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# BANKWATCH

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**SPECIAL EDITION**





# INSIDE

ADB has a chance to get the ‘do no harm’ principle right	4
Leaving millions behind	7
From Aspiration to Application, There is a Long Way to Go: On Gender and International Financial Institutions’ Safeguards Policies	12
ADB’s New SPS: Will it go beyond aspirational commitments?	20
Learning from experience: Will the new ESF make the ADB a leader in Safeguards?	24
Fighting for Human Rights: Why We Need a Strong Safeguards Policy at the ADB	28

This Bankwatch Special Edition highlights the ongoing efforts of the NGO Forum on ADB network and its allies in advocating for a robust, rights-based safeguards at the Asian Development Bank (ADB). Through a series of articles and pieces, this edition chronicles the persistent struggle to ensure that the ADB upholds stringent environmental and social standards, reflecting the dedication of affected communities and civil society groups in fighting for the protection of affected communities and the environment.

**ABOUT THE COVER**

The cover photo for the September Bankwatch Safeguards Edition features a poignant piece from the Ripple Effect Watercolor Exhibition in Tbilisi, Georgia. This artwork vividly portrays women from Khulna mourning in a makeshift cemetery, symbolizing the loss of a robust, rights-based ADB safeguard. The watercolor powerfully underscores the ecological and human rights violations associated with ADB-funded projects, offering a poignant visual narrative of these issues.



NGO Forum on ADB network and allies gather in front of ADB Headquarters in Pasig, demanding an overhaul of the Draft Environmental and Social Framework (ESF).



# ADB HAS A CHANCE TO GET THE 'DO NO HARM' PRINCIPLE RIGHT

Lidy Nacpil, Asian Peoples' Movement on Debt and Development (APMDD)  
Rayyan Hassan, NGO Forum on ADB

The board of directors of the Asian Development Bank is currently reviewing the draft of a proposed environmental and social framework, which outlines new operational policies to better address environmental and social risks in ADB projects.

This proposed ESF seeks to update ADB's 15-year-old safeguard policy statement (SPS) to ensure the relevance of its safeguards to changing needs and context in developing member countries.

Civil society organizations are keen to see the ADB adopt new safeguards that promote comprehensive and genuine safeguarding of project-affected communities and the environment. In short, an ESF that truly upholds the principle of "do no harm" in planning, designing and implementing projects.

Despite the 2009 SPS's vaunted new approach to avoid, mitigate or minimize adverse impacts on the environment and people, ADB projects have caused irreparable damage to communities and the environment. An Operational Review of the SPS by the ADB's independent evaluation department (IED) found substantial gaps in safeguards delivery and safeguards failures at the project level due to lack of due diligence.

The key problems behind the failure of the ADB's safeguard policy, according to IED, are lack of meaningful consultation at the project design phase, gaps within Environmental Social Impact Assessments, and a lack of time bound project-related information disclosure to affected communities.

As ADB crafts its ESF, the stakes for safeguarding people, communities and the environment have never been higher.

Many developing countries are beset with overlapping climate and economic crises that are deepening hunger, poverty and indebtedness. About 670 million people were estimated to be living in extreme

poverty in 2022, an increase of 70 million people. Asia's poor were estimated to be more than 155 million people, an increase of 67.8 million more after the pandemic, according to ADB.

Debt service payments are at an all-time high in 2024. Nearly half of the world's population now lives in a country that spends more on external debt service than on investments in health or education. If these countries were to invest resources at the levels needed to meet internationally agreed climate and development goals, many of them will become bankrupt in the next five years.

Amid intensifying global conflict and environmental disasters, we are seeing record levels of displacement. Some 76 million people have lost their homes, livelihoods and communities because of wars and climate and natural disasters, twice the number 10 years ago and the largest numbers ever recorded.

Biodiversity is declining faster than at any time in human history. Many ecosystems have now been degraded beyond repair or at risk of collapse with impacts both now and in the future - undermining economies, food security and public health and posing catastrophic consequences for climate-vulnerable developing countries. Scientists estimate that global biodiversity declined by two to 11 percent, largely due to land-use changes, but climate change will be the primary driver of biodiversity loss by mid-century.

The pressure to mine for transition minerals has been intensifying as the world looks to shift away from fossil fuels and transition to renewables. The mining of transition minerals has been linked to hundreds of allegations of abuse with multi-faceted environmental and social impacts, especially on indigenous lands and communities.

For the past two years, civil society organizations have been engaging the





Negative emoticons in front of ADB Headquarters in Pasig, Philippines, demanding that the ADB establish accountable, time-bound standards in its ESF.

# LEAVING MILLIONS BEHIND

**Miriam Azurin, Global Alliance for Incinerator Alternatives (GAIA)**  
**Harshad Barde, SWaCH Pune Cooperative**



**IT IS OFFICIAL:** The United Nations announced that the Paris Agreement’s long-term goal of limiting global warming to 1.5°C has not been met. Worse, this failure has been exacerbated by a triple planetary crisis of climate change, nature and biodiversity loss, and pollution. The impacts are particularly severe in the Asia Pacific region. Our survival now hinges on two major imperatives from the Paris Agreement: to radically and swiftly transform how we operate our economy and to ensure that these transitions are fair, inclusive, and just for everyone.

ESF review process and the ADB Office of the Safeguards. We have raised concerns on current safeguards gaps and challenges in implementation and formally submitted comments and recommendations. We also voiced our clear stance on strong safeguards for climate impacts, climate-induced migration, projects in disputed lands, cultural impacts, gender impacts, labor standards, just transition, among others.

ADB released the draft policy (ESF W paper) for comments last September. Far from our expectations, the paper proposes a weak ESF that has raised concerns among stakeholders due to the dilution of standards compared to the 2009 SPS.

The draft ESF gives more flexibility to borrowers and clients in implementing environmental and social safeguards, which could lead to reduced accountability, inconsistent application of standards, and higher risks of environmental degradation and social harm.

The draft ESF also removed several protections established under the 2009 SPS, which diminishes the rights of communities affected by ADB projects, making them more vulnerable to social injustices, conflicts and forced displacement.

Moreover, it eliminated mandatory Environmental Impact Assessments (EIAs) and Social Impact Assessments (SIAs) before ADB board approvals, even for high-risk projects. This may result in inadequate risk assessments and uninformed decision-making, increasing the likelihood of environmental and social harm.

The proposed changes in the draft ESF suggest a significant weakening of the environmental and social standards that have guided ADB projects in the guise of more flexibility. However, the overall effect is less accountability in project implementation, reduced protection of community rights and inadequate assessment of project impacts.

Strong environmental and social safeguards of development institutions, like ADB, are not just important, but critical amid the multiple challenges humanity is facing. We are being destabilized from so many different directions at once. We need progressive, future-proofed safeguards that take into account all forms of social and environmental risks and impacts.

ADB has a chance to get the “do no harm” principle right with a stronger safeguards policy.

*\*Article originally published in [South China Morning Post](#)*



In response to these challenges, the concept of a circular economy (CE), defined by the UN as “a sustainable system where resources are used efficiently and waste is reduced through a continuous cycle of reuse and regeneration”, has gained prominence in development policy and investment arenas. However, to ensure this new approach to economic planning is equitable, CE must address the concerns of the workforce likely to be disrupted during the transition.

The Asian Development Bank (ADB) is a major convenor and financier of poverty reduction, climate action, and circularity with a commitment to making transitions just for vulnerable sectors as a pillar of its operational strategy “to leave no one behind.” To date, however, its 2009 Safeguards Policy, designed to avoid and mitigate the negative impacts of its development projects, has yet to encompass the rights of the informal workers, constituting 1.3 billion persons or 65% of the world’s informally employed workforce.

Resource conservation, particularly in developing countries, heavily depends on informal waste workers with waste pickers occupying the lowest and most impoverished rung of the waste value chain. Waste pickers are characterized as individuals who collect items and materials from public spaces, open dumpsites or landfills, and/or waste bags and bins on streets and sell the recyclables they find to traders. Often unsung heroes, they play a pivotal role in climate action by reintroducing used resources back into the economy for human consumption, despite enduring harsh working conditions, health risks, social stigma, harassment, low income, and limited access to social services. Most waste pickers in the Asia Pacific region hail from traditionally marginalized communities or minority groups.

Just how many of them are in the region to warrant attention? In India, nearly 3 million informal waste workers are responsible for recycling almost 20% of the country’s waste. In Vietnam, these workers purchase 30% of waste in cities



A waste picker in Pune, India, collects plastic bottles from a sorting facility.

and carry out more than 90% of recycling activities. Indonesia has around 3.7 million organized waste pickers, who, in Jakarta alone, contribute to the reduction of the volume of waste by 30%. Hordes of informal waste workers appear in various studies: In China (6 million), Thailand (1.5 million), and the Philippines (100,000) which are underestimated given the lack of government-led databases. A development bank without an agenda for this sector is massively failing millions of poor people in the transition.

Four types of ADB projects are harming informal waste workers. First, the unabated promotion and financing of fossil-based waste-burning technologies such as waste-to-energy (WtE) incinerators and Refuse-Derived Fuel (RDF). Financing these false solutions brazenly tagged as “zero emissions,” “clean energy,” or “recycling technologies,” not only steals the livelihoods of waste pickers but also stifles the potential for climate action. Instead of benefiting from high-value waste materials, waste pickers are sidelined, undermining the entire informal waste economy. ADB does not seem to learn from funding the Timarpur-Okhla Waste Management Plant which it eventually withdrew after communities protested the pollution coming from it in 2010. It continues to burn tons of Delhi’s recyclables, effectively wiping out emissions savings from approximately 962,133 tCO<sub>2</sub>e through the waste pickers’ recycling efforts.

ADB has not monitored the impacts of its support for WtE incinerators in Vietnam (Binh Duong and Can Tho), Indonesia (Solo and South Tangerang), Thailand (Songkhla), Malaysia, China, Marshall Islands, and the Maldives. The Bank was also instrumental in creating profitable and risk-free operations for industry polluters in emerging markets through technical assistance projects. The TAs in Cambodia, Indonesia, and Bangladesh

are all designed to deliver reports that end up justifying the deployment of WtE and RDF or to facilitate partnerships with WtE corporations, even in a country like the Philippines where legislated bans are in place. ADB supported one of the world’s leading plastic polluters, Procter & Gamble, in crafting feasibility studies for establishing WtE incinerators in Angeles, Cabuyao, and Dagupan. In a world where global leaders are already tackling a treaty to address plastic pollution, ADB’s support for false solutions is extending the lifelines of polluters.

Second, waste infrastructure projects often require the closure of landfills or construction of new ones such as those funded by ADB in Cambodia, Uzbekistan, Mongolia, Myanmar, and India which also poses harm to this sector. Contrary to safeguards appraisals claiming these projects only have “limited” involuntary resettlement and “temporary” economic impacts, waste pickers face permanent losses in income and social services when displaced. Whether it is the state or a corporation, project proponents often flag occupational hazards for outlawing the access of waste pickers, thereby gaining monopoly ownership to the city’s waste. Waste pickers are then exposed to bribery, harassment, and violence just to regain access.

Compensation schemes for the displacement of waste pickers in landfill closures also exploit the systemic structures that cause their poverty. In the Bank’s project in Myanmar, child waste pickers were not paid for loss of income from forcible resettlement as a result of the landfill closure because they are children while the adults were given entitlements. Waste pickers were also not compensated for their loss of homes as they did not own official land titles.

Third, large-scale privatized recycling projects without integrating the participation of the sector are also



Forum network and allies sends a powerful message to the ADB: 'Stop burning our future.' Groups are demanding urgent action to end funding for projects that contribute to environmental destruction and climate change.



pernicious. Recycling is often thought to yield only positive results but with new policies incentivizing initiatives for recycling, businesses saw a lucrative field in competition with the existing informal waste sector. The \$300 million loan for Indorama Ventures in Thailand aimed at directly recycling 50 billion plastic bottles until 2025 did not assess the potential economic displacement of waste pickers, on top of the environmental breaches of the two recycling plants which include the presence of around 120 hazardous chemicals, fires, spillage, impacts on workers' health, and absence of community engagement. Privatized recycling projects only target high-value materials, like PET bottles or cardboard, reducing waste pickers' incomes and leaving behind an unsustainable value chain of only low-value recyclables, which will eventually collapse as seen in developed economies.

Fourth, the introduction of waste collection models that are exclusionary of the existing systems that waste pickers have built. The ADB has been hailing the use of digital technologies in the collection and sorting of plastic waste as "modernizing," "efficient," and "innovative" – without fully assessing how the new collection system can either assist or displace the vulnerable sections in the waste value chain.

From seeing the role of the informal workers in the waste sector and the harms they face to consulting them meaningfully in the development of policies, projects, and roadmaps – the sector has been missing and neglected in the Bank's agenda.

The ADB has the opportunity to improve millions of lives through the ongoing revision of its safeguards policy by finally recognizing the fundamental human dignity and protecting the rights of informal workers as leading agents in the circular economy. The ILO

Recommendations 193, 204, and 205 guide member-states on ensuring a just transition. Sustainable and inclusive waste management systems established by waste pickers in Vietnam, the Philippines, India, etc. can provide insight on operational mechanisms for ensuring such a just transition.

We highly recommend the proactive creation of consultation spaces for the informal waste sector in the formulation of the Bank's policies, programs, projects, and investment roadmaps in pursuit of hearing the voices of those who are at great risk of being left behind.

Finally, the ADB should complement these efforts by committing to a phase-out from false solutions and directly investing in upgrading and protecting livelihoods within the informal waste economy. The ADB must shift its financing to transformative and equitable climate solutions, embracing zero waste alternatives.

(The authors are part of GAIA, a network of grassroots groups as well as national and regional alliances representing more than 1,000 organizations from 92 countries. GAIA envisions a just, zero waste world built on respect for ecological limits and community rights, where people are free from the burden of toxic pollution, and resources are sustainably conserved, not burned or dumped.)

Work Cited [here](#).

*\*Article originally published in [Business World](#).*





# FROM ASPIRATION TO APPLICATION, THERE IS A LONG WAY TO GO: ON GENDER AND INTERNATIONAL FINANCIAL INSTITUTIONS' SAFEGUARDS POLICIES

Titi Soentoro, Aksi! For Gender, Social and Ecological Justice

The Indonesian National Commission on Violence against Women (Komnas Perempuan) reported an increase of domestic and sexual violence during the pandemic. The United Nations Population Fund (UNFPA) in a statement from July 2020 estimated that 47 million women in low- and middle-income countries going without contraceptives, leading to an additional 7 million unintended pregnancies. The number of maternal deaths is also expected to increase. The International Labor Organization (ILO) estimated in June 2020 that 55 million domestic workers, of which more than half were female, impacted by COVID-19 in forms of loss of jobs or working hours and remuneration, as well as their prior access to social security. Moreover, pandemic is also used for suppressing human and women's rights defenders as reported by some Indonesian NGOs: forced evacuating activists from their offices and COVID-19 testing, fake testing order and black mailed hungry communities with recovery food supplies and a warning not to raise voices against companies anymore. Thus, in the developing countries the pandemic came not into an empty and peaceful space, where everything was okay before, but into an arena where women are oppressed by the intertwined of forces of patriarchy, globalization, militarization, and fundamentalism. The pandemic clearly worsened the women's condition.

To come out from the economic crisis governments are looking for financial supports from the IFIs. The Indonesian government is looking to borrow a total of US\$7 billion from multilateral organizations including the ADB, AIIB, World Bank and Japan International Cooperation Agency (JICA) for covering budget deficit of 6.34 percent due to financing US\$49.3 billion for to finance healthcare response and prevent a greater economic meltdown. A recovery bond is planned to help the business world in Indonesia. The Philippines government stated in June to seek US\$ 85.89 billion for reviving its economy hit badly by the pandemic. The ARISE program (Accelerated Recovery and

Investments Stimulus for the Economy) backed by 44 country's biggest business groups was approved by the Philippines lawmakers on June 4, 2020. ADB claimed to provide USD 11.2 billion in grants, technical assistance, loans, and private sector assistance. World Bank announced the targets of USD 160 of mobilization by the end of year 2021. The AIIB created a Crisis Recovery Facility with up to USD 13 billion of financing to both public and private sector entities. Those recovery packages are mostly addressed for the economic side of the problems triggered by the pandemic. Moreover, policy procedures are loosened to smoothly release the finance, including procurement policy, increase the limit of faster approach transaction with small private sector from USD 100 million to USD 400 million, increasing the limit of trade finance program from environment risk Category C to Category B.

The massive influx of finance from those IFIs, raise also questions whether those recovery measures would help transform the economic and social systems in the developing world that the pandemic showed as incapable and very vulnerable to crisis? Would they address the existing root problems of poverty, privatization of health and water, food insecurity, land and resource loss, which were worsen during the pandemic? Or, in the contrary, it would only add another burden to people and particularly for women since those financial supports mainly address to the economic sector that is dominated by private actors? How is the application of safeguards for those finance? Many questions that the answers need thorough readings of those measures.

This time, it is about gender. Is there any sufficient capacity of the ADB, World Bank and AIIB to protect women from potential harms of their financial operations in general, and also due to their pandemic recovery measures? As institutions claimed themselves as concerning with gender equality, we would assume that gender and women's issues are in the center of its development efforts as shown on the website of ADB, World Bank



and AIB: many women's and children faces.

**Gender and the IFIs**

The United Nations' Fourth World Conference on Women's in 1995 in Beijing adopted the Beijing Platform for Action that contains among others a gender mainstreaming approach to achieve gender equality. The definition of gender mainstreaming then was agreed in 1997 by the conclusions of ECOSOC as: "The process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality." (at: <https://www.unwomen.org/en/how-we-work/un-system-coordination/gender-mainstreaming> ).

The Asian Development Bank and the World Bank adopted this approach as key strategies for their operations. AIB doesn't have any gender policy, but some news from events on AIB's website showed discussions on gender equality interventions in infrastructure. However, the first line of 'assessing the implication for women and men in any planned action, including legislation, policies or programmes' in that aforementioned definition somehow lost its meaning in the gender policies of ADB and World Bank. What stays and promotes is gender mainstreaming as a key strategy to achieve gender equality; meanwhile measures for addressing implications are left out.

**Gender mainstreaming into ADB operations as a strategy to achieve equality**

ADB released its Gender and Development (GAD) Policy of 2006 to replace its Women in Development Policy (WID) that was operationalized from 1985

to 1996. GAD is a gender mainstreaming strategy to promote gender equity into all ADB activities, including macroeconomic and sector work, lending and technical assistance operations. 5 focus areas of GAD are (1) assistance to developing country members to improve the status of women; (2) facilitate gender analysis of all proposed projects and ensure gender issues are considered in all stages of the project cycle; (3) promote GAD awareness within ADB in-house capacity building and staff's guideline to implement GAD; (4) assists its developing members in implementing commitments made at the Beijing World Conference on Women; and

(5) explore opportunities to directly address some of the new and emerging issues for women in the region. 12 sectoral gender checklists were developed to guide the staff, partners and consultants on how to integrate gender equality and women's empowerment objectives, including for sectors of Agriculture and Natural Resources; Education; Energy; Health; and Urban Development and Housing.

A loan project will do a gender assessment, as mentioned under point (2) of GAD focus above, and prepare a Gender Action Plan (GAP) for increasing women's participation in the project activities and providing equitable access to project and program resources including skills training. However, not all projects will be analyzed and a GAP developed for them. ADB set up four gender mainstreaming categories that determine which project preparation needs gender mainstreaming. If a project is determined as having outcomes that directly address gender equality and/or women's empowerment, then it is categorized as Category I: gender equity that requires gender analysis, GAP and inclusion of GAP into ADB Board's documents for project approval. But, there is also a project that can be determined as having no gender element, dubbed as Category IV. This Category I of no gender element if the project in preparation does not include any gender design features. Example of the latter one

includes projects that are not targeted to women or not provided access, capacity building, physical infrastructure, etc. for women.

Gender is also included in the Initial Poverty and Social Analysis (IPSA) of ADB project preparation. The IPSA gender assessment looks whether the project (1) has the potential to correct gender disparities, (2) has the potential to significantly mainstream gender equity concerns, or (3) is likely to have an adverse impact on gender equality or women's or girls' empowerment.

Despite the existing GAD and GAP, women still suffer from ADB operations. For example, ADB's Compliance Review Panel in 2014 identified that the ADB funded Cambodia Rehabilitation Railway Project had displaced over 4000 families. They "... suffered loss of property, livelihoods, and incomes, and as a result have borne a disproportionate cost and burden of development efforts funded by ADB." In another case of ADB funded the Southwest Area Integrated Water Resource Planning and Management Project in Bangladesh. The Gender

Action Plan was made but consequently it was never implemented. According to local CSOs, there were flaws in the implementation especially the training for women and their participation in the decision making process. GAD and GAP fails to protect women from impacts of ADB operations.

After 14 years, the GAD is still not reviewed, but went through an evaluation for the period of 2005-2015 by ADB's Independent Evaluation Department (IED), which report was published in May 2017. The Gender Action Plan was evaluated in 2007.

**Mainstreaming protection of women into ADB operations**

GAD and its operational procedures are insufficient to meet requirements of other operational policy of ADB, which is the safeguards. Safeguard policy is defined as a commitment to protect peoples and environment from potential ADB's operations. The notion of 'protection for women from harms' is clearly different from the notion of 'strategies for gender equality'; both terms applied together is important to achieve gender equality



Women in Vietnam skillfully sew fishnets, crucial to the fishing industry and local economies. This underscores the shortcomings of the ADB's ESF, which often neglects the gender-specific impacts and contributions of women in development projects.



though. Protection is a precautionary approach, meanwhile providing access is a service.

The application of GAD and its operational procedures is not developed for precautionary measures. Gender assessment of GAD and the sectoral check lists are more to identify possibility of women's access to project and other facilities/services related to the project. The GAP is limited by its own categorization, and not equipped to identify invisible gender issues. Therefore, during ADB safeguards review, which process was around 5 years (2004-2009), CSOs pushed strongly for gender languages.

The main challenge in the attempt to incorporate gender considerations during the Safeguard Policy Update (2004-2009) was reflected in a repeating question from ADB: "... why (the) need (for) gender considerations in the SPS... (when) there is already the ADB Gender and Development Policy that takes care of gender issues...?" This kind of question shows the lack of understanding on the difference between a protection approach and a strategy. This

line of questioning actually ignored the fact that the ADB Policy on Gender and Development is considered a strategy, and is therefore not a requirement for borrowers in the same way that the safeguard policy is. The mainstreaming of gender considerations aims to address gender disparities; however, there is no aim to protect women from ADB project impacts and risks. This lack of protection of women would lead to an increase in gender disparities and would contradict the aim of the Gender and Development Policy itself.

The current ADB Safeguard Policy Statement (SPS) 2009 sets an example for other IFIs in regard to explicitly requiring gender-sensitive and responsive application of the safeguard policies. This is a result of intensive interventions in the whole process of the Safeguard Policy Update (SPU) (2008-2010) by members of the NGO Forum on ADB and its partner organizations.

ADB new Safeguard Policy Statement (SPS) of 2009 contains strong gender languages in its policy principles and the project requirements. The SPS requires

gender impacts and risk assessment at its environmental, social and economic impacts, specific measures to involve women in consultations, gender sensitive and responsive project grievance redress mechanism. Unfortunately, this strong gender language stays as an aspiration in the realities of project preparation and implementation because the guide for its operationalization is weak. The Operations Manual of the new SPS, which represents the implementing guidelines for the staff, hardly mention gender at all except in a footnote.

CSOs already questioned the Operation Manual of SPS when it was released at the same time with the SPS in 2009. The response given was, the GAP is sufficient for the project proposal. Of course this was misleading response –be it for the ADB staff and consultants who work on projects as well as the public. GAP of GAD is a strategy for achieving gender equality based on a gender mainstreaming framework; meanwhile, gender in the context of safeguards is an effort to protect women from harms from the project operation. Hence, those two gender policies have different nature. How gender equality will be achieved if women and their families are already displaced forcedly and their living environment are polluted and destroyed?

The Operations Manual of the new SPS is inconsistent with the SPS itself because it does not provide procedures for the implementation of policy principles and does not require gender considerations. The objective of GAD is to assist member countries to reduce poverty and enhance economic growth, human well-being, and development effectiveness by addressing the gender disparities and inequalities that are barriers to development, and by assisting member countries in formulating and implementing their gender and development goals. Hence, not only does the OM reduce the new SPS into a gender display window, but the absence of procedural guidelines will likewise lead to the neglect of gender issues and the protection of women from adverse project impacts and risks.

When ADB's Independent Evaluation Department (IED) announced in 2014 to make an evaluation of parts of the SPS, NGO Forum on ADB also raised a request in several meetings with them to include gender in the evaluation. Report of the evaluation of SPS on its Financial Intermediaries and Country Safeguards System showed that that request to include gender in the evaluation of those elements, were not considered. The request was iterated in the last virtual meeting with IED and the review of SPS team in July 2020 in particular to look at the impacts of the Operation Manual to the implementation of gender provisions into ADB operations.

**Gender considerations in World Bank operations**

Similarly as the ADB, World Bank also uses the gender mainstreaming approach in its Operational Procedure (OP4.20) on Gender and Development as key strategies '... to assist member countries to reduce poverty and enhance economic growth, human well-being, and development effectiveness by addressing the gender disparities and inequalities that are barriers to development, and by assisting member countries in formulating and implementing their gender and development goals'. In 2015, World Bank developed its new Gender Strategy for 2016 – 2023. However its Environment and Social Framework alongside the corresponding Guidance Notes are still inadequate to reflect the its gender commitments at the project level implementation. Hence, the CSOs used the opportunity of World Bank safeguards review to include gender considerations as requirements to protect women from potential impacts and risks of its operations.

On August 2016 the World Bank approved the new Environmental and Social Framework (ESF) after a four years process started in 2012. ESF is a commitment to protect people and the environment in Bank-financed investment projects. A group of Indonesian CSOs and individuals supported by international CSOs submitted in

A woman in Cambodia weaves straw hats, preserving traditional craftsmanship and supporting her livelihood. Yet, the ADB's ESF inadequately protects such cultural practices, leaving communities vulnerable to economic and environmental threats.





2013 a recommendation to the World Bank Review Team to include gender considerations into the new ESF. The recommendation was based on a gender assessment on the World Bank 9 (nine) Safeguard Policies under review, including terms adopted by the World Bank from UNDP training module and used by WBI/PRMGE (World Bank Institute and World Bank Poverty Reduction Management & Gender Division).

According to the submission, those 9 safeguards under review were gender blind and did not indicate as having gender awareness at all. Those safeguard policies fail to: 1) recognize gender as an influencing and an equally important factor in projects, program and policy; 2) apply gender analysis into projects, programs and policies; 3) recognize that women and men have different needs and power; and 4) provide space for gender equality. This gender blindness of the safeguard policies would lead to no requirement to protect women and their rights from potential and foreseeable negative impacts and risks associated with Bank lending operations.

Recommendations to the World Bank review team were to include among others women's rights, gender segregated handling and data, women as the right holders and a stakeholder in their communities and women as head of the households into the principles of safeguards policy framework. Moreover, as policy requirements the recommendations included gender impacts and risks assessment of the changing environment or landscape of livelihoods to women in regard to health, including sexual and reproductive health and safety; specific measures to involve women in any decision makings related to the project; gender disaggregated baseline data and information on demographic, economic, social, cultural, and political status; specific and culturally-appropriate measures to assist displaced local and indigenous women in dealing with difficult situation triggered by involuntary resettlement activities; gender sensitive and responsive

grievance mechanism; specific measures to consider female-headed households.

Instead of repetitive promises by the World Bank Safeguards Review Team in several meetings with CSOs in its headquarter in Washington DC and other safeguards public consultations including the one in Jakarta, to consider gender and protection to women, the new World Bank ESF reminds ignorance to protection of women from World Bank operations and to gendered impacts of its support projects.

**Gender and AIIB's Environmental and Social Framework Policy**

AIIB doesn't develop any gender policy yet. Its principle social specialist stated in an interview that "... despite the lack of a targeted gender policy, the Asian Infrastructure Investment Bank hasn't been ignoring gender in its work...". Its Environmental and Social Framework (ESF), approved in 2016 and amended in 2019 stated in the vision statement "recognizes the importance of gender equality for successful and sustainable economic development and the need for inclusiveness and gender responsiveness in the Projects it supports". However, gender remains as an aspiration in this ESF because there is no further provision on how to materialize the vision statement.

In regard to upcoming AIIB ESF review, AIIB should have a more progressive approach towards safeguards and protection of women both at the policy and project implementation level. Gender considerations should also be reflected particularly for private sector led operations, which have been criticized for its lesser accountability and transparency measures.

AIIB investments and policies must strengthen gender perspectives and ensure gender responsive and inclusive infrastructure development financing. Gender consideration be integrated into all policies and project implementation: in impact and risk assessment of environment and its



A woman in Sri Lanka picks tea leaves, showcasing the crucial role of female workers. Despite their contribution, they face low wages and limited support. The ADB's ESF needs to address these inequalities more effectively.

changes, resettlement/displacement and loss of livelihoods, particularly affecting women and girl – children, friendly information dissemination and disclosure, ensure participation of women in consultation and decision making, and gender sensitive and responsive grievance mechanism. Further, AIIB has to mandatorily require that all its policies and operations identify and prevent potential gender discrimination against project affected persons, particularly women, and prevent women's suffering from forced displacement, loss of livelihoods and gender injustices.

**The Aspiration is strong, but not the Application**

Women and children are the faces of the ADB, the World Bank and the AIIB. If we look at their websites, we will find many pictures of women and children, and also older peoples. Without looking at the content, we would be impressed about the strong aspiration of care for women and children in those banks' operations.

These pictures blanket the realities of their operations that trigger forced displacement of thousands of women and their communities, environmental pollution, ignorance to women's and their community's rights in decision making, information, to enjoy healthy and good living environment, and their rights to land and resources. Commitments of those banks to protect people, including the women and children, and environment, as well as their gender equality strategies stay as an aspiration only.

Works Cited [here](#).

*\*Article originally published in [Heinrich-Böll-Stiftung Southeast Asia](#).*



# ADB'S NEW SPS: WILL IT GO BEYOND ASPIRATIONAL COMMITMENTS?

Rene E. Ofreneo, Freedom from Debt Coalition



A major topic discussed in the Annual Meeting of the Asian Development Bank (ADB) held in Incheon first week of May is the Bank's Safeguards Policy Statement (SPS). A new SPS, updating the 2009 SPS, is due for release third quarter of this year.

As Asia's biggest source of financing for infrastructure projects such as dams and power plants and social development programs such as health and education, the Bank is able to influence the economic and social development directions of over three dozen Asian Member States. At the national and community levels, the implementation of these Bank-funded projects and programs have direct environmental, social and economic consequences—some positive, some negative and a few even disastrous. In the old or 2009 SPS, the Bank declared that their projects and programs are not meant to inflict harm on the environment, disrupt the lives of indigenous peoples and create “involuntary resettlement” of people.

And yet, the NGO Forum on ADB, in a documentation of around 50 big ADB projects across Asia, found the Bank and its partner private sector developers non-compliant with the Bank's SPS mantra not to do harm to the environment, community and IPs (see NGO Forum on ADB, 55 Years and Counting: Stories of Community Struggle for a Binding ADB Safeguards, 2023). In particular, there is a failure to observe the internationally-accepted requirement that infra projects in IP areas should involve the IP communities and should secure the “free, prior and informed consent” (FPIC) of these communities.

In the Incheon Meeting, a number of CSOs led by the Asian People's Movement on Debt and Development held a rally decrying the failure of the ADB to go green or greener despite the Bank's declaration that it is supporting the goal of the Paris Agreement of 2015 to cool the Planet. Officially, the Bank has

stopped financing the building of coal-fired power plants; and yet, the Bank has been doubling its support in the establishment of power plants using LNG, which emits the destructive methane that contributes to global warming just like the GHG produced by coal. Hence, the obvious solution is for the Bank to focus its resources on the renewables, not on coal and not on LNG or natural gas.

Now back to the new SPS. CSOs like the NGO Forum on ADB have been engaging the ADB, particularly the Bank's Sustainable Development and Climate Change Department, on how to come up with a more comprehensive and stronger SPS that can guarantee the observance of environmental, social and economic safeguards in the implementation of each and every ADB-supported project. To this writer, the following are critical guiding principles in making such an SPS.

First, the new SPS should go beyond the aspirational. Yes, positive declarations by the Bank and other regional “financial development” agencies on their commitments to the UN's Sustainable Development Goals (SDGs) and the Paris Agreement on climate mitigation are important. But translating these commitments into concrete doable actions is another matter.

When Covid struck Asia in 2020, the ADB quickly launched its CARES program to help some Member Countries cover immediate budgetary shortfalls. The CARES program was a good opportunity for ADB to nudge and remind borrowing countries on the need to align social spending with their own SDG commitments. And yet, no clear alignment was made as reflected in some weaknesses in social spending. For example, the “targeting” approach used in providing social amelioration excluded so many poor such as the rural migrants, street vendors and mobile informal construction workers who are not in official government lists of social amelioration beneficiaries. A review by



this author of the terms for the CARES loans shows that the ADB still has not developed a concrete system of aligning lending with SDG fulfilment, meaning going beyond a mere general declaration that the loan will help alleviate poverty.

Second, on labor standards, some of the findings of the ADB's Independent Evaluation (2020) highlighted the lack of clarity on the inclusion of labor safeguards in the SPS and the consequent failure of many projects to address related issues of occupational and community health and safety, gender, climate change, etc. Although the ADB has an existing handbook on core labor standards published as early as 2006, the said handbook has no provisions on monitoring and reporting of labor compliance, and is silent on internationally-recognized labor rights such as hours of work, overtime pay, minimum wage, OSH and access to institutions for the redress and remediation of labor violations. The SPS should cover these basic labor rights and link them with the intertwining community, environmental and socio-

cultural rights and concerns of the working people.

Third, the SPS should go beyond the mechanical checklist approach in the monitoring and evaluation of labor and other standards. In the case of environmental and labor standards, monitors and evaluators usually have a checklist of questions that are answerable through boxes of yes and no. But what really happens in most projects? The Bank, governments, private contractors and their compliance officers are unable to look into the environmental and labor impact of the labyrinthian system of business and labor contracting and sub-contracting that characterize most of these projects. The ADB and its partner government usually ask a private principal contractor to be conscientious in observing environmental and labor standards by providing him a folder of what to observe or not in relation to the treatment of the environment and the project workers.

And yet, in the case of labor, the reality on the ground shows that a principal

or consortium of contractors in infra development can have a hundred or more suppliers and sub-contractors, each of whom have their own respective work brigades. These work brigades are overlooked by the checklist method. They are often "invisible" to the government's labor inspectors and are usually treated badly by their bosses, e.g., long hours of work and below minimum wage compensation. Hence, there is a need to emphasize in the SPS the importance of strict observance of labor standards by all parties involved in an infra project, which means commitment by all these parties to a common understanding of their responsibility to their respective work brigades.

Fourth, there is a need to incorporate in the SPS the principle of Just Transition. The UN Environmental Program, together with the ILO and other UN agencies, has been advocating for a "just transitioning" in fulfilling or achieving a "green transformation" in a given country. Making the environment, economy and social life sustainable for all requires a Just Transformation and Just Transition programs. The transitioning should be fair and just to all, specifically to the workers of existing facilities and the communities hosting them. The general guide in realizing Just Transition is to ensure that "no harm" is inflicted by any project to the workers, communities and society. This means not only preventing violations of their human, labor, cultural and environmental rights but also engaging them on how to do things right.

This brings us then to the fifth guiding principle: the importance of having frank and sustained social dialogue with all concerned—before, during and after—the conceptualization and implementation of a project. Since projects of the ADB are justified in the name of the people and societal development, workers, communities, local governments and other concerned sectors should be acknowledged and treated as "Development Partners," not as mere objects of development. This consultation-dialogue process may be time-consuming but the benefits to the ADB and the government and society are irreplaceable –minimization of moral hazards, avoidance of abuses and violations by contractors, avoidance of social conflicts, development of better ways of doing things, and people's unified support to a project that is envisioned to benefit all.

To conclude, the ADB and its SPS framers need to go beyond the aspirational, beyond the mechanical checklist mentality, beyond the narrow idea that a project is simply an agreement between the ADB, government and a contractor.

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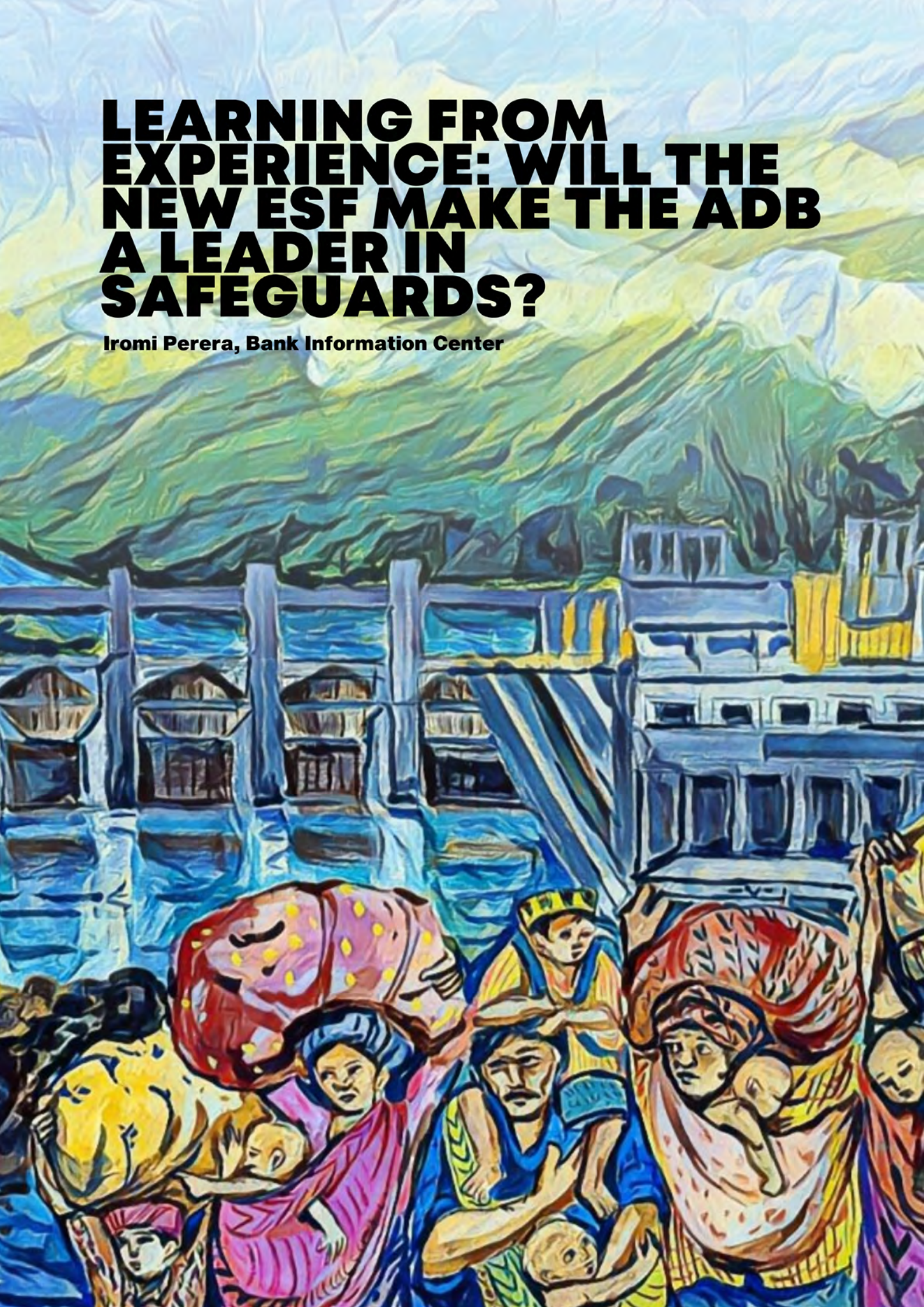


The ADB Safeguards Cemetery in Khulna, Bangladesh: A somber reminder of the environmental and social impacts of past projects. This site symbolizes the failure to implement effective safeguards, leaving behind a legacy of unfulfilled promises and affected communities.



# LEARNING FROM EXPERIENCE: WILL THE NEW ESF MAKE THE ADB A LEADER IN SAFEGUARDS?

Iromi Perera, Bank Information Center



The 'Ripple Effect' Watercolor Exhibition in Tbilisi, Georgia, from May 1-5, 2024, vividly captures the impact of environmental degradation, social injustice, and human rights violations linked to ADB projects.

Some of the beautiful scenery in the *Ripple Effects* watercolor exhibition at the Museum of Fine Arts in Tbilisi last month stood in stark contrast to the captions accompanying them. This contrast was further highlighted by the lived experiences of various Indigenous communities and other affected groups from Asia, who shared their testimonies in the same building during the Asian Development Bank (ADB) Annual Meeting 2024 in Georgia in May.

*“This artwork portrays the silent struggles of fish workers, farmers, herders, and communities on the verge of poverty. Funded by the ADB, the flawed implementation of the massive power station has left a mark of environmental and social devastation.”*

*— Mundra Ultra Mega Power Project, India.*



**“This painting tells the tragic story of a 156-megawatt hydropower project in Vietnam funded by the ADB. It depicts the impending devastation for the Ka Tu ethnic minority, underscoring the ADB’s negative role in disregarding safeguards and public communication policies.”**

**- Song Bung 4 Hydropower Project, Vietnam.**

The testimonies continued for days. None of this is new information for the ADB. Some of the projects discussed by civil society are under investigation by the ADB Accountability Mechanism. Over the past four years, civil society and activists have actively engaged in consultations, sharing lived experiences and recommendations to strengthen the new Safeguards policy and its implementation.

It is this contrast—the lived experiences of communities versus the draft Environmental and Social Framework (ESF)—that led over fifty Asian and global bankwatch and civil society organizations to collectively call for an overhaul and immediate redrafting of the ESF as the deadline for comments approached.

During the ADB Annual Meeting, Bank staff involved in the ESF review met with various civil society groups to discuss detailed points of disagreement and areas for improvement. The next version of the ESF, due in July, is expected to incorporate feedback provided to the Bank at various levels, including management, the Board, and accountability mechanisms.

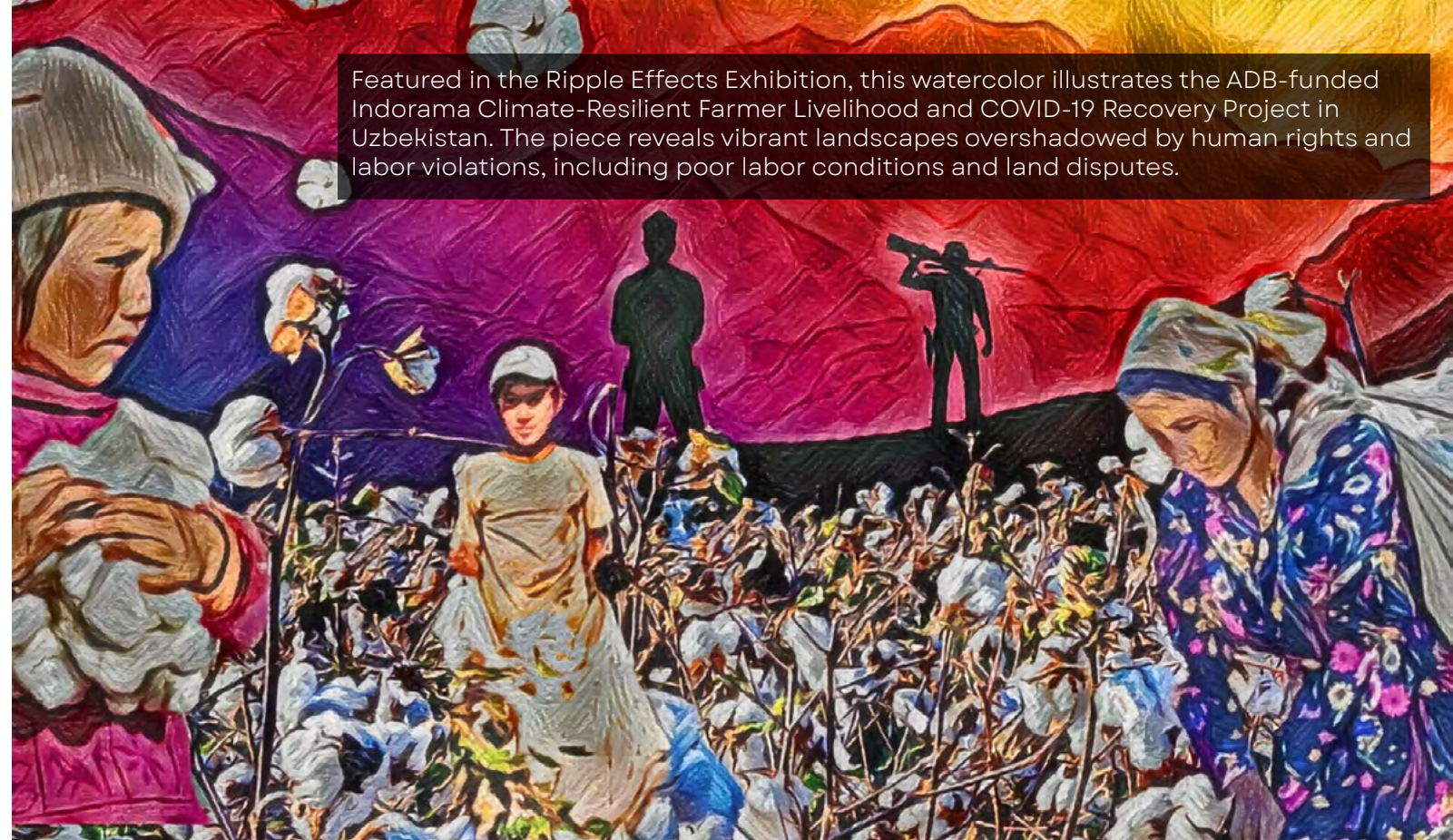
The question remains: How much of the feedback and recommendations will be reflected in the new ESF, and will they position the ADB as a leader in safeguards among development banks? At the heart of civil society’s pushback is their firsthand observation of the impact on communities when due diligence is

not conducted prior to project approval, when due process is not followed in project design and implementation, when communities are not meaningfully consulted, and when projects are financed in countries with limited civic space—in short, when the Bank fails to implement safeguards.

The draft ESF further dilutes existing frameworks and accountability avenues, offering implementing agencies and clients a broader latitude to interpret and selectively apply requirements. For example, the mitigation hierarchy approach in the draft ESF poses a direct threat to communities and the environment globally. It undermines the prerequisites for

environmental and social risk assessment and compliance prior to loan approval, granting borrowers undue freedom to ignore environmental and social risks. The language used throughout the ESF is concerning; terms like “materially consistent,” “timely,” and “where applicable” appear in sections on risk assessment, borrower systems, and information disclosure, effectively dismantling the foundational concept of safeguards. These are some of the many reasons civil society continues to push for a complete overhaul to ensure mandatory risk assessment requirements before loan approval, with language that aligns with independent investigations for all ADB borrowers. Anything less

poses a direct threat to communities and the environment. The Ripple Effects watercolor exhibition highlighted the harm caused by twelve ADB-funded projects across Asia, including in India, Bangladesh, Nepal, the Philippines, Indonesia, Sri Lanka, and Uzbekistan, all due to the ADB’s failure to implement its safeguards. These twelve projects are among hundreds of examples of harm caused not just by the ADB but also by other development finance institutions and their borrowers. The ADB must take civil society demands seriously and prioritize safeguarding communities and the environment over borrowers and clients to prevent the list of harms from growing.



Featured in the Ripple Effects Exhibition, this watercolor illustrates the ADB-funded Indorama Climate-Resilient Farmer Livelihood and COVID-19 Recovery Project in Uzbekistan. The piece reveals vibrant landscapes overshadowed by human rights and labor violations, including poor labor conditions and land disputes.



One of the watercolor pieces showcased at the Ripple Effects Exhibition depicting the ADB-funded Geothermal Power Generation Project in Indonesia, showcasing the vibrant landscapes overshadowed by environmental and social challenges, including land subsidence, habitat disruption, and community displacement.



**A**s the Asia-Pacific region continues to pursue economic development, it is essential to prioritize the protection and well-being of communities and individuals. The Asian Development Bank (ADB), a major player in financing and implementing development projects in the region, must play its part in upholding human rights and promoting sustainable development. Unfortunately, concerns have been raised about the potential negative impacts of ADB-funded projects on local communities, especially vulnerable and marginalized groups.

A joint civil society statement has been released to address these concerns, calling for a robust rights-based and safeguards policy at the ADB. This policy would ensure that the ADB's projects respect human rights, protect the environment, and benefit local communities. It would also prioritize protecting the rights and interests of marginalized and vulnerable groups, including indigenous peoples, women, and children.

The statement highlights ten essential points that should be considered in developing a robust safeguards policy, including the need for effective implementation, respect for community rights and participation, and contributions towards the Sustainable Development Goals.

#### **ADB's Safeguards Policy**

The ADB's safeguards policy is a step towards addressing concerns about the potential negative impacts of its projects on local communities. The policy includes guidelines and procedures for identifying, assessing, and managing potential adverse impacts, intending to safeguard affected people's rights, interests, and well-being. It covers various areas, including involuntary resettlement, indigenous peoples,

environment, and gender, among others, and sets out requirements for conducting social and environmental assessments, consultations with affected communities, and monitoring and reporting on project impacts.

However, despite the existence of this safeguards policy, criticisms about its effectiveness and implementation persist. Civil society organizations, human rights advocates, and grassroots groups have raised concerns about the need for more accountability, transparency, inclusivity, and a rights-based approach in the ADB's operations. Numerous cases have been cited where communities have been displaced, livelihoods have been lost, and environmental degradation has occurred due to ADB-funded projects without proper consultation or compensation.

To ensure that the ADB's development projects are socially and environmentally responsible, we must recognize the limitations of their current safeguards policy and advocate for its strengthening. It's crucial to prioritize protecting human rights, the environment, and local communities. To achieve this, we need to address the gaps in policy implementation, enhance accountability mechanisms, increase transparency, and ensure the participation of affected communities in decision-making processes.

A robust safeguards policy that upholds human rights and promotes sustainable development is necessary for the ADB to fulfil its mandate and contribute to a just and equitable future. As a major player in financing and implementing development projects in the Asia-Pacific region, the ADB must ensure that its operations respect human rights, protect the environment, and benefit local communities. By advocating for

**WE  
DON'T  
FEEL SAFE  
WITH ADB!**

# **FIGHTING FOR HUMAN RIGHTS:**

**WHY WE NEED A STRONG  
SAFEGUARDS POLICY AT THE ADB**

**Jen Derillo, NGO Forum on ADB**





a stronger safeguards policy, we can create positive impacts and contribute to sustainable development for all.

**A call for better safeguards**

A joint statement from the NGO Forum on ADB, supported by organizations worldwide, recently highlighted the critical need for a solid rights-based and just-safeguarded policy at the ADB. This statement prioritizes accountability, transparency, inclusivity, and a rights-based approach in all of the Bank’s operations and is endorsed by human rights advocates, environmental groups, and grassroots organizations throughout the Asia-Pacific region.

A strong safeguards policy at the ADB is essential for several reasons. Firstly, protecting the rights of affected communities is necessary, which often bear the brunt of development projects. A robust policy can help to mitigate these risks and ensure that the voices of affected communities are heard and respected.

Secondly, a strong safeguards policy promotes accountability and transparency, ensuring that the ADB is held responsible for any breaches or violations arising from its projects. It also provides a comprehensive framework for monitoring and evaluating the impacts of projects.

Thirdly, a robust safeguards policy at the ADB promotes inclusivity, ensuring that vulnerable and marginalized groups are not excluded from decision-making processes.

A strong safeguards policy is not an option but a necessity for promoting sustainable development and protecting human rights in the Asia-Pacific region. We must hold the ADB accountable and push to protect human rights in all development projects. Additionally,

transparency and inclusivity are vital in promoting a strong safeguards policy. This ensures that communities have access to relevant information, enabling them to participate in decision-making processes and ensuring that their perspectives and traditional practices are considered.

The ADB can ensure that development projects align with international human rights standards by prioritizing a rights-based approach. This includes addressing gender-related issues in involuntary resettlement and protecting women and cultural groups who may not have recognized rights to own land under customary law.

**A Call to Action**

We must be bold when protecting human rights and promoting sustainable development in the Asia-Pacific region. We must push for a robust safeguards policy at the ADB that upholds fundamental principles of accountability, transparency, inclusivity, and a rights-based approach.

We must continue to hold the ADB accountable for the impacts of its operations on local communities and the environment. This includes advocating for the participation of affected communities in project decision-making processes, ensuring access to relevant information, and providing avenues for raising concerns and grievances.

The Bank should address the gaps in its safeguards policy implementation, enhance accountability mechanisms, and increase transparency. A strong safeguards policy that upholds human rights and promotes sustainable development is necessary for the ADB to fulfill its mandate and contribute to a just and equitable future for all.



Activists in front of ADB headquarters, symbolically tearing a list of safeguards violations to demand stronger protections. Their action underscores the urgent call for robust, rights based safeguards to prevent harm and uphold human rights in ADB-funded projects.



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