

Responses from the Asian Development Bank to the 5 questions posed above:

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

The policies and operational procedures of the Asian Development Bank (ADB) promote public access to environment-related information held by ADB, as well as public participation in projects assisted by ADB. While ADB has not adopted a formal stance regarding the Guidelines, their spirit – one promoting information sharing with the public on environmental matters – is certainly consistent with the way in which ADB conducts its business.

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.

In 2005, ADB began implementation of its Public Communications Policy (PCP) (<http://www.adb.org/Documents/Policies/PCP/default.asp?p=disclose>) which, in the view of transparency advocates puts the institution “markedly ahead of other international financial institutions in its standards for disclosure and civic participation” (<http://www.freedominfo.org/ifti/20050912.htm>). The PCP presumes disclosure of information subject to a list of specific exceptions. ADB staff instructions state that the active guidance of key stakeholders, both internal and external, as appropriate, should be sought during the processing of a policy or strategy paper. For safeguard papers, including the Environment Policy, the staff instructions indicate that external consultation is essential. Further, the Environment Policy itself spells out requirements for information provision: <http://www.adb.org/Environment/policy.asp>.

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.

In addition to formal requirements and mechanisms, ADB regularly dialogues with stakeholders on the environmental aspects of the projects that it finances. Also, ADB has published a *Staff Guide to Consultation and Participation* (2006) to assist staff in their engagement of stakeholders in ADB-assisted operations. In addition to highlighting specific requirements where they exist, the Guide offers advice on good practice.

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.

ADB has launched a Safeguard Policy Update (<http://www.adb.org/Safeguards/policy.asp>) to enhance the effectiveness of its safeguard policies, and ensure their relevance to changing client needs and new lending modalities and instruments.

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.

You may wish to refer to independent assessments carried out by ADB's Operations Evaluations Department in areas such as civil society participation in ADB operations, and on the implementation of ADB's Environment Policy:

<http://www.adb.org/media/Articles/2006/10706-regional-environment/>

<http://www.adb.org/Documents/SES/REG/Civil-Society-Organizations/SST-REG-200609.pdf>

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