

Responses to the Questionnaire

1. Please provide any comments on the Guidelines, in view of your forum's own processes, activities and particular characteristics.

We find the Almaty guidelines (the Guidelines) well written and adequate for the purposes of the Convention. In this regard, the Guidelines cover the minimum requirements in terms of access to information and public participation in line with the objectives of the Convention. However, the paragraph with respect to the third pillar of the Convention, i.e. "access to justice / review procedures" under section vi is somewhat short. We suggest that this section be expanded on the basis of the international experiences involving the compliance and review procedures.

2. Does your forum have any formalized rules or procedures concerning access to information, public participation in decision-making, and access to justice in environmental matters? If yes, please provide an overview.

Yes, the Bank, like its sister Multilateral Financial Institutions, has recognized the importance of access to information, public participation in decision making, and access to justice in environmental matters. For instance, its Vision which was adopted in 1999 states clearly the Bank's commitment to engage with Civil Society Organizations (CSOs) in order to facilitate the participation of potential beneficiaries in the development process.

In addition, the Bank has put in place policies and procedures relating to information disclosure, public participation and consultation as well as compliance review through the recently established Independent Review Mechanism. It is important to note that these policies and procedures include environmental and social impact assessment requirements for Bank operations at all stages of the project cycle. The Bank has also prepared a policy for Cooperation with Civil Society Organizations. This policy was accompanied by the development of a Handbook on Stakeholder Consultations and Participation in Bank operations. Specifically, the implementation of the recommendations in the Handbook has strengthened the Bank's effort to mainstream stakeholder, NGOs and CSOs participation in its operations.

Furthermore, the Bank has recently carried out a number of Strategic Environmental Assessment (SEA) studies for selected Bank projects and programs in line with its Strategic Impact Assessment (SIA) guidelines. For instance, the SEA/SIA processes include public participation, access to information and disclosure as crucial elements.

With respect to access to information and public disclosure, the Bank has prepared a new Policy on Disclosure of Information. The Policy addresses issues related to environmental and social assessment processes.

3. Does your forum have any non-formalized practices concerning access to information, public participation in decision-making and access to justice in environmental matters? If yes, please provide an overview.

The Bank has established a formal joint Bank-NGO Committee as a formal and permanent forum to promote dialogue with NGOs. As a result, the design and implementation of Bank operations include as much as possible formal and informal consultations with relevant stakeholders. Such consultations include informal discussions and consultations on environmental and sustainable development issues as well.

4. Are there any current or future work plans of your forum that may affect the extent of or modalities for access to information, public participation in decision-making and access to justice in environmental matters? If yes, please provide an overview.

Yes, with regard to environment and social impact assessment procedures, the Bank will revise its Environmental and Social Assessment Procedures (ESAP) in 2007-2008. In June 2001 the Bank adopted the current ESAP for public sector operations. In February 2004 the new Policy on the Environment (the Environment Policy) was also approved. Five years after the adoption of ESAP, the experience with its implementation will be reviewed. The objective of the review is to specify best practices, identify opportunities used, and highlight constraints faced with respect to the implementation of the ESAP. In particular, it is expected that the review will inform revision of the ESAP and further strengthen the information access and participation aspects of Bank operations including environmental and social assessment processes.

In addition, recently, the Bank adopted the operating rules and procedures of the Independent Review Mechanism. This should accelerate the full application of the newly introduced compliance review system including those aspects that relate to information access and public participation.

5. In particular, what kind of challenges, if any, has your forum encountered with regard to access to information, public participation in decision-making and access to justice in environmental matters (for example, low involvement of civil society, or practical difficulties in managing public participation)? If appropriate, please provide a description underlining those experiences you think could be most useful to consider when reviewing the relevance and practicality of the Almaty guidelines.

The Bank has not yet carried out an evaluation of its experience on information access and public participation in relation to the environment. However, the evaluations of the implementation of the Bank environment policy and the application of its environmental and social assessment procedures suggest that in the last decade, it has made notable progress in the implementation of its environmental and social policies and procedures. This includes aspects relating to information access and public participation.

It is also clear that a number of challenges remain, especially due to the wide variation across countries in the experience involving cooperation and consultation with stakeholders. For instance, in a number of countries, NGOs and civil societies are either non-existent or have limited influence with respect to the participatory dimensions of sustainable development.

Other challenges include the difficulty of expanding the consultation process beyond the preparation of projects to include the implementation and evaluation phases and the timely provision of environmental information to beneficiaries at the national and local levels.

