



ENVIRONMENTAL AND SOCIAL FRAMEWORK

ESS5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT

CONTEXT

In August 2016, the World Bank's Board of Executive Directors approved the Environmental and Social Framework (ESF), which will go into effect in 2018 and progressively replace the Bank's Safeguards. The ESF protects people and the environment from potential adverse impacts that could arise from Bank-financed projects, and promotes sustainable development. Within the ESF, ten Environmental and Social Standards set out responsibilities for Borrowers. The Standards are designed to help Borrowers manage project risks and impacts as well as improve environmental and social performance, consistent with good international practice and national and international obligations.

Overview

Project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both. Experience and research indicate that physical and economic displacement, if unmitigated, may give rise to severe economic, social and environmental risks.

Objectives

The Environmental and Social Standard on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5), requires Borrowers to:

- Avoid or minimize involuntary resettlement by exploring project design alternatives
- Avoid forced eviction
- Mitigate unavoidable adverse impacts from land acquisition or restrictions on land use through timely compensation for loss of assets at replacement cost and assisting displaced persons in their efforts to improve, or at least

restore, livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher

- Improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure
- Ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and informed participation

Highlights

ESS5 includes situations where project makes land physically unusable or inaccessible, even when there is no land acquisition.

It covers restrictions on access to communal property and natural resources, including marine and aquatic, timber, freshwater, hunting and gathering ground, grazing and cropping areas.

It contains criteria on voluntary transactions, land donations, forced eviction and eminent domain; as well as a definition of replacement cost, including where inflation exists.

ESS5 provides some flexibility where a party derived substantial income from multiple illegal rental units.

It includes provisions to protect and support women, including documentation, training, access to credit and jobs.

More information

The full text of the Environmental and Social Framework (ESF) is available at www.worldbank.org/esf

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