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Center for Environmental Law and Community Rights Inc

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Dear Mr Salamon,

On behalf of the majority of the marginalised rural communities of Papua New Guinea, the Center for Environmental Law and Community Rights (CELCOR) wishes to contribute into the Asian Development Bank's (ADB's) ongoing review of its Disclosure Policies.

CELCOR is a not for profit public interest law non-governmental organisation based in Port Moresby, Papua New Guinea. The Center works with affected communities whose lives are affected one way or the other by developmental projects that are funded by International Financial Institutions including ADB through their Poverty Reduction strategies for poor countries.

The Organisation strongly believes that in order for ADB to be effectively transparent in its operations, the involvement of communities or organisations that representing communities be notified and given opportunity to participate in the reviews of the Bank's Policies and projects. Thus the following measures are to be considered:

The Board of Directors

The Bank should provide contact addresses (e-mail, postal, telephone, facsimile) and profiles of its most important Governing body at a country level. This would enable communities to know whom they would be dealing with when they address certain issues resulting from ADB's operations.

The Policy and Strategy Formulation Process

Goals and aims of a certain policy or strategy must be made known to the Organisation or Group tasked with spearheading the Project; the onus is on them to notify those persons or communities concerned on the Policy formation. The Pros and Cons of a certain Policy must be emphasised to the stakeholders to avoid communities crying foul at a particular policy when they had the chance to comment on it in the beginning.

Country Specific Strategies

The following information about ADB's Master Plan for PNG be made available on the web or at the country level;

Programme and Project Appraisals and Evaluations

Country Programme Notes

Listing of Environmental Impact Assessments and any Environment related documents

ADB Quarterly review

The Project lending Cycle

Below are type of information that should be made available at a country level and on the web for Papua New Guinea;

The Feasibility Study at the project identification and preparatory stage. It is at this stage that consultants work with stakeholders before presenting the final report at the tripartite meeting. It would be better to have the public provide critiques before the tripartite meeting, having to make sure that all critiques are taken into account.

The loan proposal report and the draft loan agreement be made available to the public for comments at the Appraisal stage before it is submitted to all parties for review

Accessibility of Information

The ADB should make sure that the public could easily access the information that it discloses by making it available at the project level, country level and on the Website.

Translation

The ADB should make the decision of translating any disclosed information about a project into Tok Pisin and Motu (the preferred languages in the country) for the citizens of Papua New Guinea.

Disclosure Policy Compliance and process Guarantees:

Citizens (of PNG) should be able to appeal cases where they feel they have been wrongly denied information. It is a constitutional right in PNG for citizens to be accorded information relating to their particular circumstance (Freedom of Information –section 157 of the Constitution).

Transparency:

The ADB should ensure that the funding it provides for certain projects are specific and only used for that particular project according to the Agreement it signs with the Government.

Other Matters:

The ADB should make sure that at the country and project level, the staff responsible for a project must have knowledge about who is to participate in any project and policy reviews of the Bank and ensures that the staff identifies the appropriate community or organisation to participate.

Apparently, the vast majority of the citizens need to be educated on who and what is ADB all about and its presence in the country.

We are hoping that the ADB considers these views in it's new Disclosure Policy.

Yours sincerely

Damien ASE
Executive Director
Center for Environmental Law and Community Rights

Cc: ADB Director

Cc: The Country Director

Cc: The ADB Governor for PNG- The Hon.Bart Philemon, MP