Human Rights

Environmental and Social Sustainability Framework (ESSF)
Public consultation webinar series

We will be starting this session shortly

Monday 28 June 2021

Moderator: Olivia Saunders, Senior Civil Society Officer
Questions: Catherine McSweeney and Beatriz Marin Dawid
This webinar has interpretation to and from English.

Type “app.interaction.io” in your browser and use “ESSF” as a password, or download the app on your phone.
WELCOMING REMARKS

Olivia Saunders, Senior Civil Society Officer
How to participate in the discussions

- Go to sli.do on your browser and insert the code #ESSF
- Alternatively, raise your hand if you wish to speak
- State your name & organization and provide a succinct comment or question
- Lower your hand if you no longer wish to speak

You can “like” other people’s questions and comments to give them priority!

The slides and a summary of the discussion will be made available on our consultation webpage
Agenda

• Introduction

• **Presentation** on Human Rights by **Mariana Ruiz Alvarado**, Senior Social Development Specialist.

• **Discussion** with EIB panel

• **Closing remarks** by **Laura Piovesan**
Introduction: what are we consulting on?

New EIB Group
Environmental and Social Policy

11 EIB
Environmental and Social Standards

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Today: The EIB’s approach to Human Rights

EIB Approach to Human Rights outlines the EIB’s commitment and contribution to the long-term promotion of human rights. The EIB addresses human rights considerations through an integrated approach, which includes specific human rights requirements in the Environmental and Social Standards where explicit references have been introduced.
The EIB is bound by the **Charter of Fundamental Rights of the European Union**

The Bank is further **guided by international human rights principles**
- International Bill of Human Rights
- ILO Core Labour Standards
- ILO Convention 169 and UNDRIP (Indigenous Peoples)
- UNGPs

As the lending arm of the European Union, the **EIB is mandated to implement EU policy.**

The EIB **promotes human rights** by investing in projects:
- enhance quality of life, inclusion and equality,
- build resilience to climate change and unforeseen shocks, and
- support job creation and financial inclusion.
Promoter’s Responsibilities

The Bank requires promoters to:

- **respect** human rights,
- **avoid infringing** on the rights of others, and
- **address any negative impacts** on human rights

The EIB Group’s Environmental and Social Policy: **Projects which** limit individual rights and freedoms or **violate human rights are excluded from EIB activities.**

Promoters are required to **consider human rights as part of the environmental and social impact assessment process.**

**Human Rights considerations** are addressed through specific requirements in the EIB Environmental and Social Standards.
HRIA or No HRIA

- Scope and scale of impacts
- Location of the project
- Capacity of promoter to manage contractors and suppliers
- Performance
- Legacy issues / cumulative impacts

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EIB: A Human Rights Responsive Due Diligence

Screening
- Identify salient risks
- Determine the nature of the due diligence
- The EIB may decide not to finance the project

Appraisal
- Assess the severity of human rights impacts
- Consider human rights context, legacy issues and other contextual factors
- Require additional assessments as provided in the E&S Standards

Finance Contract
- Include general or specific provisions to address human rights considerations
- Define reporting and monitoring requirements

Monitoring
- Commensurate with the risk
- Follow up of CPs under the finance contract

EIB can make use of external consultants and experts to:
- inform its decision-making process
- help the promoters in their efforts.

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Access to Information, Transparency and Remedy

- Transparency and freedom of information are essential to promoting human rights.
- Promoters are required to disclose relevant project information in a timely manner.
- The EIB Group has adopted a Transparency Policy.
- The EIB publishes information regarding the projects it supports (EIB Public Register).
- Right to effective remedy and to a fair trial is enshrined in the Charter. Grievance Mechanisms are fundamental to fulfilling this right.
- The EIB requires promoters outside the European Union to establish, as early as possible, an effective grievance mechanism as well as a specific mechanism for workers.
- Rights-holders, as well as the civil society organisations representing them, can also address their grievance to the EIB-CM.
- Prevent and address potential risks of reprisal against complainants and complaint-related people.

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Discussion with EIB Panel

Stephen O’Driscoll  
Head of Environment, Climate and Social Policy

Yasmine Pagni  
Head of Social Policy Unit

Adina Relicovschi  
Head of Environmental Policy Unit

Mariana Ruiz Alvarado  
Senior Social Development Specialist

Juan Manuel Sterlin Balenciaga  
Deputy Head of Division

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There are many topics to discuss today. We are here to listen! Here are some of our questions...

*Please share your views...*

- The EIB pursues an **integrated human rights-based approach**. Is this integrated approach to human rights **sufficiently clear**?

- Are there **any elements missing** that would strengthen the effectiveness of the integrated human rights-based approach?

- Is the EIB’s approach to human rights, including its requirements for project promoters, **clearly described in Standard 1**?

- Each Standard refers to specific and relevant requirements regarding human rights. **Are these references sufficient**? If the references are insufficient, please explain what might be missing:

- How difficult is compliance with human rights at the project level, for example in view of your **local context**?

- Do the Standards give sufficient consideration to the **right to privacy and data protection aspects**?
Closing Remarks

Laura Piovesan
Director, Sustainability and Quality Management
Thank you!

- Join us for our next webinar tomorrow, Tuesday 29 June to discuss Standard 3, Resource efficiency and pollution prevention.

- Submit your contribution before 6 August

- Email us with your outstanding questions at essfconsultation@eib.org

- Give us your feedback on this session on Slido

All information is available on our consultation hub (consult.eib.org).