations are being held and their quality is improving. Some Bank staff and country counterparts are still resistant. Demonstrating impact is an effective way to overcome resistance, as is ongoing training/capacity building for PC. Documentation and monitoring need improvement. Results of public consultation impacts are provided and nine keys to success are highlighted.

DISCLOSURE

- First OPS Review: FY95–97
- Second OPS Review: FY98–00
- Addressing the Issues
- EA Compliance Rates (FY98–00)
- RAP and IPDP Compliance Rates: FY98–FY00 (3rd Qtr.)
- Disclosure In-Country

There have been significant improvements in the area of disclosure, a trend likely to continue as a result of a new tracking system. The new disclosure procedures have improved the timeliness of disclosure from the previous two to three years to the current one to two months, also improving the disclosure and tracking of RAPs and IPDPs. Through close coordination with the Regions, the InfoShop now knows which documents to expect each month and can take follow-up action when they are not received.

Consultation and Disclosure

Several of the studies discussed in the previous chapter refer to the quality of environmental assessment (EA) work; the Quality Assurance Group (QAG) reviews (which had not been initiated at the time of the EA-II review), in particular, address quality in two specific areas—quality-at-entry and supervision. This chapter covers in more detail specific aspects of the EA process that have a strong bearing on quality. It begins with a section assessing the Bank’s work in public consultations (PCs) and participation, which, as has been noted in earlier reviews discussed here, often play a crucial role in improving quality. The next section describes the status of disclosure procedures during recent years.

4.1 Public Consultations

World Bank Operational Policy (OP) 4.01 on Environmental Assessments requires that public consultations be carried out in projects judged to pose significant risk to the environment, including both Category A and B projects. According to the OP, these consultations must address the project’s environmental impact on project-affected groups and take their views, and those of local nongovernmental organizations (NGOs), into account. The consultation process should begin as early as possible, with a minimum of two consultations: “(a) shortly after environmental screening and before the terms of reference for the EA are finalized; and (b) once a draft EA report is prepared.” In addition, it is good practice for the borrower to continue to consult with “such groups throughout project implementation as necessary to address EA-related issues that affect them.”

The OP also notes that in order for *meaningful* consultation to occur, project information must be presented in a timely manner, accessible to the groups being consulted, and in a form that is understandable by them (in terms of language and technical matters). At the scoping phase, the information provided should consist of a summary of the proposed project, including both its positive and negative impacts. During the draft EA phase, a summary of conclusions and recommended mitigating measures should be provided.

4.1.1 Issues in Public Consultation

EA-II singled out public consultations as an area of ongoing “weakness” in the EA process, which thus merited increased attention. Studies in several regions

also concluded that public consultation was taking place in only about half of Bank projects where it was warranted.¹ In early 1997, for example, the Environment Department took a closer look at 14 projects in Asia (5 in South Asia, 9 in East Asia) in an attempt to capture some lessons that might contribute toward improving Bank performance.² Like others, this study found that only about 50 percent of the projects were meeting all Bank and borrower requirements for PC, and attributed ongoing problems to two main factors. First, many borrowers see PC as a “merely technical exercise” and do not believe that consultations can help avoid subsequent delays or that the quality of EA studies, mitigation plans, and project designs can be improved by drawing upon local knowledge and concerns. Second, the study identified a need for better guidance for Task Managers on designing and conducting information-dissemination and consultation processes.

Responding to these recommendations, in September 1998 the Social Development Department

published a Note on “Meaningful Consultation in Environmental Assessment,” which offers suggestions for improving Bank performance in consultations and includes a helpful “checklist” for staff charged with reviewing and evaluating public consultation plans and processes.³ In May 1999 the Environmentally and Socially Sustainable Development (ESSD) Network published an *EA Sourcebook Update* on public consultation.⁴ The valuable guidance contained in the *Update* concisely details the importance, sequencing, costs and benefits, and potential impact of timely, adequate public consultation, and offers concrete suggestions for carrying out the process. The *Update* describes the positive impact of public consultation on the quality of six Bank projects in different regions and different sectors, to stress the breadth of potential applications in EA work, as described in Box 4.1.

To assess the extent to which the Bank has succeeded in improving the quality and increasing the quantity of public consultations, a special study examined a representative selection of Category A

Box 4.1 How Public Consultation Improves Quality

- In a *Solid Waste Management Project* for the Organization of Eastern Caribbean States, negative environmental impacts of a proposed landfill site in Grenada, which the EA team had missed, were identified through public consultation, leading to the protection of an endangered species.
- Public consultation on a *Water Management Project* in Espírito Santo, Brazil, served to identify adverse social impacts and helped in the development of appropriate mitigation measures to protect an artisan community’s access to clay deposits and prevent a decline in the living standards of a nearby urban neighborhood.
- In the *Colombia Energy Sector Technical Assistance Project*, changes to the national power sector strategy were agreed upon by a wide range of stakeholders, both within and beyond the sector, through a national-level consultation program, helping to build consensus.
- Public consultation in the EA of the *Albania Forestry Project* identified the need for a program of meaningful public consultation in the management of state forests and helped to identify the major issues to be resolved before such a program could be implemented.
- Consultation with groups affected by a flood control project in the *Ecuador Lower Guayas Flood Control Project* resulted in changes to the alignment of flood evacuation canals, despite higher costs, to save an important wetlands area.
- As part of the *China Hunan Highway Project*, detailed analysis of questionnaires distributed among local residents served to identify concerns about land acquisition, relocation, and resettlement. The EA recommendations included increased dissemination of information and consultation efforts.

“Public Consultation in the EA Process: A Strategic Approach,” *Environmental Assessment Sourcebook Update* 26, Washington, D.C.: World Bank, May 1999.

and B projects, along with others involving financial intermediary, regional, and sectoral EAs. A total of 57 projects were reviewed, of which 39 (roughly 47 percent) were Category A and 12 were Category B. Of the sample, 6 projects worked through financial intermediaries, 2 were regional, and 1 was a sectoral EA.⁵

4.1.2 Review Findings

The findings of this review demonstrate quantitative and qualitative progress from all earlier reviews. The projects reviewed for this sample revealed that the Bank's strongest areas in PC implementation were *planning* (notably recruiting experienced participation experts, good social assessments, and information dissemination), increased *participation*, and improved *efforts to build local capacity*. In addition, more efforts were being made to include vulnerable populations often left out of the PC process (mainly women and the poor). The review also found that, in some cases, PCs were influencing project design. Overall, these improvements in project quality can be attributed to institutional changes within the Bank designed to oversee compliance with safeguard policies—mainly the establishment of the Quality Assurance Group and the Quality Assurance and Compliance Unit (QACU). Safeguards training by the World Bank Institute (WBI) and other Bank units may also have been a contributing factor. A number of institutional challenges, however, remain.

Among the specific findings of the review were:

- Approximately 87 percent of the projects held PCs during the scoping phase of the EA.⁶ However, the practice of hiring EA PC experts *after* the development of terms of reference still predominated in the new generation of projects.
- Approximately 87 percent of the projects held PCs on the draft EA. Projects with a QAG rating of 1 or 2 for effectiveness most often had consultations during the draft EA phase, clearly highlighting the correlation between consultations and project effectiveness.
- The 1999 *EA Sourcebook Update* recommended that, prior to embarking on the EA process, strategic planning for EA consultations should be carried out. This entails recruiting a social scientist trained in participation to design and implement well-defined plans for public consultation.⁷ These plans include proper stakeholder identification, good communication strategies, appropriate timing and content for information dissemination, and good documentation strategies. About 79 percent of the projects evaluated for this review recruited a participation specialist or a professional well-versed in participation.
- Almost 80 percent of the projects sampled conducted a Social Assessment (SA), the majority of which were quite thorough and informative. The benefits of SA can be amplified when linked to the EA process, especially in terms of informing the design and implementation of PCs. Again, the review found a meaningful correlation with good practice in SAs and projects with high quality ratings (1 or 2) by QAG. The latter had strategically planned their social assessments to better understand social and cultural issues, identify stakeholders, and improve participation in the EA. The *Nepal Road Maintenance and Development Project* is a good example of this approach.
- Almost all projects reviewed (90 percent) had excellent information-dissemination strategies and had been quite successful in sharing information, not only in appropriate languages and through appropriate venues, but also by employing creative means. Innovative methods of information dissemination, such as the Internet, have been combined with more traditional methods to increase project awareness. For instance the *Brazil Federal Water Management Project* and the second *Poland Road Project* are using an Internet site, which is continually updated, to keep the public abreast of progress as the project is implemented.⁸
- Documentation of the consultative process in EAs is still weak, even in some of those that were highly rated for public consultations. Although 72 percent of the projects sampled documented information about public consultations held during the EA, very few had complete, detailed records.
- Public consultations during EAs helped to create support for projects, build public trust in government, create public support for environmental mitigation, and foster government support for public consultations.

4.1.3 Impact of Improved PC Work

Changes in project design that result from the consultation process are an important indication that borrowers have taken the views of affected groups and NGOs into account. Many of these changes also yield improved quality (efficiency and performance), and are thus indicative of the value-added of public consultations. A summary of the impact of public consultations in 13 projects is presented in Table 4.1.

4.1.4 Changing Attitudes

Changes in attitude toward projects, public consultations, and participation are just as important to project quality as design impacts. An added benefit of PCs is increased local support for a project, and better understanding of project impacts at the national level when governments are involved in the PC process. Attitudinal impacts may also include the spread of participatory approaches beyond the immediate EA to other phases of the project cycle, or even other projects. Public consultations during EAs helped to create support for projects, build public trust in government, create public support for environmental mitigation, and foster government support for public consultations, as indicated in the examples cited below.

A strong social assessment for the *Latvia Waste Management Project* provided detailed information on the attitudes of affected groups, NGOs, and local government officials. This information was used to plan an effective public consultation and media strategy. Public consultations involved a series of meetings with public authorities, another series with NGOs, and three public meetings that received wide media attention, with coverage from TV, radio, and major newspapers. In this case, quality public consultation planning was instrumental in effectively communicating the environmental remediation aspects of the proposed facility. Key environmental NGOs and other public meeting participants now support the project and understand that it will reduce noise and odor and safeguard existing jobs at the site.

Increased emphasis on participation in client countries is another attitudinal result that may be achieved from the consultation process. Prior to the *Laos Nam Theun II Project*, the Laotian gov-

ernment had little experience with open, inclusive public consultation. The first press conference held for the project was only the second such event since the government came to power. Bank staff first engaged government officials by asking them about existing forms of public consultation and government-society communication. In this way, the Bank signaled its interest in respecting and building on existing cultural practices, rather than simply imposing its own generic approach. In the context of this open engagement, the government officials became receptive to considering the more interactive, open form public consultations suggested by the Bank. In the end the government adopted a PC strategy with consultation at four levels: international, national, provincial, and local. The greatest emphasis was placed on consultation at the local level, where the stakeholders would be most directly affected by the proposed project.

Progress was also evident in the China portfolio, where task managers (TMs) and task team leaders (TTLs) confirmed that 10 years ago public consultations were rare to nonexistent. In recent projects, the frequency and quality of PCs have gradually improved. The benefits derived from the improved process, according to the TMs/TTLs, include government officials with a keener interest in listening to the public's contribution, a trained cadre of experts in public consultations, and increased adaptation of participatory methods in domestic projects sponsored by the government. Yet the controversy surrounding the Western China Poverty Reduction Project indicates that the process has not always been satisfactory.

4.1.5 OED Safeguard Review of Public Participation Practices

An Operations Evaluation Department (OED) Safeguard Review undertaken during FY00 focused on identifying proper public participation procedures in 19 Category A and Category B completed and under-supervision projects.⁹ In the large, complex infrastructure projects, it was found that effective disclosure, consultation, and stakeholder vigilance contributed positively to the quality of overall safeguard implementation. Participation provided important avenues for sharing information regarding stakeholder concerns and helped build support for the projects. It also appears that,

Table 4.1 Summary of Public Consultation Impacts

| Project | Impacts of Public Consultation |
|---|--|
| Argentina: Flood Protection Project | During consultations local communities opposed a dike that would have cut through a municipal park, and were able to propose a new alignment for the dike. |
| Brazil: Second Water Sector Modernization Project | The consultations improved the support of private water companies, who were able to improve their own environmental management capacity. |
| China: Tri-Provincial Highways Project | Consultations led to relocation of road alignments, access points, and underpasses. |
| Colombia: Cartagena Water Supply, Sewerage, and Environmental Management | Consultations led to the design of the Community Development Program, introduction of a nature reserve to protect a wetlands area, and the extension of piped water service to other low-income areas. |
| Indonesia: Water Sector Adjustment Loan | Government support for public consultation improved. Consensus on the need for local self-management of water resources was formed. |
| Laos: Nam Theun 2 Hydroelectric Project | Government support for public consultation improved, and the government agreed to the construction of downstream channel and irrigation works. |
| Latvia: Municipal Solid Waste Management Project | By engaging in public consultations, the government gained public support for a new landfill. |
| Lithuania Klaipeda Port Project | Through consultations, the Bank became aware of a history of dredging spoils by the client, which were in conflict with client's international obligations to protect the Baltic Sea. The scope of the mitigation plan was enlarged to accommodate the construction of an inland containment facility. |
| Philippines: Local Government Unit, Urban Water and Sanitation Project | During consultations communities were shown the water schemes designed by engineers. Community knowledge contributed vital information on flow rates, flow times, and duration. This information reduced potential costs and improved the engineers' support for public consultations. |
| Poland Road II | PCs held during the scoping phase identified several potential negative impacts, including recognition that a bypass in the original design was too close to the water source and might pollute it. The design of the bypass was revised accordingly. A local NGO raised concerns regarding the potential migration of frogs if the road were built too close to the national park; as a result, an underpass was built to mitigate this impact. |
| Philippines: Water Districts Development Project | Local government adopted participatory approaches, even for non-Bank work. |
| Shanghai Wagaoquo Power Plant | As a result of public consultations, the project team was able to dispense with the construction of new pipes and instead use existing residential wastewater pipes. This lowered costs and prevented duplication of efforts during construction. |
| Vietnam: Mekong Transport and Flood Protection | Local government support for the project improved through consultations, and site-specific information about the drainage characteristics of specific areas and the impacts of high waters was discovered. |

in some cases, participation required greater resource commitments from the borrower and executing agencies and increased complexity.

Eleven of the projects examined dealt with large infrastructure works. Almost all projects carried out environmental and, when appropriate, social studies (see Table 4.2). Several projects incorporated participation in ways that helped to identify and provide timely response to the concerns of stakeholders during implementation. The review found that these projects appeared to do better in defining and delivering clear and realistic objectives related to safeguards. Several projects carried out sound social and environmental studies, identified reasonable monitoring and mitigation activities, but did not include mechanisms for information-sharing and dialogue with affected populations. These projects did not do as well in delivering on their safeguard-related objectives.

In closely examining five projects that exemplify good participation, the review found that participation was most useful when it: (a) contributed to improving access and exchange of information among stakeholders, and (b) provided avenues to articulate and address concerns of affected stakeholders. The review identified three components of successful participation: *information disclosure, consultation, and stakeholder vigilance* (see Box 4.2).

Among the projects reviewed was the Brazil-Bolivia Gas Pipeline Project, in which the Brazilian government made extensive use of the media to publicize the results of the EIA, while in Bolivia outreach efforts were channeled to local communities identified as potentially being affected by the project. Meetings were also held with NGOs. In another project, involving a sewerage project in Bombay, India, the implementing agency prepared a brochure about the outfalls and advertised its availability in newspapers and media. From the beginning the project gave special attention to fishing communities whose economic activities might be affected by sewage outflows. During appraisal, special informative brochures were produced and distributed, and special studies were carried out and made public regarding the likely impacts on fisheries. During implementation, the project, with the support of a Citizens Advisory Committee, sponsored several information campaigns that targeted con-

cerned fishing communities to engage in dialogue and address emerging issues and concerns.

The *Zambia Power*, *Ecuador Lower Guayas*, *Lesotho Highlands*, and *Brazil/Bolivia Gasoducto* projects all engaged in extensive public consultations. Provisions for PC were part of project design and continued during implementation. Supervision included social specialists assigned to check on borrower progress and adherence to agreed-upon social safeguard initiatives. Activities included promoting participation during project design, exchanging opinions regarding compensation to establish fair and acceptable packages, and establishing permanent mechanisms to keep stakeholders involved.

Establishment of a “watchdog” mechanism to ensure transparency and compliance sometimes occurred as a logical way to improve the process of PC. In some cases this mechanism consisted of committees including eminent individuals or organizations that helped guarantee the transparency of project-wide activities. In the case of the Brazil-Bolivia gas pipeline, an independent social specialist was hired to monitor the project’s compliance with social safeguards. For the *Lesotho Highland Water Project*, committees were decentralized to permit a timely response to grievances. In the *Ecuador Lower Guayas Project*, the consultation process led to the formation of a monitoring advisory group that met regularly throughout the project. The Bombay project formed a Citizens Advisory Committee to monitor the impacts of the project on local communities and met regularly every three months.

Another study, the *Effectiveness of Environmental Assessments Review in India*, also looked at the quality of public consultations. Of 14 country projects reviewed, only 50 percent were rated satisfactory or higher for public involvement and consultation criteria. However, the study highlighted several good practices in which the views of affected peoples were integrated as part of the project design to mitigate adverse environmental impacts. The *Second Madras Water Supply Project* (Box 4.3) is a good example of how systematic public consultation can result in the framing of rules to protect irrigation rights of farmers.

One key observation of the India study was that PC and involvement rarely continue beyond the project preparation stage. A clearly defined

Table 4.2 Public Participation, Information Disclosure, and Stakeholder Support in Infrastructure Projects

| Project | Baseline Studies on Social Conditions | Information disclosure | Consultation in design | Participation in implementation | Stakeholder Vigilance | Key Actions and Outcomes |
|---|---------------------------------------|------------------------|------------------------|---------------------------------|-----------------------|--|
| Bombay Sewage Disposal | • | • | • | • | • | Appraisal included extensive information disclosure and creation of a Citizen Advisory Committee that helped carry out public awareness campaigns to identify and resolve concerns of stakeholders. |
| Zambia Power Rehabilitation | • | • | • | • | • | Promote participation for identification of problems during implementation of subprojects. Steering committee with participation by ministries, local government, and local communities. |
| Ecuador Lower Guayas Flood Control | • | • | • | • | • | Consultation during EIA baseline studies, including development of compensation and other mitigation activities. Establishment of a monitoring advisory group that met regularly throughout the project that ensured endorsement of activities. |
| Lesotho Highlands Water 1B | • | • | • | • | • | Established Area committees to promote public involvement to address social and resettlement issues. Carried out health programs to address HIV/AIDs, conducted monthly meetings with NGOs. Worked with NGOs to address socioeconomic impacts. |
| Brazil/Bolivia Gasaducto | • | • | • | • | • | Project carried out extensive information disclosure and consultation during appraisal, modified right of way of pipeline, established special funds to address concerns of stakeholders. Hired independent consulting firm for environmental supervision. Independent Auditor and fulltime Ombudsman to work with NGOs and communities. |
| Thailand Second Gas Transmission | • | | | | | Project accomplished all environmental and social provisions: resettlement, standards, regulations, and monitoring. |
| Pakistan Karachi Port Modernization | • | | | | | Environmental unit was established but no information on effectiveness. Purchase of pollution equipment delayed and finally cancelled at end of project. |
| Belize City Infrastructure | • | | | | | Environmental objectives reported as met in ICR, but no specifics provided. No mention of results of proposed financial assistance to prevent displacement of poor from historical district. Significant that tax reform to insure sustainability was not passed. |
| Berke Hydropower | • | | | | | Host agency failed to take into account recommendations of dam panel. Government did not take action, Bank canceled project. |
| India Private Infrastructure & Finance | • | • | • | • | • | Stakeholder participation from inception of project through feasibility design and construction. One project in New Delhi had Citizen Group actively engaged throughout life of project, add-on feature was construction of noise barriers. |
| Bali Urban Infrastructure | • | • | • | • | • | Local female contracted by Bank to carry out consultations with women. Stakeholder involvement including government agencies at all levels. |

Box 4.2 Elements Identified from the OED Safeguard Study that Contribute to Good Stakeholder Involvement

Disclosure. Several projects carefully planned strategies to inform the affected stakeholders about the project and its potential impacts. Information disclosure was carried out in several ways, including the use of the media, newspapers, and production of informative brochures. Information disclosure sometimes focused on issues that were expected to be particularly sensitive and could result in widespread opposition of projects.

Consultation. Participation during design helped identify and resolve issues and improve the project's environmental performance. It avoided wider opposition to the project in latter stages. Efforts at engaging stakeholders is challenging and takes time and resources. Creation of permanent bodies such as citizen advisory groups, steering committees, and community liaison representatives proved useful and effective.

Stakeholder Vigilance. Since many of the projects reviewed consisted of complex infrastructure projects that affected the livelihoods of people, there was anticipated suspicions and skepticism. Neither traditional authorities nor their delegated representatives were trusted. Some of these watchdog committees were formed in response to suggestions of NGOs during appraisal. As such, it is likely that they were perceived as impartial and transparent.

strategy for PC was completed in only 20 percent of the projects under review. Only two projects, *Valdodara-Halol Road and Widening* and the *Assam Rural Infrastructure and Agricultural Services* were rated excellent for PC. PC was carried out from site selection and analysis of alternatives of the various proposed highway alignments in the *Vadodara-Halol Road Widening* project. In the *Assam* project, extensive discussions on project design were held with local NGOs and women's groups, which also participated in site-specific project design, implementation, and monitoring. In the *Bombay Sewage Disposal Project*, the Citizens Advisory Committee was formed, as mentioned above in the OED Study.

4.1.6 Improving Public Consultation

The improvements identified are encouraging, and reflect growing understanding of the relationship between overall project quality and the need to consult with the affected public. The following recommendations for improving performance on public consultation should contribute toward even greater forward movement in this area.

- *Develop policy and legal framework*
Country policy and legal frameworks for public involvement in the EA process represent the starting point for devising public consultation strategies. This allows TTLs/TMs to make the case that public consultation in EAs is a country requirement, not a condition imposed by the Bank. In Bank-financed projects that involve institutional strengthening, EA capacity building, and environmental impact assessment reforms, the World Bank should encourage its clients to adopt policies and laws that provide for public consultations and participation.¹⁰
- *Exchange information on improving borrower PC*
Through training and improved documentation of public consultation strategies, TTLs/TMs can share country experience on effective borrower engagement and support for public consultations that are open, inclusive, and interactive. This information can be used by future projects carried out in the same countries.
- *Provide more in-depth Bank training*
To improve the enabling environment for PC within the Bank, a top priority would be ef-

Box 4.3 Public Consultation on Design of Second Madras Water Supply Project

One of the original project components was a 235-kilometer transmission pipeline to run from the ancient Veeranam irrigation tank supplied by the Cauvery River to Madras City. The 11,500 farmers in the Veeranam command area were targeted through consultations convening farmers associations, representative groups, local governments, and village meetings. The farmers stressed their desire for formal operating rules to govern water supplies and releases from the water tanks, for both irrigation and Madras City. These consultations identified the additional need to establish new rules for releases from the larger Mettur Reservoir 200 kilometers upstream on the Cauvery. The outcome was the Government Order establishing operating rules for Veeranam tank that protected the irrigation rights of farmers in drought years and expansion of the Veeranam tank as an additional part of the project to ensure adequate water supply for irrigation.

Source: P. Selvam, S. Kapoor, P. Modak, R. Gopalan, *India, Review of the Effectiveness of Environmental Assessments in World Bank-Assisted Projects*, South Asia Region Environment Sector Management Unit. Washington, D.C.: World Bank, 1999.

forts to enhance TMs/TTLs knowledge and understanding of the benefits of participation and how to implement various participatory techniques. Training should cover how to comply with OP4.01, reach the most marginalized, and assess a good PC plan. Analysis of the impact of such training on Bank staff and their work should be carried out within six to nine months of the training. TMs and TTLs could also tap into the expertise of the Participation Unit, and review such materials as the *Participation Sourcebook* and Toolkit.

- *Aggregate in countries projects to have similar outcomes on institutionalizing PC*
Improving country capacity to conduct public consultations requires an aggregated effort of Bank-financed projects within each country. Therefore, Bank staff should strive to ensure that projects in a particular country have similar outcomes on institutionalizing PCs. By having numerous projects with goals that encourage consultation and participation through capacity building and institutional strengthening, the effects of each project will be amplified and more long-lasting. The aggregated benefits will move public consultations from being a World Bank requirement to a desirable country procedural requirement for designing and implementing effective public consultation/participation projects.

- *Improve Bank staff buy-in to PCs*

In a few projects, the consultation process was thwarted less by a lack of understanding of participation and the PC process than by reluctance on the part of Bank staff to support PCs. In these cases, PCs were seen as a hindrance rather than a tool to improve project performance. Exposure to public consultations and their impact has also been shown to overcome such attitudes. Disseminating the lessons learned from the benefits of effective public consultations through training and other means should improve Bank staff views on PC. Additionally, incentives for promoting public consultations and disincentives for not conducting public consultations should be institutionalized.

- *Standardize a documentation strategy*

Maintaining good documentation could be facilitated by providing Bank staff with a set of worksheets that serve as a template for the documentation process. Such a packet could also serve as a reminder of when to have consultations, and how to structure them. This type of documentation could be made available through an icon online for TTLs and TMs in each sector, or set aside with the participation toolkit. One person should be held responsible for reporting on the PC process.

- *Monitor PC implementation*

Techniques for monitoring and evaluating (M&E) the PC process include affirmation that participants have understood the consultation content after the PC is held, as well as assessing stakeholders' opinions of PC effectiveness and its impact on project design and implementation. By using M&E, public consultation strategies can be adjusted during the project cycle to improve stakeholder participation, information dissemination strategies, and mechanisms for integrating participant feedback into project design and implementation. Box 4.4 presents an innovative approach to M&E.

- *Increase local participation*

Fostering increased local participation in a project depends on the limitations in a given country. However, widely applicable good practices for more inclusive processes entail:

- Developing an understanding of cultural obstacles to participation by excluded groups

- Disaggregating quantitative data to be able to assess and understand the unique concerns of specific groups

- Holding small group meetings with each different vulnerable stakeholder group.

Another way to increase levels of participation is to make sure that the executing agency charged with overseeing the consultation is not paid until after the consultation has taken place, or use an external monitoring system to confirm participation levels.

- *Continue to build local capacity*

With the involvement of local groups in the EA process, measures can be taken to improve capacity through training in leadership and group management, education on citizen's legal rights and obligations,¹¹ and conflict resolution techniques. Yet, an excellent consultation strategy and plan can be thwarted by selecting unqualified local executing agencies to assist with implementation (local NGOs or consulting groups, for example). A checklist for evaluating implementing/executing agencies and their capacity to implement public consultations would be a step in helping to prevent this. Such a checklist could be accompanied by a set of best practices or guidelines on how to transfer or build capacity during public consultations.

Box 4.4 Creative Monitoring and Evaluation Techniques

Monitoring and evaluation vary from project to project. The TM in the *Philippines Local Government Units Urban Water and Sanitation Project* realized that he could not oversee whether or not the engineers conducted PC around the EA design, particularly since many of the towns were very remote. So to ensure participation, students from a national social work masters program were hired as outside, neutral observers to take notes on the process. Although the engineers were skeptical at first and reluctant to work with the “spies,” they soon learned how a participatory PC process could benefit their work. Over time they began to appreciate the new relationships that they were forging with the communities, as well as the opportunity to adapt project design to what the communities desired.

4.2 Disclosure

Disclosure of relevant material—to permit meaningful consultations between the borrower and project-affected groups and local NGOs on all Category A and B projects proposed for International Bank for Reconstruction and Development (IBRD) or International Development Association (IDA) financing—is required to take place in a timely manner. This must be prior to consultation, and in a form and language understandable and accessible to the groups being consulted.

The Bank first issued instructions to staff on information disclosure in 1985, in an attempt to endorse the value of sharing information about its activities. In 1993 a revision of the policy expanded the types of documents to be made available to the public and established Public

Information Centers (PICs) to facilitate this effort. In addition to the InfoShop at headquarters, the Bank has PICs in Paris and Tokyo and smaller information centers in all country offices, serving in excess of 2 million requests each year. Since 1993 several issues have arisen that have led to a review and updating of the disclosure policy. Clarification has taken place around Resettlement Action Plans (RPs) and Indigenous Peoples Development Plans (IPDPs). Some previously confidential information is now being disclosed, as well as other documents (such as the Poverty Reduction Strategy Papers) that previously did not exist. Information technology has also changed dramatically and is challenging some of the previous assumptions regarding information dissemination practices and processes.

Disclosure is more than a bureaucratic requirement to send documents to the Bank's InfoShop. While this aspect of disclosure is essential to meeting Bank requirements, it should be emphasized that disclosure is a process that takes place at prescribed moments in the project cycle and at appropriate intervals during public consultation for environmental and social assessments. This concept has expanded in importance during the last several years, since all 21 cases investigated by the Inspection Panel since its establishment have involved elements of insufficient disclosure or outreach to affected people.

Approved in September 1993 and considered progressive for its time, the Bank's Disclosure Policy details which documents can be made available to the public and outlines the Bank's philosophy on information disclosure.¹² Bank Procedure 17.50, "Disclosure of Operational Information," sets out procedures for implementation of the Disclosure Policy. The new policy mandates that EAs and other environment-related documents for category A and B projects be disclosed, as well as Resettlement Plans and Indigenous Peoples Development Plans, whenever relevant. When Operational Directive (OD) 4.01 was converted to OP 4.01 in 1999, related disclosure requirements were incorporated, with a view to consolidating related requirements in one policy.

Disclosure increases transparency and accountability and leads to improved project design. In opening its activities to scrutiny and seeking op-

portunities to explain its work to the widest possible audience, the Bank has several roles:

- *As a development organization*, it stimulates debate, broadens the understanding of development, and facilitates the participation of stakeholders in Bank-financed operations.
- *As an organization owned by governments*, it is accountable for its stewardship of public funds.
- *As a borrower*, it discloses its financial condition and policies to attract purchasers to its securities,
- *As an employer*, it ensures that staff receive the information necessary to carry out their responsibilities.¹³

Disclosure should be understood as a prerequisite for meaningful consultation¹⁴ and as part of a process that involves the in-country discussion of project plans and impacts on local communities. Evidence of community input should be clear in project documentation and the resulting EAs, RAPs, and IPDPs.

Disclosure is related directly to the Bank's 10 safeguard policies, as outlined in Box 4.5. Public consultation and disclosure are required for 8 of the 10 safeguard policies falling under the provisions set out in OP 4.01 (see Table 4.3).

Category A Projects. The Bank's disclosure policy clearly states that "for all Bank-funded Category A projects . . . before the Bank proceeds to appraisal, the EA must be made available in the borrowing country at some public place accessible to affected groups and local NGOs and must be submitted to the Bank."¹⁵ These EAs must be disclosed in-country and at the Bank's InfoShop prior to appraisal. The same requirement applies to IDA category B projects with separate environmental reports.¹⁶

Category B Projects. IBRD category B projects have a slightly different requirement, and must be disclosed when received by the Bank.¹⁷ This requirement is not consistent with the spirit of the disclosure policy, since this vague statement allows EAs to be disclosed at any time in the project cycle—even if it is too late for others to review the

Box 4.5 Disclosure Requirements and the Safeguard Policies

- **Environmental Assessment, OP 4.01**
EAs for all category A projects; environmental analysis, environmental management plans and/or other separate environmental reports for category B projects must be disclosed
- **Forestry, OP 4.36**
Issues incorporated in EA
Separate forestry management reports disclosed as good practice
- **Natural Habitats, OP 4.04**
Issues incorporated in EA
Separate natural habitats management reports disclosed as good practice
- **Pest Management, OP 4.09**
Issues incorporated in EA
Separate Pest Management Plans must be written and included with the EA
- **Safety of Dams, OP 4.37**
Issues incorporated in EA
Separate Operation and Maintenance and Emergency Preparedness Plans must be available at the dam
- **Cultural Property, OPN 11.03**
Issues incorporated in EA
- **Indigenous Peoples, OD 4.20**
Issues incorporated in EA
Generally results in a separate report that must be disclosed with the EA (when conversion to OP 4.10 is complete, disclosure will be mandatory for all plans, not just projects with EAs)
- **Involuntary Resettlement, OD 4.30**
Issues incorporated in EA
Generally results in a separate report that must be disclosed with the EA (when conversion to OP 4.12 is complete, disclosure will be mandatory for all plans, not just projects with EAs)

document before a project is well under way. Since category B projects can contain important environmental and social issues that need to be more widely discussed, the Operations and Policy Strategy (OPS) vice presidency has proposed that disclosure requirements for IBRD category B projects be made the same as those for all category A and IDA B projects.¹⁸

RAPs and IPDPs. Over the past 10 years, environmental reports have become well integrated into project preparation and analysis, and there is a general understanding of their importance. However Resettlement Plans and Indigenous Peoples Development Plans—equally important components of project preparation—are less well under-

stood, and many times known only for the controversies that have arisen around those that are not well planned and implemented. RAPs and IPDPs must also be disclosed prior to appraisal, and should show evidence of meaningful participation by affected people in the process.¹⁹ Their inclusion in the EA process is clearly emphasized on three occasions in OP 4.01.²⁰

Together, these documents provide details of expected environmental and social impacts from Bank-financed projects. Since it was initially assumed that projects with significant adverse environmental impacts that are sensitive—which specifically includes involuntary resettlement and indigenous peoples—would be category A, the language in the policies reflects this assumption. Since

staff continued to rate projects primarily according to environmental impacts, however, some projects with major resettlement and indigenous peoples issues were rated category B. These issues are being addressed in the discussions surrounding the conversions of the Involuntary Resettlement and Indigenous Peoples ODs, and will be clarified in the OPs.

OPS oversaw two disclosure reviews during the period covered by the Third EA Review. The first was conducted in FY97 and the second in FY00. While the disclosure studies covered numerous Bank documents, both reviews looked closely at mandatory operational document disclosure.

4.2.1 First OPS Review: FY95–97

The first disclosure review focused on the availability of Project Information Documents (PIDs) and environmental reports at the Bank's InfoShop. It found that few reports were submitted prior to appraisal, although as a result of the study outstanding reports were submitted—from three days to three years late. Rates for compliance with the disclosure policy, which BP 17.50 states is “submission of the EA prior to appraisal,” for category A EAs were 6 percent in FY95, 5 percent in FY96, and 47 percent in FY97.

For category B EAs, the review looked only at IDA B projects for FY97. It found that PIDs were submitted for 45 percent of the projects prior to Board approval, but did not specify how many were sent prior to *appraisal*, the deadline for determining compliance. The study did not review RAPs or IPDPs.

Following the review, an Operational Memorandum was issued (Oct. 15, 1997) pointing to the weaknesses in implementation of the disclosure policy. The memorandum cited a need to improve the timeliness of EA submissions to the InfoShop, update PIDs and Environmental Datasheets (EDSs) regularly, and provide information to local offices. It further stated that PID and EDS issues would be addressed through improvement in electronic systems. The memorandum assigned responsibility for ensuring timely disclosure to task teams and country directors. All activities were to be monitored by the InfoShop and the Environment Department.

4.2.2 Second OPS Review: FY98–00

The second disclosure review of operational documents was more comprehensive and looked at all category A and B projects, as well as RAPs and IPDPs associated with those projects. The review found that problems still existed in achieving compliance with the disclosure policy, and that the recommendations made following the first review had not been implemented. Little had changed from the first review, although compliance rates for category A projects showed improvement, reaching 88 percent in FY00. Compliance rates for IDA category B projects remained low, hovering around 39 percent. The problems are highlighted in Box 4.7.

4.2.3 Addressing the Issues

The findings of the second disclosure review provided QACU with a mandate to begin work on improving compliance with the disclosure policy and increasing understanding of the objectives of disclosure. In the autumn of 1999, QACU began meeting with Regional EA database managers and the InfoShop to devise a strategy.

It was immediately evident that no systematic method existed for gathering information or assessing timely disclosure at the InfoShop. During FY99 the InfoShop had developed a rudimentary tracking system based on the ESSD core database, but due to inaccuracies in the database, not all projects for which documents were required could be known. Staff had envisioned that the new Bankwide electronic system would be able to provide all necessary project data, such as appraisal mission dates, but the system had not been programmed to do so, and could not be relied upon to monitor disclosure. The QACU decided that Regional database managers would send monthly lists of appraisal mission departures for all category A and B projects to the InfoShop. The InfoShop would track expected documents, such as EAs, RAPs, and IPDPs according to that list. This system was proposed to remain in effect until a Bankwide system could be programmed to provide this data electronically.

Additionally, to facilitate cataloging of documents and improve accuracy, a standard cover memo for the submission of hard-copy documents

Box 4.6 Key Bank Documents Associated with Safeguard Disclosure

- **Environmental Data Sheet (EDS).** Part of the project identification process involves filling out an EDS. This document summarizes key project information, such as components, location, major environmental issues, proposed actions to mitigate impacts, rationale for the Environmental Category, and other safeguard reporting milestones. This document is signed by the task team leader and head of the Regional Environment Sectoral Unit.
- **Project Information Document (PID).** Presents a brief summary of the main elements of the evolving project. As new information becomes available, or as an investment project develops, the PID is updated before the Bank's formal project appraisal. The PID also summarizes key safeguard issues, and should have a separate section at the end of the document providing information on EA, IPDP, and resettlement, where applicable.
- **Project Concept Document (PCD).** The PCD is the first project cycle document that defines the rationale for a proposed investment operation and the framework for its preparation, and flags issues or areas of special concern to the Bank. It serves as the basis for a Bank decision to assist a borrower with project preparation. The PCD later evolves into the Project Appraisal Document (PAD). Key safeguard contents of the PCD include social aspects, which summarize the major social issues to be addressed during project preparation. This section is meant to document significant social aspects of the project, including consideration of the social organization(s), tradition(s) and values bearing upon the feasibility, implementation, and operation of the project (e.g., gender-based differences in roles, responsibilities, access to resources). Environmental aspects summarize the environmental and natural resource management issues faced by the project and how they will be addressed during project preparation, including impacts related to indigenous peoples (OD 4.20) and involuntary resettlement (OD 4.30).
- **Environmental Assessment (EA).** The specific EA instrument depends on the type of project, as stated previously. It may be an environmental impact assessment (EIA), regional or sectoral EA, environmental audit, hazard or risk assessment, or environmental management plan. These reports are always separate technical volumes, which are part of the project files and are sent to the Infoshop. All EAs are listed separately for each project in the ImageBank, and can be retrieved through a project ID search.

(EAs, RAPs, and IPDPs) was developed and posted on the InfoShop's web site. The memo requires task teams to provide document details in a standard format and identify related documents that might be forthcoming. This is especially useful for tracking RAPs and IPDPs which are sometimes embedded in other documents, yet need to be recorded separately.

To increase staff awareness regarding disclosure requirements, training materials were produced. QACU worked with safeguard policy specialists to develop a simplified, two-page matrix for each safeguard policy. In addition to providing the objectives, triggers, and criteria for compliance at

various stages in the project cycle, each matrix lists consultation and disclosure requirements for each policy (see World Bank safeguards web site, <http://essd.worldbank.org/essd/internal.nsf/SPHD>).

A disclosure table was also developed detailing disclosure requirements for EAs, RAPs, and IPDPs according to project category and funding source. It has been widely distributed through print and electronic media and added to WBI training course materials. The table is designed to assist task teams and improve staff knowledge of specific disclosure requirements.

In response to these shortcomings, a working group comprised of QACU, ESSD, SDV, Regions,

For Category A projects, the EA is usually summarized as an Annex in the PAD. For Category B projects, the EA may be a separate report, described in the PAD annex, or sometimes briefly mentioned in the main body of the PAD under the section on Environmental Assessment.

- **Environmental Management Plan (EMP).** A project's environmental management plan consists of the set of mitigation, monitoring, and institutional measures to be taken during implementation and operation to eliminate adverse environmental and social impacts, offset them, or reduce them to acceptable levels. The plan also includes the actions needed to implement these measures. Management plans are essential elements of EA reports for Category A projects; for many Category B projects, the EA may result in a management plan only. To prepare a management plan, the borrower and its EA design team (a) identify the set of responses to potentially adverse impacts; (b) determine requirements for ensuring that those responses are made effectively and in a timely manner; and (c) describe the means for meeting those requirements.
- **Resettlement Action Plan (RAP).** The scope and level of detail of the resettlement plan can vary with the magnitude and complexity of resettlement. The RAP is based on up-to-date and reliable information about (a) the proposed resettlement and its impacts on the displaced persons and other adversely affected groups, and (b) the legal issues involved in resettlement. It may also include socio-economic studies, a legal and institutional framework, definition of displaced persons and criteria for determining their eligibility for compensation, valuation of and compensation for losses, an implementation schedule, costs for the plan, and a process for monitoring and evaluation.
- **Indigenous Peoples Development Plan (IPDP).** An IPDP includes information that anticipates adverse trends likely to be induced by the investment project and develops the means to avoid or mitigate such harm. Local patterns of social organization, religious beliefs, and resource use should be taken into account in the plan's design. Implementation arrangements should normally involve appropriate existing institutions, local organizations, and NGOs with expertise in matters relating to indigenous peoples. The plan should avoid creating or aggravating the dependency of indigenous people on project entities and, as needed, the plan should include general education and training in management skills for indigenous people from the outset of the project.

OPS, the Operational Care Services Network, and the Information Solutions Group was formed to develop a Bank-wide SAP-based system for monitoring and enforcing document disclosure. The new tracking system will be an integral part of the Project Documentation System, and require that PIDs, EAs, RAPs, and IPDPs be submitted to the InfoShop before the Project Concept Document migrates to the Project Appraisal Document. Once the system is launched, the manual compiling of monthly lists by Regional EA database managers will not be required, although it is expected that these staff members will continue to monitor document submission.

4.2.4 EA Compliance Rates (FY98–00)

The new disclosure procedures have improved the timeliness of disclosure. Although compliance with the policy is not yet 100 percent and some documents are still late, the tardiness of late documents has dropped from two to three years down to one to two months. Through close coordination with the Regions, the InfoShop now knows which documents to expect each month and can take follow-up action when they are not received.

From a low of 5 percent in FY96, as noted above, timely disclosure of category A EAs rose to 88 percent through FY00, and all EAs were in the

Box 4.7 Problems Identified in the Second OPS Disclosure Review

- *Staff were unfamiliar* with the disclosure policy, and disclosure requirements varied according to funding source.
- There was *no standard procedure* for disclosing documents to the InfoShop. Many documents were sent without identifying information and could not be, or were incorrectly, catalogued. Others were sent to the wrong address, since the InfoShop was at times confused with other document collection units.
- Focusing on disclosure at the InfoShop *did not raise the relevance and importance of disclosure as part of the project cycle*, nor did it add value to a project in the eyes of staff and clients.
- The new Bank-wide electronic system was not implemented until July 1999, and was *not programmed to monitor disclosure*.
- The InfoShop was not aware that it was supposed to record and track the *disclosure of RAPs and IPDPs separately* from EAs.
- A method to *monitor in-country disclosure had not been devised*.

InfoShop prior to Board date. These improvements are the result of the new system, an FY99 safeguards training course targeting category A task managers, and greater awareness of disclosure requirements through the involvement of Regional EA database managers. The timely disclosure rate for IDA category B EAs has risen only to 39 percent, up from 30 percent, although 96 percent are now in the InfoShop, and 93 percent arrived prior to Board date. This is a significant change from previous years, when only 25 percent of documents arrived prior to Board date and the other 75 percent were submitted long after—and usually only if requested.

There is clearly a need to train category B task managers, and Bank staff generally, in disclosure requirements, since many staff think that disclosure prior to appraisal is only relevant for category A projects. WBI includes a section on consultation and disclosure in its safeguards training, but greater outreach to staff working on category B projects will likely increase compliance with the disclosure policy.

IBRD category B EAs have different disclosure requirements and must be disclosed *when received by the Bank*, which is interpreted to mean whenever the Region sends it to the InfoShop. For FY00, only 40 percent of documents had been disclosed by late 2000, although Board dates for many projects with first and second quarter appraisal missions have already passed. OPS recognizes that

this requirement is meaningless, and has proposed in its disclosure issues paper that the requirement be amended so that Category B projects have the same disclosure requirements as category A and IDA-B projects. If this recommendation is implemented, then monitoring disclosure of documents for these projects will be meaningful. They have already been included in the new Regional/InfoShop monthly information coordination and are already being tracked, so amending the requirements will not result in the need to develop another tracking system.

4.2.5 RAP and IPDP Compliance Rates: FY98–FY00 (3rd quarter)

The new procedures have also improved the disclosure and tracking of RAPs and IPDPs. The timely disclosure of RAPs increased from 9 percent in FY99 to nearly 47 percent in FY00.

Resettlement Plans and Indigenous Peoples Development Plans must be disclosed with an EA to be considered in compliance with the disclosure policy. However, if a project has no EA, but triggers the Involuntary Resettlement or Indigenous Peoples policy, there is, technically, no requirement to disclose the plan. This technicality means that more than 25 percent of RAPs and more than 80 percent of IPDPs—all associated with category B projects—are not required to be disclosed. Con-

Box 4.8 Madagascar Public Information Services: A Success Story

In February 1996, when a new Resident Representative arrived in Madagascar, he found a small, disorganized collection of World Bank reports housed in an inaccessible space. Persuaded of the importance of having information available for all to access, he immediately created a strategy to develop not only a viable information center, but also a network of other places where the public could find documents on the Bank's activities in Madagascar. In less than a year the new Res. Rep had:

- Selected the best assistant in the mission to operate the center and ensured she received all adequate training
- Remodeled half a floor of the country office to make space and allow access to the center
- Gathered a meaningful collection of reports, books, and working papers and installed a public workstation giving access to the World Bank pages on the Internet.

In addition the Center offered a video room for presentations, reading tables, and a copying facility operated on a charge back basis. He then organized a grand opening cocktail, inviting many dignitaries, NGOs, donors, the University Dean, the press, television, and radio stations to the center. Shortly afterwards, a local TV station produced an exclusive documentary program on the Center and programmed it at prime time. This also resulted in great newspaper and radio station reviews. Together, these efforts resulted in heavy use of the new facility.

To establish a network of 11 small information centers giving access to Bank information all over the country, the Res. Rep established partnership with UNDP, universities, mayors, and, most successfully, with the "Alliance Francaise," which had a large network of well-managed information centers throughout the country. In large provincial cities two or three spots were selected. The country office sent documents and books free of charge (a dozen or so books and reports every three months). In return, the centers agreed to display the documents in a visible area, commit to free access, and provide quarterly reports to the country office on attendance, client needs, most requested documents, and so forth.

To advertise the existence of centers, meetings with mayors and project entities were organized in these centers whenever possible. All field office staff members and visiting missions were encouraged to advertise the existence of the centers. They were expected to use the spaces for conferences about World Bank work and/or on specific issues whenever they visited the provinces.

These accomplishments were achieved although there was no budget line reserved for information and public outreach. Staff mobilization, recognition of the huge need and desire for knowledge of the Malgache population, resourcefulness in operating without a budget, and constant reminders of the need for transparency and information led the team to what now exists.

Source: Diana Ya-Wai Chung and Veronique Danforth. See <http://wbIn0023.worldbank.org/EXTRO/ExtKnowNet.nsf>.

versions of the Involuntary Resettlement and Indigenous Peoples operational directives into operational policies, expected in FY01, will eliminate this discrepancy and require all plans to be disclosed whether or not an EA exists.

Regardless, all RAPs and IPDPs for category A and B projects are now being tracked by the new system. When the requirements that all plans must

be disclosed prior to appraisal comes into effect, the Regions and the InfoShop will add category C projects triggering these policies to their tracking lists. This will involve greater inter-Regional coordination to ensure that staff know which C projects (normally not tracked for these issues) should be included on the monthly monitoring lists. Presently, 6 percent of RAPs are in category C

Table 4.3 Disclosure of Environmental and Social Operational Documents (June 2000)

| Project EA Category ¹ | Project Information Document (PID) | Environmental Assessment (EA) ^{2, 3, 4, 5} | Environmental Data Sheets (EDS) | Resettlement Action Plans (RAPs) ^{5, 6} | Indigenous Peoples Development Plans (IPDPs) ^{5, 7} |
|----------------------------------|--|---|---|--|---|
| IBRD | A Sent to InfoShop early in project processing, updated before appraisal. (BP 17.50, para. 4) | Disclosed in-country and sent to Bank before appraisal; Task team sends promptly to InfoShop. If Borrower objects, processing referred to Executive Directors. (BP 17.50, para. 12; OP 4.01, para. 19) EA executive summary sent to the Board when EA received by the Bank. (BP 4.01, para. 11) | EDS prepared as quarterly updates in the Monthly Operational Summary and sent to InfoShop. (BP 17.50, para. 11) | Resettlement Plan submitted to Bank before appraisal; incorporated in EA report and disclosed with it. (OD 4.30, para. 30; OP 4.01, para. 8, footnote 10; OP 4.01, Annex B, para. 2; OP 4.01, Annex C, para. 2; Operational Memorandum, December 3, 1993, para. 4) | IPDP submitted to Bank prior to appraisal; incorporated in EA report and disclosed with it. (OD 4.20, para. 18; OP 4.01, para. 8, footnote 10; OP 4.01, Annex B, para. 2; OP 4.01, Annex C, para. 2; Operational Memorandum, December 3, 1993, para. 4) |
| | B same as above | Any separate report disclosed in-country and sent to Bank; Task team sends to InfoShop upon receipt. If Borrower objects, processing referred to Executive Directors. (OP 4.01, para. 19, BP17.50, Annex D, para. 1e) | same as above | same as above | same as above |
| IBRD Guarantee Operations | A Sent to InfoShop 30 days before Board, updated as necessary. (BP 14.25, para. 7) | Disclosed in-country and sent to InfoShop 60 days before Board date. (BP 4.01, para. 17, BP 14.25, para. 10) | same as above | same as above | same as above |
| | B same as above | Disclosed in-country and sent to InfoShop 30 days before Board date. (BP 4.01, para. 17, BP 14.25, para. 10) | same as above | same as above | same as above |
| IDA | A Sent to InfoShop early in project processing, updated before appraisal. (BP 17.50, para. 4) | Disclosed in-country and sent to Bank before appraisal; Task team sends promptly to InfoShop. If Borrower objects, processing stops. (BP 17.50, para. 12; BP 17.50, Annex D, para. 1. e; OP 4.01, para. 19) EA executive summary sent to the Board when EA received by the Bank. (BP 4.01, para. 11) | same as above | same as above | same as above |
| | B same as above | Any separate report disclosed in-country and sent to Bank before appraisal; Task team sends promptly to InfoShop. If Borrower objects, processing stops. (BP 17.50, para. 13; BP 17.50, Annex D, para. 1. e; IDA-10 1993) | same as above | same as above | same as above |

| | | | | | | |
|--------------------------------|---|---|--|---------------|---------------|---------------|
| IDA Guarantee Operations | A | Sent to InfoShop prior to appraisal, updated as necessary (see rules for exceptions). (BP 14.25, para. 7) | Disclosed in-country and sent to InfoShop prior to appraisal. (BP 14.25, para. 11) | same as above | same as above | same as above |
| | B | same as above | same as above | same as above | same as above | same as above |

Trust Funds A Trust Funds are administered under applicable Bank policies and procedures: If given in conjunction with a loan and/or credit, process like the accompanying operation. If free-standing, & B process like an IDA credit. (OP 14.40 para. 10)

| | | | | | | |
|------------------|--|--|--|--|--|--|
| GEF ³ | Sent to Infoshop early in project processing, up-dated before appraisal. (BP 17.50, para. 4) | | | | | |
| | Follow IDA guidelines (see <i>Disclosure of Information</i> footnote 1 at the following web site: www.worldbank.org/html/pic/Dp_root.htm). (BP 17.50, para. 4) | | | | | |
| GEF ³ | EDS prepared as quarterly updates in the Monthly Operational Summary and sent to InfoShop. (BP 17.50, para. 11) | | | | | |
| | Resettlement Plan submitted to Bank before appraisal; incorporated in EA report and disclosed with it. (OD 4.30, para. 30; OP 4.01, para. 8, footnote 10; OP 4.01, Annex B, para. 2; OP 4.01, Annex C, para. 2; Operational Memorandum, December 3, 1993, para. 4) | | | | | |
| GEF ³ | IPDP submitted to Bank prior to appraisal; incorporated in EA report and disclosed with it. (OD 4.20, para. 18; OP 4.01, para. 8, footnote 10; OP 4.01, Annex B, para. 2; OP 4.01, Annex C, para. 2; Operational Memorandum, December 3, 1993, para. 4) | | | | | |
| | IPDP submitted to Bank prior to appraisal; incorporated in EA report and disclosed with it. (OD 4.20, para. 18; OP 4.01, para. 8, footnote 10; OP 4.01, Annex B, para. 2; OP 4.01, Annex C, para. 2; Operational Memorandum, December 3, 1993, para. 4) | | | | | |

1. For operations with IDA and IBRD funds, IDA procedures apply.
2. For Category B projects, several documents satisfy the EA requirement: EA/EIA/EMP/regional or sectoral EA/environmental audit/hazard or risk assessment (OP 4.01, para. 7).
3. Operational Memorandum, December 2, 1993: The full EA is attached to the PID, not summarized in an annex to the PID.
4. **Pelosi Amendment 1991** (U.S. Government requirement) stipulates that the U.S. Executive Director can only vote to approve projects that have disclosed EAs, Resettlement Plans, and IPDPs in-country, at the InfoShop, and to the Board 120 days before the Board date. Covers all projects, regardless of category, with significant impacts on the human environment. For a copy of the Pelosi Amendment contact the ESSD hotline at 202-522-3773.
5. The disclosure requirements of BP 17.50 were incorporated into OP 4.01, which was issued in 1999.
6. Where there is an EA, and the Resettlement Plan is part of another document, the relevant section(s) of that document should be disclosed. In the event that the EA and the Resettlement Plan are separate documents, the Plan should be disclosed separately.
7. Where there is an EA, and the IPDP is part of a social assessment, the social assessment and/or relevant section of that document should be disclosed. In the event that the EA and the IPDP are separate documents, the IPDP should be disclosed separately.
8. GEF full-sized projects (grants over \$1 million).

projects. It is unknown how many projects with IPDPs are classified category C. This information will become available when the indigenous peoples safeguard specialist completes his project inventory, expected in FY01.

4.2.6 Disclosure In-Country

The in-country disclosure of project documentation is the responsibility of the Borrower, and is a requirement of BP 17.50 and OP 4.01. Compliance has not been well monitored by the Bank. Country-level disclosure is one of the most important aspects of disclosure, since it gives affected parties the opportunity to provide input into projects that may significantly affect their lives. Disclosure in-country calls for several steps to be taken by the Borrower and by the Bank.

Borrower: According to OP 4.01, the Borrower is responsible for carrying out public consultation with stakeholders.²¹ Prior to consultation, the Borrower is required to provide relevant material about the proposed project and its impacts in a timely manner to project-affected groups. The requirement to provide information prior to consultation is aimed at ensuring that stakeholders have adequate time to understand project impacts and develop their comments and suggestions. Disclosure is meant to stimulate a two-way dialogue. If stakeholders cannot read project information, then it should be presented to them in another suitable format. Once their views have been taken into account and reflected in the EA, RAP, and/or IPDP, this final document should be disclosed locally and in-country. All these elements comprise one aspect of disclosure.

Bank: The Bank advises the Borrower on its policies and ensures that required Bank procedures have been followed and project documentation is complete. When the Bank is satisfied that these requirements have been met and officially receives an EA, RAP, or IPDP, it releases it to the InfoShop and makes it available in its Country Office.²²

To date, monitoring of in-country disclosure has not taken place systematically, and the in-country availability of documents has been uneven. According to the FY00 "Issues Paper" on disclosure, some countries have small Public Information Centers (PICs) with trained staff, while others have just a

few shelves in an office devoted to project documentation. The disclosure policy requires that all country offices be able to supply documents specific to the country in which they are located.²³ The first disclosure review assigned responsibility for in-country disclosure to Country Directors, but action taken varied from country-to-country. In 1999, therefore, *Guidelines for Country Office Public Information Centers/Libraries* (October 1999) were released, clarifying the roles and responsibilities for PIC staff, external affairs officers, and resident representatives.

As the capacities and standards of country office PICs vary, one Region has undertaken a pilot project. The InfoShop and Africa External Affairs have launched an internship program through which country office staff will spend three to six months at the headquarters' InfoShop. Although a slow process, it is expected that these internships will provide a better understanding of public disclosure and improve the organization and availability of project documents in country office PICs. In addition, a "PICs in the World" web site has been launched, which provides addresses and other contact information for those interested in obtaining information in country offices.

4.3 Conclusions

The reviews of Bank progress on public consultations are encouraging. More consultations are being held, and their quality is showing steady improvement. Studies demonstrating the positive impact of public consultations, among other factors, are apparently helping to convince Bank staff and clients of the value of bringing public opinion into the EA process at critical moments, disclosing project information in a timely and appropriate manner, and involving local citizens in monitoring and evaluation of environmental projects. Taking the nine recommendations made regarding public consultations into consideration should contribute toward ongoing positive results in EA quality through public participation.

In addition, this chapter has looked at important issues in disclosure and supervision, and found that while some projects demonstrate best practices, in other cases compliance has been spotty at best. One thread that seems to run through many

of the observations made by different Bank entities examining safeguard compliance is that projects not designated as Category A do not receive the environmental and social attention they often require.

Notes

1. Shelton Davis and Nightingale Rukuba-Ngaiza, “Meaningful Consultation in Environmental Assessments,” Social Development Note 39 (Washington, D.C.: World Bank, 1998).

2. Shelton Davis and Tosca van Vifferijken, “Public Consultation in Environmental Assessment: Lessons from East and South Asia,” Environment Department Dissemination Note 53 (Washington, D.C.: World Bank, 1997)

2. Davis and Rukuba-Ngaiza, “Meaningful Consultation.”

4. Environment Department, “Public Consultation in the EA Process: A Strategic Approach,” *Environmental Assessment Sourcebook Update* 26 (Washington, D.C.: World Bank, 1999).

5. N.Rukuba-Ngaiza, R. Lubis, M. Cullen, Z. Li, C. Mausolff, “Public Consultation in Environmental Assessments 1997–2000,” Environment Department (Washington, D.C.: World Bank, 2001, draft).

6. All percentage estimates of the projects sampled for this Review were based on data gathered through project documents and then were sent to TMs / TTLs for confirmation in the form of a quantitative chart.

7. Environment Department, “Public Consultation in the EA Process.”

8. However, due to beneficiaries’ generally limited access to the Internet in most Bank client countries, this is not a recommended means of information dissemination for all projects.

9. K.M. Green and A. Zazueta, “Study of Bank Performance with the Environmental Assessment Safeguard in Selected Countries, OED Report (Washington, D.C.: World Bank, 2000 draft).

10. For examples of EIA country legislation that has devised good public consultation and participation strategies, see Mohammed A. Bekhechi and Jean Roger-Mercier, “Environmental Impact Assessment Legal and Regulatory Framework: Study of Selected Sub-Saharan African Countries” (Washington, D.C.: World Bank, 2000 draft).

11. The Zambia Environment Support Program Project has a component that promotes training in citizens’ environmental rights, which includes their engagement in the EA process.

12. The World Bank Policy on the Disclosure of Information (Washington, D.C.: World Bank, 1994). See www.worldbank.org/html/pic/Dp_root.htm for details.

13. Ibid.

14. EA Sourcebook Update 5, *Public Involvement in Environmental Assessment: Requirements, Opportunities and Issues*, October 1993.

15. BP 17.50, para. 12.

16. BP 17.50, para. 13; IDA-10, 1993.

17. OP 4.01, para. 19.

18. *Policy on Information Disclosure: Issues Paper (draft)*, April 14, 2000, (para. 30).

19. OD 4.30, para. 30 and OD 4.20, para. 18.

20. See OP 4.01: para.8, footnote 10; Annex B, para. 2; Annex C, para. 2.

21. OP 4.01, para. 15-18.

22. *Guidelines for Country Office Public Information Centers/Libraries*, February 2000. See <http://wbln0023.worldbank.org/EXTRO/ExtKnowNet.nsf>

23. See *Policy on Information Disclosure: Issues Paper* for more details.

