31 January 2020

MR. MASATSUGU ASAKAWA
President
Asian Development Bank (ADB)

Dear Pres. Asakawa,

On behalf of 57 civil society organizations (CSOs) across different regions endorsing this letter, the NGO Forum on ADB would like to be among the first to welcome you on your new role. NGO Forum on ADB ("Forum") is a network of over 250 CSOs that have been monitoring the projects, programs, and policies of the Asian Development Bank (ADB) and has been active since 1992. We are looking forward to working with you closely, especially on addressing the needs of communities affected by problematic ADB funded projects.

For years, the Forum has been actively engaging the ADB on different levels. In 1994, the Forum conducted the first NGO regional consultation on ADB policies in issues, and by 1995 NGO Forum network members created a critique of ADB’s draft policies on information disclosure, involuntary resettlement, energy, forestry, fisheries, and women. Two years later, in 1997, NGO Forum on ADB has made its involvement with the Bank official by conducting a series of parallel events titled ‘Questioning ADB at 30: Myth vs Reality’. This was during the 30th ADB Annual Meeting in Fukuoka, Japan.

By 2004, as the ADB aimed to strengthen its relationship with CSOs, NGO Forum on ADB had its first panel session during the 37th governor’s meeting in Jeju, South Korea.

NGO Forum on ADB has also been on the frontline when it comes to providing critical analysis on the ADB Accountability Mechanism in 2008, as well as the Public Communications Policy in 2011. The Forum has also submitted a critical analysis about the Bank’s Strategy 2030 and has participated in the consultation process.

In 2018, NGO Forum on ADB has taken an active role in ADB’s energy investments. Through the ‘Decarbonize ADB’ campaign, the Forum has continued to put pressure to the Bank to shift from fossil fuel investment towards renewable energy.

In terms of direct engagement with the ADB, the NGO Forum on ADB has maintained active dialogue at all levels of operations and management of the bank. Our network structure entails our local civil society organization members to actively engage project developers, local government authorities, project staff and ADB resident missions across South Asia, Southeast Asia and Central Asia.
While our members are actively involved in the ground, our international secretariat is located here in Quezon City, which allows us direct access to the ADB Headquarters in Ortigas. We have raised project and policy issues with the ADB Board of Directors, especially the US, Japan, Europe and donor government shareholders. Consequently, we have an ongoing dialogue with the operations departments of South Asia, Southeast Asia and Central Asia. Along with affected communities and local civil society we have met with respective project leads and Director Generals of the bank throughout the years and we hope to continue those constructive discussions to address project-related issues and concerns.

On the policy advocacy side, the NGO Forum on ADB is actively in dialogue with the Sustainable Development and Climate Change (SDCC) Department, especially on the ADB Safeguards Policy and Energy Policy and Program review processes. Similarly, we also engage the ADB Independent Evaluation (IED) Department on their current evaluations of the above policies and provide them with ground information coming from our members. The NGO Forum on ADB also engages the Accountability Mechanism function of the bank and maintains a constructive engagement with the Compliance Review Panel and the Office of the Special Project Facilitator. On the overall civil society engagement with the bank, we also maintain a coordinated communication with the NGO Center of the ADB, who helps in co-creating space for civil society input in the policy review process, Annual meetings and audience with the ADB President during the Management session with civil society during the Annual Meeting.

As you embark on this appointment, we call for your leadership to ensure that there will be:

- **Meaningful consultation particularly with the project - affected persons (PAPs) in all phases of the project cycle.** In the ADB 2018 Learning Report on the Implementation of the Accountability Mechanism Policy, the bank found out that 19% of the complaints received pertain to issues on information, consultation and participation (2016 - 2018). Potential adverse impacts such as displacement, payment of inadequate compensation or loss of livelihood could be reduced, if not totally avoided if these meaningful consultations are adequately undertaken. The 2009 Safeguard Policy Statement already provides a strong language on what it requires to have a “meaningful consultation” i.e. implemented in all phases of the project cycle, information is understandable and accessible to the PAPs, undertaken in an environment free of intimidation or coercion, gender-inclusive and enables incorporation of relevant views of the PAPs and other stakeholders. Under your leadership, we expect that the operations department particularly the Private Sector Operations Department will have more robust consideration and exercise due diligence in ensuring that this safeguard is protected. In the same manner, we also call for your office to continue the commitment made by then ADB President Takahiko Nakao that CSOs will be proactively consulted on major policy reviews (emphasis supplied).

- **Ensure effective, thorough implementation and no dilution of safeguards.** In the past decade, there has been a recognition of the trend for an "upward harmonization" of safeguards and environmental & social frameworks across different multilateral development banks (MDBs) for reducing risk and increasing sustainability. Unfortunately, at some MDBs, this has been translated into policies that are so flexible as to be unenforceable or at best ambiguous. It is in this light that NGO Forum on ADB expects the Bank to continue protecting the strong language on safeguards e.g. on
information disclosure, gender considerations, meaningful consultation, etc., and to strengthen safeguards on climate change and resource efficiency to fully align with the SDGs and Paris Agreement 1.5 degree target. Furthermore, the bank can be a progressive MDB leader by having equally strong safeguards on gender, labor, vulnerable groups and better framework for financial intermediaries. It should maintain in exercising caution with the use of country safeguard systems and focus instead in systematically strengthening it. We remind ADB that it is in its own interest, and that of its clients, to ensure that these safeguards remain not only on paper but are properly implemented in all phases of the project cycle.

- **End of ADB support for fossil fuels by end of 2020 and craft a transition plan with more ambitious targets to achieve carbon-neutral development in Asia.** In order for ADB to be more responsive and not exacerbate the climate crisis, it must not be business as usual. Indeed, a true “progressive” approach requires urgent action to protect and conserve both people and planet by moving as fast as feasible to carbon neutrality. The Bank should adopt a Paris-aligned policy that accelerates and prioritizes clean energy and climate agenda without false solutions. Specifically, it is high time for the Bank to commit its resources to enable clients to achieve a rapid phase-out of all existing coal-fired power plants and ensure that it proactively assist developing member countries for a low-carbon transition pathway.

The NGO Forum on the ADB and our CSO partners welcome the news that the ADB will refrain from allowing the use of asbestos products in projects. We hope that this decision and the introduction of rigorous compliance mechanisms will prevent the hazardous cancer-causing substance being delivered as part of infrastructure and community building projects. Asbestos has been banned in many of the ADB developing member countries for years or decades and we welcome the decision to support efforts to reduce asbestos exposure and by extension asbestos related diseases in developing member countries.

- **Address historical accountability.** In 2017 when the ADB had reached its 50th year, the NGO Forum on ADB raised the issue of the historical responsibility of ADB’s project impacts before its safeguard policies and redress mechanisms. Many projects such as the Khulna Jessore Drainage Rehabilitation Project (KJDRP) in Bangladesh, Marinduque Marcopper mining disaster and Masinloc coal power plant in the Philippines all are riddled with environmental and social harms that continue even until today. When the project impacts were raised to ADB management, the response was that ADB had immunity privileges from its borrowing governments and therefore would not be held accountable for projects which had phased out from operations. This response was not satisfactory and various media reports and position statements had been released inquiring further deeper into the ADB’s immunity position. We request the new president to reflect on ADB’s immunity and reassess its relevance in today’s context, where it is evident that environmental and social harm often outlive project cycles and affect future generations to come. Being a bank with a 50-year track record we urge the ADB to address its historical responsibility in addressing the operational impacts over the past decades and we hope under your leadership this issue will be given its due consideration.
We look forward to furthering engagement as you begin your work ensuring accountability at ADB and providing space for project-affected communities.

Respectfully yours,

[Signature]

Mr. Rayyan Hassan
Executive Director
NGO Forum on ADB

Endorsed by:

Accountability Counsel, USA
Aksi!, Indonesia
Alyansa Tigil Mina (Alliance to Stop Mining) - ATM, Philippines
Bank Information Center, USA
Bank Information Center Europe, Netherlands
Buliisa Initiative for Rural Development Organisation (BIRUDO), Uganda
Campaign for Sustainable Rural Livelihoods (CSRL), Bangladesh
Center for Energy, Ecology, and Development, Philippines
Center for International Environmental Law (CIEL), USA
Center of Bird Lovers, Armenia
Central Asia and Caucasus NGO Forum on ADB, Armenia
Centre for Environmental Justice, Sri Lanka
Centre for Human Rights and Development, Mongolia
Coastal Livelihood and Environmental Action Network (CLEAN), Bangladesh
COMPPART Foundation for Justice and Peace building, Nigeria
Development Observers NGOs' Network, Mongolia
Development Synergy Institute (DSI), Bangladesh
Digo Bikas Institute (DBI), Nepal
ECO NGO Otrazhenie, Kazakhstan
Environics Trust, India
Environmental Public Alliance, Armenia
Equitable Cambodia, Cambodia
Focus on the Global South, Regional
Food Information Action Network (FIAN), Sri Lanka
Fresh Eyes - people to People Travel, United Kingdom
Friends of the Earth Japan, Japan
Friends of the Earth US, US
Global Social Justice, Belgium
Green Advocates International, Liberia
Haribon Foundation for the Conservation of Natural Resources, Inc., Philippines
Inclusive Development International, USA
Indian Social Action Forum, India
Indigenous Perspectives, India
Initiative for Right View (IRV), Bangladesh
International Accountability Project, USA
International Center for Not-for-Profit Law, Tajikistan
International Rivers, USA
Jamaa Resource Initiatives, Kenya
Japan Center for a Sustainable Environment and Society (JACSES), Japan
Legal Rights and Natural Resources Center - Friends of the Earth Philippines (LRC), Philippines
Life Haven Center for Independent Living, Philippines
Nash Vek Public Foundation, Kyrgyzstan
NGO Forum Cambodia, Cambodia
OYu Tolgoi Watch, Mongolia
Pakistan Fisher Folks (PFF), Pakistan
Participatory Research Action Network- PRAN, Bangladesh
Philippine Rural Reconstruction Movement, Philippines
Project Affected Peoples Association (PAPA), India
Rivers without Boundaries, Mongolia
Safety and Rights Society (SRS), Bangladesh
Society for Environment and Human Development (SEHD), Bangladesh
Sri Lanka Nature Group, Sri Lanka
Sustainability and Participation through Education and Lifelong Learning (SPELL), Philippines
Urgewald, Germany
Voices for Interactive Choice and Empowerment (VOICE), Bangladesh
WomanHealth Philippines, Philippines
Youth For Environment Education And Development Foundation (YFEED Foundation), Nepal
Cc:

Office of the Vice-President for Knowledge Management and Sustainable Development
Office of the Vice-President for Private Sector and Public-Private Partnerships
Office of the Vice-President for Administration and Corporate Management
Office of the Vice-President for Finance and Risk Management
Office of the Vice-President Operations 1
Office of the Vice-President Operations 2
Director General, Sustainable Development and Climate Change Department
Director, Climate Change and Disaster Risk Management Division
Director, Safeguards Division
Director General of Independent Evaluation at ADB
Office of the Chair, Compliance Review Panel (CRP)
ADB NGO Center