

22 August 2008

Mr. Renato Redentor Constantino
Executive Director
NGO Forum on ADB
85-A Masikap Extension, Central District
Diliman, Quezon City 1101
Philippines

Dear Mr. Constantino,

Thank you for the letter dated 25 July 2008 from the NGO Forum on ADB regarding the agenda for the planned consultation on the Safeguard Policy Update (SPU). We have appreciated the subsequent meeting with NGO Forum colleagues on 29 July, and the discussions that followed on the comments raised in your letter. Specifically, the comments address the following topics: (i) duration and agenda of the consultation workshop; (ii) draft internal safeguard review procedures (draft OM) and implementation budget; (iii) review of the SPS by multi-stakeholder break-out groups; (iv) legal discussions; and (v) Indigenous Peoples workshop. Please find below our response to your comments.

Duration and agenda of the consultation workshop. Thank you for your detailed suggestions for the agenda for the consultation workshop. We will take these suggestions into consideration along with the inputs of other stakeholders before finalizing the agenda for the multi-stakeholder workshop. We will post the draft agenda on the SPU website in the coming months, and we will welcome further comments and suggestions.

Draft internal safeguard review procedures (draft OM) and implementation budget. We agree that the draft internal safeguard review procedures are important. A draft will be posted for comment on the ADB website in conjunction with a second draft of the Safeguard Policy Statement (SPS). It is important to note that in accordance with ADB staff instructions, the draft Operations Manual (OM) section is usually prepared when the final draft policy paper (R-paper) is readied for consideration by the Board of Directors. In response to various stakeholder requests, ADB has decided – on an exceptional basis – to prepare a draft document describing the internal safeguard review procedures (draft OM) at the same time as the second draft of the SPS. However, a final OM cannot be developed until approval of the W-paper by the Board, and preparation of the R-paper (the final policy document) begins. The implementation plan will be prepared in accordance with ADB procedures, subsequent to the W-paper stage, once the draft policy paper has been discussed by the Board.

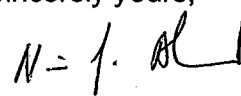
Review of the SPS by multi-stakeholder break-out groups. We agree with you on the desirability of multi-stakeholder break-out groups; we found group discussions extremely useful in the workshops for the Consultation Draft of the SPS. We will incorporate this modality in the workshop agenda.

Legal discussion. We are thankful for your agreement that legal issues should be discussed as part of the consultation workshop. We confirm that we will invite staff from ADB's Office of General Counsel to attend the workshop.

Indigenous Peoples workshop. We are grateful to have your support to hold a separate Indigenous Peoples workshop. We are working closely with Indigenous Peoples representatives to determine the length and the content of the agenda for their workshop.

We look forward to further constructive discussions on the SPU as we move toward the next stage of SPU consultations.

Sincerely yours,



Nessim J. Ahmad
Director

Environment and Social Safeguards Division
Regional and Sustainable Development Department