

Comments on the Working Paper of the ADB Safeguard Policy Statement

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Page	Issue	Recommendation	Rationale
17	Disclosure of updated EIAs is not required in the Policy Principle 6.	Disclosure of updated EIAs should be required in the Policy Principle 6.	<ul style="list-style-type: none"> ➤ Disclosure of updated resettlement plans and Indigenous Peoples plans is required in the Policy Principles. ➤ Disclosure of updated EIAs is required in the Safeguard Requirements 1.
17	Definition of periodic progress reports described in the Policy Principle 7 is unclear.	The words “periodic progress reports” should be specified such as environment monitoring reports in the Policy Principle 7.	<ul style="list-style-type: none"> ➤ Disclosure of environment monitoring reports is required in the Safeguard Requirements 1.
18	Disclosure of resettlement monitoring reports is not required in the Policy Principles.	Disclosure of resettlement monitoring reports should be required in the Policy Principles.	<ul style="list-style-type: none"> ➤ Disclosure of resettlement monitoring reports is required in the Safeguard Requirements 2.
19	Disclosure of Indigenous Peoples monitoring reports is not required in the Policy Principles.	Disclosure of Indigenous Peoples monitoring reports should be required in the Policy Principles.	<ul style="list-style-type: none"> ➤ Disclosure of Indigenous Peoples monitoring reports is required in the Safeguard Requirements 3.
21	<p>Relationship between requirements in the Public Communication Policy and several disclosure requirements for documents described in Para. 57 is unclear. As a result, following issues are happened;</p> <ul style="list-style-type: none"> ➤ It is unclear whether disclosure of draft IEE reports before appraisal is required for Category B projects, ➤ It is unclear whether disclosure of 	The Public Communication Policy should be sustained as main disclosure requirements. If there are any disclosure requirements in addition to the Public Communication Policy, they should exclusively be described in the Para. 57.	<ul style="list-style-type: none"> ➤ Consistency with the Public Communication Policy should be ensured. ➤ Consistency with Safeguard Requirements 1-4 should be ensured.

	subproject's EIA/IEE reports, resettlement plans and Indigenous Peoples plans on the ADB website is required.		
21	Disclosure of draft full EIA reports on the ADB website before appraisal is not required.	Disclosure of draft full EIA reports on the ADB website before appraisal should be required.	➤ Disclosure of draft EIA reports is required in the 2 nd draft SPS. It is a dilution from the 2 nd draft SPS.
23	Social and environmental clearance by ADB for subprojects under sector loan is not required in the Policy Delivery Process.	Social and environmental clearance by ADB for subprojects under sector loan should be required in the Policy Delivery Process.	<ul style="list-style-type: none"> ➤ Social and environmental clearance by ADB for subprojects under sector loan is a basic procedure. It should be required in the Policy Delivery Process, not only in the Operations Manual (OM). ➤ The clearance is required in the existing Environmental Policy.
24	In Para. 68, Policy Principles are only subjects for gap-filling at safeguard frameworks.	Policy Principles and Safeguard Requirements 1-4 should be subjects for gap-filling at safeguard frameworks.	➤ In Para. 67 states that “reflect fully the policy objectives and relevant policy principles and safeguard requirements”, and there is an inconsistency with Para. 68.
24	Social and environmental clearance by ADB for subprojects under FI finance is not required in the Policy Delivery Process.	Social and environmental clearance by ADB for subprojects under FI finance should be required in the Policy Delivery Process.	➤ Social and environmental clearance by ADB for subprojects under FI finance is a basic procedure. It should be required in the Policy Delivery Process, not only in the Safeguard Requirements 4.
34	The followings are issues on disclosure requirements for borrower/client;	➤ For Category A, ADB should require borrower/client to disclose draft full EIA	➤ It is a dilution from the existing policy.

	<ul style="list-style-type: none"> ➤ For Category A, it is unclear whether borrower/client discloses draft full EIA reports to stakeholders before ADB appraisal, and ➤ For Category B, it is unclear whether borrower/client discloses draft IEE reports to stakeholders before ADB appraisal. 	<ul style="list-style-type: none"> reports to stakeholders, not only draft summary EIA reports. ➤ For Category B, ADB should require borrower/client to disclose draft IEE reports to stakeholders. 	
34	There is a vague requirement about timing of public consultation.	For Category A, public consultation process should be begun no later than EIA scoping stage, and should be carried out at least once when the draft EIA report is available before appraisal.	➤ In order to take into account concerns of affected people and other stakeholders into the project design and its mitigation measures, minimum timing requirement of public consultation is important.
73	Prohibited Investment Activities List for ADB's own finance is deleted.	Para. 57 in the 2 nd draft SPS should be sustained.	➤ Prohibited Investment Activities List (Appendix 5) in the Working Paper is only required to ADB-funded FI's finance, is not required to ADB's own finance.