

## **C Environmental and social management requirements**

The World Bank has developed a number of Safeguard Operational Policies to ensure that all possible negative impacts are considered and mitigation measures are spelled out prior to the implementation of any proposed project. These policies ensure that the quality of operations is uniform across different settings worldwide. If the decision is taken that a Safeguard Policy should be applied, mitigation measures and plans must be developed and in place before the implementation of a proposed project. In the case of the ICEMA Project three Safeguard Policies were triggered/ developed based on the Namibian context. These include an Environmental and Social Assessment (ESA), an Indigenous People's Development Plan (IPDP) and a Resettlement Policy Framework (RPF). Special attention is given to the Indigenous People's Safeguard Policy (OP 4.10) as this policy has been applied by the World Bank, and is thus a major issue which has to be addressed by the ICEMA Project. *See section I, p. 32.*

The ICEMA PO will do its utmost to facilitate required understanding about the Safeguard Policies, their implementation and access to information. The Monitoring and Evaluation (M&E) Specialist of the PO will screen subprojects to see whether any of the Policies are triggered. If a policy is triggered the PO will provide or source technical assistance to conservancies/ community forests with regard to compliance, planning and mitigation measures. The ESMF provides guidance for appropriate responses to Safeguards. Below following are descriptions of the policies preceded by brief contextualisation under the World Bank.

### **World Bank Operational Policies**

#### **Environmental Assessment Operational Policy (OP 4.01)**

Environmental Assessment (EA) is one of the 10 environmental, social, and legal Safeguard Operational Policies of the World Bank. The Bank uses EA to identify, avoid, and mitigate the potential negative environmental impacts associated with Bank (lending) operations. The purpose of EA is to improve decision making, to ensure that project options under consideration are sound and sustainable, and that potentially affected people have been properly consulted.

EA evaluates a project's potential environmental risks and impacts in its area of influence (i.e. national CBNRM environment and conservancies specifically); examines project alternatives; identifies ways of improving project selection, planning, design, and implementation by preventing, minimizing, mitigating, or compensating for adverse environmental impacts and enhancing positive impacts; and includes the process of mitigating and managing adverse environmental impacts throughout project (subproject) implementation. The Bank favours preventive measures over mitigatory or compensatory measures, whenever feasible.

EA takes into account the natural environment (air, water, and land); human health and safety; social aspects (involuntary resettlement, indigenous peoples, and cultural property); and transboundary and global environmental aspects. EA considers natural and social aspects in an integrated way. It also takes into account the variations in project and country conditions; the findings of country environmental studies; national environmental action plans; the country's overall policy framework, national legislation, and institutional capabilities related to the environment and social aspects; and obligations of the country, pertaining to project activities, under relevant international environmental treaties and agreements. EA is initiated as early as possible in project processing and is integrated

closely with the economic, financial, institutional, social, and technical analyses of a proposed project. Hence, ICEMA's Environmental and Social Assessment.

The Bank undertakes environmental screening of each proposed project to determine the appropriate extent and type of EA. The Bank classifies the proposed project into one of four categories, depending on the type, location, sensitivity, and scale of the project and the nature and magnitude of its potential environmental impacts. ICEMA is categorised as a *Category B* project re: these impacts are site-specific; few if any of them are irreversible; and in most cases mitigatory measures can be designed more readily.

During project implementation, the following need to be reported to the Bank:

- a. compliance with measures agreed with the Bank on the basis of the findings and results of the EA, including implementation of any Environmental Management Plan (EMP), as set out in the project documents;
- b. the status of mitigatory measures; and
- c. the findings of monitoring programmes.

#### **Indigenous Peoples Operational Policy (OP 4.10)**

The Indigenous Peoples Policy contributes to the Bank's mission to reduce poverty and promote sustainable development by ensuring that Indigenous People's (IP) human rights, dignity, cultures and economies are fully respected. Through this policy, the Bank recognises that IP's identities and cultures are inextricably linked to the lands on which they live and the natural resources they are dependent on. These distinct characteristics and circumstances make IPs vulnerable to different types of risks, and levels of impacts from development projects. Such risks include loss of identity, culture and customary livelihoods as well as exposure to negative health impacts (disease). IPs are often characterised by identities distinct from that of the dominant groups in their national society, and are thus, frequently among the most marginalised and vulnerable parts of the population. As a result, their capacities are often times limited by low economic, social and legal status to defend their interests in, and rights to lands, territories and other resources. Their overall status in society also restricts their ability to participate in, and benefit from development. The Bank recognises the vital role that IPs play in sustainable development and the fact that their rights receive increasing attention and action under domestic and international law.

In light of the above, this Policy includes measures to;

- i. Avoid potentially adverse effects on the Indigenous People's communities; or
- ii. When avoidance is not feasible, minimise, mitigate or compensate for such effects.

ICEMA's Indigenous Peoples Development Plan (IPDP) targets the San peoples of Namibia. ICEMA will strive to better the San people's positions in conservancies/ community forests by encouraging their roles in decision making and overall participation, especially in subproject planning and implementation.

See section H on Indigenous Peoples and ICEMA's Indigenous Peoples Development Plan (IPDP) for elaborate information about the Project's position on indigenous peoples in target areas.

*Other indigenous peoples in Namibia*

There are other groups in Namibia whose identities and cultures are inextricably linked to the lands on which they live and the natural resources they are dependent on; who are also vulnerable to risks such as loss of identity, culture and customary livelihoods as well as exposure to negative health impacts (disease). These groups, such as the Himba and Tjimba, are also characterised by having identities distinct from that of the dominant groups in the Namibian national society, and are among the most marginalised and vulnerable parts of the Namibian population. Although the World Bank has not recognised these groups as “Indigenous Peoples” it will be important for ICEMA and the MET to ensure that these groups are not negatively affected by project activities. It will be important to ensure that in conservancies where they are in a minority, their role in decision-making is promoted.

#### **Involuntary Resettlement Operational Policy (OP 4.12)**

World Bank experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguard to address and mitigate these impoverishment risks.

Involuntary resettlement applies not only to the physical relocation but also if there is an impact on assets or loss of livelihood as well as access to natural resources.

Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. For these reasons, the overall objectives of the Bank's policy on involuntary resettlement are the following:

- i. Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- ii. Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programmes, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programmes.
- iii. Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

In the context of the ICEMA Project it is unlikely that involuntary resettlement will take place as a result of project activities. The main activities that could lead to some form of resettlement are the following:

- Establishment of core wildlife areas or game camps where no settlement is allowed
- Zoning of an area by a conservancy exclusively for tourism
- Establishment of tourism facilities such as camp sites or lodges

In all of these cases such developments are most likely to take place in areas of the conservancy where there is no permanent settlement. The most likely impact on local people would be loss of access to the resources in these areas. Where ICEMA is involved in activities that result in such impacts, the project and MET will ensure that all those affected have been involved in the decision-making and that measures are taken to provide adequate compensation for the loss of such resources. Actual examples of such compensation used by conservancies include giving preference to those most negatively affected for jobs in tourism facilities established in the areas to which people have lost access. Other examples include the negotiation of access to these areas for emergency grazing.

In cases where resettlement becomes necessary, it is part of the responsibility of the conservancy to ensure that such resettlement is negotiated and is voluntary. If a family does not want to move, the first response will be to see whether the boundaries of the proposed area cannot be amended. Another measure will be to see whether that family cannot be incorporated into the development e.g. employed in the campsite, or to look after the wildlife in a game camp. It is difficult to envisage a situation in the ICEMA context where involuntary resettlement, impact on assets, or loss of livelihood might actually take place. If for some unforeseen reason this becomes necessary then ICEMA and MET will ensure that a Resettlement Action Plan is developed in line with World Bank guidelines.

#### **National Environmental Management Requirements**

Namibia has an Environmental Assessment (EA) policy that stipulates the process that should be followed in conducting an Environmental Impact Assessment (EIA) (see Annex 4). The policy has given rise to the drafting of the Environmental Management Bill (EMB), which has not yet been gazetted. The EMB recognizes that the agency in charge of the EIA process is the MET, although it requires the MET to work in close collaboration with the line ministry responsible for the type of activity envisaged. These ministries are referred to in the EMB as the competent authority. For example, whilst tourism and wildlife related activities are the responsibility of MET itself, the drilling of boreholes and livestock related issues fall under the jurisdiction of the Ministry of Agriculture, Water and Forestry (MAWF), while the resettlement of people is controlled by the Ministry of Lands, Resettlement and Rehabilitation (MLRR). Most EIAs are triggered by the need for a developer to obtain a permit from a competent authority, but in some cases (e.g. resettlement) there is no need for a permit even though an EIA might be required.

Once it comes into force the EMB will effectively replace the EA policy. As noted earlier in this ESMF, an EIA need not be undertaken for every project that is initiated by the conservancy. On the contrary, smaller projects should be able to go ahead without an EIA being done at all, as long as they have been well planned, thoroughly screened for impact and carefully-considered mitigation measures have been incorporated into the project design. The key to good planning is considering all the issues and consulting Interested and Affected Parties (I&AP) early in the planning process – when the conservancy is developing its CMP. Nevertheless, the conservancy should be aware of the contents of the EA policy and they should still indicate to MET what projects they want to implement. MET will then be in a position to decide whether an EIA is necessary or not.

ICEMA will adhere to, and ensure compliance with the EIA Policy for subproject proposing, planning and implementation pending the gazetting of the EMB.

ICEMA will seek to enhance conservancy management planning and, subproject identification and planning by ensuring that communities have technical resources available to identify potential negative impacts of a proposed subproject.

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