PRELIMINARY INFORMATION SESSION
for CSOs in the Asia-Pacific Region

A webinar introducing the Stakeholder Engagement Plan for ADB's Safeguard Policy review and update.

IMPORTANT NOTES:
• This webinar is being recorded and livestreamed on Facebook (ADB Safeguard Review)
• Instructions for slide translations and interpreters can be found in the chatbox section
I. Opening remarks
Bruce Dunn, Director, Safeguards Division, and Officer In-Charge, Environment Thematic Group, Sustainable Development and Climate Change Department

II. Overview of SPS, the SPS review process and highlights from IED report
Madhumita Gupta, Principal Social Development Specialist (Safeguards)
Zehra Abbas, Principal Environment Specialist

III. Introducing the Safeguard Policy Review Team and overview of the SEP
Stakeholder Engagement Team

IV. Q&A

V. Next steps and wrapping up
Bruce Dunn

**Director**, Safeguards Division, concurrently **Officer In-Charge**, Environment Thematic Group, Sustainable Development and Climate Change Department

OPENING REMARKS
OVERVIEW

SPS, SPS Review Process and Highlights from IED Report
Sustainable Development and Climate Change Department
Safeguards Division

Safeguards Policy Review and Update

Preliminary Information Session for Civil Society Organizations in the Asia-Pacific Region

April-May 2021
• **ADB SPS** approved July 2009, effective March 2010.

• **Objectives:** Avoid, minimize, mitigate, and/or compensate for adverse project impacts on the environment and affected people; and help borrowers strengthen country systems and capacity.

• **Scope:** 3 Safeguard Policy Areas: Environment, Involuntary Resettlement, and Indigenous Peoples.

• **Architecture:** One umbrella policy statement, 3 sets of principles with corresponding sets of borrower requirements.

• **Modalities:** Includes provisions tailored to different lending modalities.
<table>
<thead>
<tr>
<th>Safeguard Policy Statement Principles and Requirements</th>
<th>Policy Implementation</th>
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<tbody>
<tr>
<td>Policy Principles ENV</td>
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<td>Policy Principles IR</td>
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<td>Policy Principles IP</td>
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<td>Policy Delivery Process</td>
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<tr>
<td>Roles and Responsibilities of ADB and Borrowers/Clients</td>
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<td>Safeguard Requirements for Borrowers/Clients/ADB (SR1-4)</td>
<td>Sourcebooks for ENV, IR and IP</td>
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Rationale for Policy Update

• Changing development trends in Asia and Pacific Region; changing client needs; emerging financing modalities

• Needs for harmonization with other MFI safeguards policies

• Need to explore opportunities to streamline and improve policy effectiveness

• SPS requires ADB’s Independent Evaluation Department (IED) to undertake a full policy review-para 82 of SPS

• IED full evaluation completed May 2020 with 5 key recommendations
IED’s Recommendations on SPS Effectiveness

1. **Modernize the SPS, increasing its relevance and customizing it for both sovereign and private sector financing**, by building on evidence from the SPS implementation experience and recent safeguard policy updates at other MFIs.

2. **Adopt a new approach in the policy to strengthening borrower systems**, with a view to a more systematic improvement and pragmatic use of country systems.

3. **Introduce a new safeguard implementation framework**, including an updated oversight structure and reporting lines that are strengthened and contribute to more consistent safeguard outcomes across ADB.

4. **Underpin the safeguards policy and implementation framework with sufficiently detailed policy guidance** (e.g., Operations Manual and Staff Instructions) and a range of operational guidance documents and good practice notes with established mechanisms for regular reviews and updates.

5. **Assess the necessary staffing complement** to deliver the safeguards implementation framework and strengthen skills, empowering staff to deliver better safeguard outcomes.
Better integration and synergy between environmental and social safeguards throughout classification, due diligence, and monitoring stages of the project

Addressing thematic cross cutting and emerging issues across environmental and social safeguards

Better tailored provisions and guidance for new and existing lending instruments for sovereign and non-sovereign operations
Safeguards Policy Update
APPROACH AND METHODOLOGY

• Analytical Studies:
  *Policy architecture, thematic, cross cutting areas*

• Comparative Review Studies:
  *Policy provisions and Standards*

• Drafting of Policy:
  *Provisions and Requirements*

• Preparations for policy roll out:
  *Guidance notes and training*

Internal and external Stakeholder Engagement
Analytical Studies on Selected Topics

- **Policy Architecture**: strategic decision on model for the new structure, systems & institutional needs.
- **Safeguard Classification System**: adopting an integrated safeguards classification.
- **Financing Instruments and Modalities**: Study to improve and strengthen safeguard provisions for private sector lending and different financing instruments. Increased private sector lending mandated by Strategy 2030.
- **Fragile and conflict affected situations and small island developing states**: Adopting an effective safeguards approach to better design projects in these scenarios.
- **Papers on Specialized Topics**: Review of ADB’s current approach in addressing specialized topics such as: Biodiversity, noise and vibration, occupational health and safety (including asbestos) and pollution prevention.
- **Country Safeguards Systems**: Strategic future direction to investigate options and modalities for the greater more pragmatic use of CSS.
• **Cross cutting topics for possible integration** - topics otherwise covered by existing thematic policies to address project level risks:
  • Core Labor Standards and working conditions; Indigenous Peoples issues and treatment of vulnerable groups; stakeholder engagement; gender; and climate change.

• **Emerging issues for consideration** - issues covered in recently revised MFI safeguards policies:
  • Cultural heritage; primary supply chain risks; sexual exploitation, abuse and harassment; sexual orientation and gender identity; and disability.
Policy Implementation Procedures

• **Policy Procedures:** Clarify and further develop safeguards procedures for sovereign and non-sovereign lending instruments - *operations manual, staff instructions and guidance material* to support the policy.

• **Enhanced Oversight Framework for Safeguards:** Recommend institutional framework for enhanced safeguard oversight and staffing and performance management

• **Policy Implementation Training:** Prepare training modules and draft guidance notes, E-learning modules for staff and DMCs.
Stakeholder Engagement Planning

- **Stakeholder Engagement Plan** - different perspectives in the policy review process. Draft SEP Disclosed.
- **Translation and disclosure** of relevant documents into local languages.
- **Consultations:** June 2020 to June 2022
  Internal and External stakeholders: DMCs, ADB Board, MFIs, CSOs, Affected Persons.
- **Consultation during COVID-19:** Virtual outreach online. Webinars. FGDs
- **Outreach Webinars** - Civil society, DMCs and Pvt Sector Clients-April-May 2021
## ADB Board Engagement Schedule

<table>
<thead>
<tr>
<th>No</th>
<th>Board Meetings</th>
<th>Tentative Timetable</th>
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| 1. | **First Informal Board Seminar**  
To discuss proposed approach and issues for policy update | 31 August 2020        |
| 2. | **Deep Dive with ADB Board of Directors**  
To share the detailed findings of the Policy Architecture Study | 22 April 2021         |
| 3. | **Second Deep Dive Board Seminar**  
To discuss the findings of the analytical studies | January 2022          |
|    | **Second Informal Board Seminar**  
Discussion on the disclosed draft of the W-paper | June 2022             |
| 4. | **ADB Board of Directors meeting on W-Paper** | October 2022         |
| 5. | **ADB Board of Directors meeting on R-Paper** | March 2023           |
Thank You
OVERVIEW
Stakeholder Engagement Plan (SEP)
Objectives of the SPS

1. to avoid adverse impacts of projects on the environment and affected people, where possible;

2. to minimize, mitigate, and/or compensate for adverse project impacts on the environment and affected people when avoidance is not possible

3. to help borrowers/clients to strengthen their safeguard systems and develop the capacity to manage environmental and social risks.

Parameters of Stakeholder Engagement

1. Build on strengths of current Safeguards Policy Statement (SPS)

2. Ensure active participation from stakeholders through open and iterative consultation

3. Promote diverse representation and views in an inclusive process

4. Communicate process, content, and outcomes with transparency

5. Focus on practical revisions

6. Build interest and ownership in the updated Safeguard Policy, its implementation, and an ongoing relationship with ADB
A living, iterative document based on a set of firm principles of meaningful stakeholder engagement

Covers whole cycle of engagement—gathering comments, processing and responding to comments, disclosing comments with responses to stakeholders

Builds on best practices and lessons from previous ADB policy consultations, recent safeguard review by peer MDBs, staff input, and relevant studies

A focused consultation with the affected people is part of the consultation plan
Consultation Team

Lainie Thomas
Senior Social Development Specialist
ethomas@adb.org

Jelson Garcia
Senior Stakeholder Engagement Specialist

Jennifer De Belen
Consultation Expert
Jjdebelen.consultant@adb.org

Pauline Paguia
Communications Expert
apaguia.consultant@adb.org

Genieve Edar
Administrative Support
medar.consultant@adb.org
## Phases of the Stakeholder Engagement Plan

<table>
<thead>
<tr>
<th>Phase</th>
<th>Duration</th>
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<tbody>
<tr>
<td>1</td>
<td>Jun 2020 - May 2021</td>
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<tr>
<td>2</td>
<td>May 2021 - Jan 2022</td>
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<td>3</td>
<td>Feb 2022 – Mar 2023</td>
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### Initial Consultation and Stakeholder Outreach
- Preparation of proposed approach to the policy review, identification of issues of concern, and identification of stakeholder networks

**Milestones:**
1. Stakeholder Engagement Plan, including a Consultation Plan and Communications Plan
2. 6 or more Information Sessions on the SEP

### Share Findings of Key Analytical Studies
- Issue-based series of consultations and stakeholder outreach, and consultations on the findings of key analytical studies.

**Milestones:**
1. Comments matrix, consolidating all inputs from all consultations
2. Finalization and disclosure of key analytical studies

### Analyze, Draft, Revise and Finalize
- Incorporation of recommendations into revised draft policy (W-paper), stakeholder consultations on revised draft policy (W-paper), finalization of revised policy (R-paper), and Board approval of revised policy (R-paper).

**Milestones:**
1. Draft/s W-paper preparation and disclosure
2. Additional stakeholder consultations as needed for subsequent drafts of the W-paper.
3. R-Paper preparation, Board consideration and disclosure
Our Proposed Approach

1. ADB will engage a broad group of stakeholders: CSOs, government, private sector, MDBs, internal stakeholders within ADB, project affected people and interested others to contribute.

2. Consultations will be announced on websites with a minimum of two weeks' notice.

3. To ensure transparency and accountability, webinars will be video-recorded and evaluated so we build on best practice through the process. Summaries of webinars will be posted in SPS review website (link).

4. Subject to local conditions, alternative methods of outreach will be utilized to reach those not online.

5. Key channels of online communication will be the SPS review website and social media.

6. A comments matrix by topic with ADB’s response will be prepared, posted and updated.
Consultations will be organized in three ways:

A scoping study followed by consultations on one or more **analytical studies**.

Consultation involving **stakeholder group(s)** or a combination (e.g., private sector, cultural heritage-interested groups, labor, etc.).

Consultation by **topic** (e.g., air pollution, safeguards classification, SEAH, etc.).
<table>
<thead>
<tr>
<th>Policy Structure, modalities and institutional arrangements</th>
<th>Environment</th>
<th>Social</th>
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<tbody>
<tr>
<td>Policy Architecture</td>
<td>Biodiversity</td>
<td>Income restoration</td>
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<tr>
<td>Integrated classification and assessment</td>
<td>Pollution Prevention and Environmental Standards</td>
<td>Valuation of assets</td>
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<tr>
<td>Financing modalities</td>
<td>Occupational health and community safety</td>
<td>Indigenous Peoples</td>
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<tr>
<td>Country Safeguards Systems</td>
<td>Cultural heritage (Physical and intangible cultural resources)</td>
<td>Labor and working conditions</td>
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<tr>
<td>Fragile and conflict-affected situations (FCAS) and Small island developing states (SIDS)</td>
<td>Climate change</td>
<td>Vulnerability assessment and emerging areas related to gender and diversity</td>
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<tr>
<td>Oversight Structure and implementation arrangements</td>
<td>Grievance Redress Mechanisms</td>
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<tr>
<td>Staffing and human resources</td>
<td>Lessons learnt from project cases under the Accountability Mechanism</td>
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Consultation Activities

**ONLINE**

1. Webinar/Information Sessions
2. Public consultation through SPS review website, email, and social media
3. Focus group discussions/consultations (according to stakeholder groups, topics)
4. Key informant interviews through videoconferencing
5. Direct request for inputs via email

**OFFLINE**

1. Written comments/paper submission to the Resident Missions
2. Focus group discussions/consultations (according to stakeholder groups, topics)
3. Key informant interviews through phone
## Consultation Schedule

<table>
<thead>
<tr>
<th>Topics for Consultation</th>
<th>Indicative Timeline for consultation</th>
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<tr>
<td><strong>Phase I: Initial Outreach</strong></td>
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<tr>
<td>Approach to SPS Review and Update</td>
<td>April-May 2021</td>
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<tr>
<td>Stakeholder Engagement Plan</td>
<td>April-May 2021</td>
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<tr>
<td><strong>Phase II: Share Findings of Analytical Studies</strong></td>
<td>May 2021-Jan 2022</td>
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<tr>
<td>Scoping Consultation</td>
<td>May-Jun 2021 TBC (tentatively)</td>
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<tr>
<td>Policy Architecture</td>
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<tr>
<td>Biodiversity</td>
<td>Q2</td>
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<tr>
<td>Livelihood restoration</td>
<td>Q3</td>
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<tr>
<td>Indigenous Peoples</td>
<td>Q3</td>
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<tr>
<td>Pollution Prevention and Environmental Standards</td>
<td>Q3</td>
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<tr>
<td>Occupational health and community safety</td>
<td>Q3</td>
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<tr>
<td>Physical and intangible cultural resources</td>
<td>Q3</td>
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<tr>
<td>Climate change</td>
<td>Q3</td>
</tr>
<tr>
<td>Labor and working conditions</td>
<td>Q3</td>
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<tr>
<td>Integrated risk-based classification and assessment</td>
<td>Q4</td>
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- **Info. Webinar June 2020**
- **FGD**
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<td></td>
<td>Info. Webinar</td>
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<tr>
<td>Grievance Redress Mechanism and lessons learnt from project cases under the Accountability Mechanism</td>
<td>Q4</td>
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<tr>
<td>Financing modalities and special issues</td>
<td>Q4</td>
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<tr>
<td>Valuation of Assets</td>
<td>Q4</td>
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<tr>
<td>Vulnerability assessment and emerging areas related to gender and diversity</td>
<td>Q4</td>
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<tr>
<td>Country Safeguards system experiences and Lessons learnt</td>
<td>Q2 2022</td>
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<tr>
<td>Consultation with affected persons</td>
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**Phase III: Analyze, Draft, Revise, and Finalize**

- **W-Paper External Stakeholder Consultation**
  - Q3 2022
  - Q4 2022
- **Oversight Structure Implementation arrangements**
  - Q4 2022
  - Q4 2022
- **Staffing and human resources**
  - Q4 2022
  - Q4 2022

R-Paper

- Simultaneous website disclosure (March 2023) to ADB Board and Stakeholders
Concerns

- Due to the pandemic, SPRU’s shifts to sole dependence on online and remote communication.
- SPRU should be informed by the people whose lives, communities & livelihoods will be affected by ADB-supported projects and the wider CSO community supporting them.
- Announcement on ADB website with an email address and form to send feedback not enough.
- Secrecy and lack of transparency hinder stakeholders’ ability to be useful to the SPRU.
- Calls for:
  - Extending the timeline of the review
  - Publicly disclosing the full SEP and Communication Plan and other documents
  - Adequate opportunity to collect and review comments
  - In-person consultation and outreach meetings to project complainants.
Stakeholder Engagement
(e.g., stakeholder analysis and outreach, milestones, consultation approach and timeline, consulting communities)
Round 2

SPS implementation challenges and revised SPS Policy architecture
(scope, provisions, application, implementation framework, oversight, others)
Communications
(e.g., channels to get information, sending and responding to feedback, others)
NEXT STEPS

• Upcoming preliminary information sessions with CSOs in North America and Europe (April 13), and governments (TBC)
• Webinar recordings will be posted on SPS update website: https://www.adb.org/who-we-are/about/safeguard-policy-review
• The information webinar for the Scoping consultation is tentatively scheduled for May 24. The consultations will begin later that week.
• The Policy Architecture consultations will begin shortly afterwards.
What did you think of this session?
Poll #1:

From 1 (not effective) to 5 (highly effective), how would you rate the effectiveness of the information session?
Poll #2:

From 1 (lowest) to 5 (highest), how would you rate how clearly ADB answered the questions raised during this event?
Poll #3:
Name any area/s you wish to see improved in the upcoming ADB Safeguard Policy Review and Update webinars and consultations.

1. Clear and easy-to-read consultation materials
2. High-quality translation
3. Commitment to follow up with unresolved issues
4. Balanced time for presentation and discussion
5. Timely posting of received comments
6. Timely update of consultation dates and reference materials
7. Updated FAQ to ensure ADB reflects key questions from stakeholder participants
8. Better time management, sticking to time to allow more clarification and discussion
9. Send consultation materials early (e.g. 2-weeks in advance)
https://www.adb.org/who-we-are/about/safeguard-policy-review
WEBSITE

https://www.facebook.com/ADBsafeguardreview
FACEBOOK PAGE

safeguardsupdate@adb.org
E-MAIL
PRELIMINARY INFORMATION SESSION
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12 April 2021

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