

Anne-Marie Leroy
Senior Vice President and Group General Counsel

OHCHR REGISTRY

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Recipient: SFD
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January 16, 2013

Prof. Olivier de Schutter
Special Rapporteur on the Right to Food
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
CH-1211 Genève 10
Geneva, Switzerland

and

Dr. Cephias Lumina
Independent Expert on the Effects of Foreign Debt and
other International Financial Obligations of states
Office of the United Nations High Commissioner for Human Rights
Palais des Nations
CH-1211 Genève 10
Geneva, Switzerland

Dear Prof. de Schutter and Dr. Lumina:

Thank you for your letter to President Kim dated November 8, 2012, in reply to ours of October 9, 2012, regarding issues you had raised about the alleged human rights impacts of the privatization of Burundi's coffee industry. On the President's behalf, we wish to reply to your recent letter, once again thanking you for this fruitful exchange.

Regarding the 1947 Relationship Agreement between the World Bank and the United Nations, its terms are clear and cover the relationship between the two organizations and "any of...[their] subsidiary bodies". The prior consultations foreseen in that agreement for any potential recommendations on an issue as complex and sensitive as this one is a matter of sound policy that is in conformity with the spirit of cooperation between our institutions.

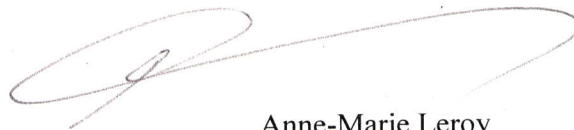
With respect to the 2006 *Legal Opinion on Human Rights and the Work of the World Bank* that opinion was neither presented to, nor endorsed by, the Bank's Board of Executive Directors and therefore, at this stage, it should not be represented as Bank policy. At the same time however, the Bank has always acknowledged the link between its support for development and the realization of human rights. In supporting projects and programs

proposed by member countries, the Bank takes into account all relevant social and environmental factors and may assist with financing development activities that help borrowers fulfill their human rights obligations. However, the Bank is bound to operate in accordance with the mandate vested in it by the shareholders as reflected in the Articles of Agreement.

Finally with regard to Burundi and as noted in earlier correspondence, the Bank conducted an *ex ante* Poverty and Social Impact Analysis (PSIA) in 2006. This was a requirement under the relevant Bank policy. The objective of the PSIA was to study the possible distributional impacts of the specific country policies supported by the Bank, especially on poor and vulnerable groups. An *ex post* PSIA is currently underway, and we shall share the results with you and other stakeholders once it is completed.

In the meantime, we thank you for your continued interest in the Bank's work in Burundi.

Sincerely,



Anne-Marie Leroy
Senior Vice President and Group General Counsel

cc. His Excellency Tabu Abdallah Manirakiza, Minister of Finance, Planning and Economic Development

Makhtar Diop, Vice President, Africa Region

Dominique Bichara, World Bank Special Representative to the United Nations