

AMP Review Secretariat  
Rep. by Amiko Sudo  
28 November 2024

Sub: Written Comments on (i) A Cost and Benefit Analysis of the Asian Development Bank Accountability Mechanism [**Cost-Benefit Report**]; (ii) An Impact Assessment Study of the Major Changes Introduced in the Asian Development Bank Accountability Mechanism Policy 2012 [**Impact Assessment Report**]; and (iii) External Review of the Accountability Mechanism for the Asian Development Bank [**External Review Report**] [together, **Reports**]

To the AMP Review Secretariat,

We are writing to share our comments on the Reports so that our views may be included in the consultation paper that will inform the formal review. As civil society organizations that advise and support communities who are seeking remedy for harm caused by Asian Development Bank's (ADB's) financing, we are pleased to have the opportunity to read and share our comments on these Reports. We also commend all the stakeholders involved in commissioning these reports and for the thorough assessment done on the Accountability Mechanism (AM) policy and practice. Altogether the Reports provide a detailed and nuanced insight into the practice of the AM, including shedding light on institutional perceptions on accountability and costs, making many important recommendations that will go a long way in addressing the AM's challenges, and raising crucial questions that the Formal Review should consider in depth.

The review of the AM policy has long been overdue, where more than 10 years have passed since the last review leading to the current policy being outdated. Additionally, in the intervening years ADB has taken on a much larger role in development, both becoming the biggest source of development finance in Asia and taking on the mandate to become Asia and the Pacific's Climate Bank. ADB has also set the goal of increasing its non-sovereign or private sector financing and exploring [frameworks](#) to increase co or joint financing projects.

With scale and speed being touted as the order of the day, CSOs and the communities we support know better than anyone the risks to quality development. We have witnessed the impacts of rushed environmental assessments that are mere copy-paste versions of existing templates and of consultations that are simple check-box exercises. Our demand is clear: quality development that leads to improved lives on the ground cannot be sacrificed for speed, scale, or to attract private borrowers.

An independent, accessible, and remedy-oriented Accountability Mechanism is one of the most powerful tools ADB has to ensure that its newly-amended Environmental and Social Framework is actually implemented on the ground and if not, that ADB is hearing grievances and providing remedy so that it can still deliver on its promise of development. This means ADB not only has to catch up to [international good practice](#) around accountability but pave the way for newer policies that can make remedy for harm a reality.

We also want to briefly restate our concerns with the independence of these reviews and the lack of affected community input in these Reports. In particular the ‘external review’ is misnomer because it was commissioned by management, in consultation with the Board and once completed was submitted to the management, before disclosure.<sup>1</sup> Without commenting on the merits of this report, we believe that an external review should be led by the Board and be independent from the management in order to have legitimacy. We also note that no complainant nor their representatives were consulted for any of these reports, not even the Cost-Benefit Report that makes explicit findings on the impact of the AM on affected communities. We hope that the process followed by these reviews does not set precedent at ADB and instead both the Formal Review and future reviews are led by the Board and require consultation with external stakeholders. We refer to ADB’s own practice with the safeguards policy consultation where project affected people were [directly consulted](#). The AM policy review should at the very least consult complainants where the accountability process resulted in a dispute resolution agreement or remedial action plan to learn crucial lessons. We also echo the External Review Report’s recommendations for the AM policy to regularly be independently evaluated and audited.

The following comments *first* highlight the most important recommendations from the perspective of affected communities, and *second* provide CSO perspectives on additional issues that have been raised by the Reports. Finally, we have also provided our comments on the Stakeholder Engagement Plan that will guide the Formal Review.

#### **A. Highlighting crucial recommendations made by the External Review Report**

The External Review Report echoes many recommendations that CSOs have been advocating for years and that would bring the AM policy in line with international good practice at other [independent accountability mechanisms](#) (IAMs).<sup>2</sup> At a minimum, we expect that the review leads to these improvements around credibility, access, efficiency, and effectiveness:

1. *The OSPF should report to the Board:* Independence and the perception of independence is crucial for complainants to trust the SPF and the problem solving process.
2. *The heads of OSPF and OCRP should be appointed based on a recommendation from a selection committee comprising ADB stakeholders, including an NGO/CSO representative, and there should be pre and post employment bans for senior leadership of the AM:* These hiring safeguards improve the perception of independence of the AM and the legitimacy of its leadership. There is also precedence in ADB’s practice where in 2024, ADB allowed CSOs to be independent observers in the selection process of the chair of the CRP.

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<sup>1</sup> This is unlike external review processes currently ongoing or recently completed at the World Bank, European Bank for Reconstruction and Development and Asian Infrastructure Investment Bank.

<sup>2</sup> The External Review Report further identifies

3. *The AM should have the ability to get independent legal advice, where it deems necessary:* The interests of Bank management, the Board, and the IAM are not the same—and yet the Office of General Counsel provides legal advice to all of them, leading to direct conflicts of interest. This situation has led to a restriction of the AMs mandate in the past. Access to independent legal advice will act as a check on the conflict and allow both the AM and Board Compliance Review Committee (BCRC) to make more informed decisions on the AM's accountability mandate. Designating specific lawyers from OGC to “advise and serve” the AM isn't an effective solution because those lawyers would still be effectively employed by the OGC and not be considered independent.
4. *Complainants should be encouraged to address their concerns with management but this should not be a prerequisite for filing a complaint with the AM:* The data confirms that AM's eligibility barriers are [too high](#),<sup>3</sup> and the barriers do not take into account the actual and perceived risks of reprisal communities face when they are forced to engage management.
5. *Complainants should have the ability to choose their representatives without limitations:* Complainants are best placed to decide whether they want to be represented by local, national, regional, and/or international CSOs. Denying complainants this choice impacts the [outcomes](#) they can hope to achieve through the AM<sup>4</sup> and places them on unequal footing as both ADB and its borrowers do not have any similar limitations on representatives. Freedom of representation is even more important as shrinking civic space in Asia continues to restrict the activities of local organizations.
6. *The AM should have detailed publicized protocols to deal with actual or threatened retaliation against any person who proposes to lodge a complaint with the AM:* The AM Policy should include a [clear and rights-based procedure for addressing reprisals](#) which includes a zero-tolerance statement for reprisals and the ability prevent, mitigate, and protect affected communities from reprisal risks, including strengthening confidentiality provisions.
7. *The OCRP should have the authority to execute its mandate, including proceeding with compliance investigations, without needing authorization from the Board:* There have been at least [two instances](#) where the BCRC failed to authorize the CRP's proposal to conduct a compliance review. This undermines the credibility of the CRP as a body with professional independence and leads to continued harm for affected communities.
8. *Provide reasonable timetables for completion of each stage of processing:* In addition to evaluating and specifying the timelines for the CRP and SPF, the BCRC should also be required to follow timelines for their decision making.
9. *Create an Advisory function in the AM:* The advisory function both improves the performance of the Bank through enhancing learning and meets a common goal of complainants to prevent similar harms from impacting other communities in the future.
10. *Independently evaluate AM policy every five years and subsequently review the implementation of AM policy:* Regular independent evaluation and review of the AM

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<sup>3</sup> Only 12% of all complaints received by ADB's AM have been found eligible.

<sup>4</sup> [Data](#) shows that even as only 4% of ADB cases have CSO support, 38% of complaints that have a signed agreement or compliance report have CSO support.

policy will allow for continuous improvements that will bring it in line with latest international good practice.

11. *Extend the Admissibility Period:* We agree with the recommendation that the admissibility period needs to be extended and recommend that it be aligned with [good practice](#) where “complaints should be admissible for a period of at least 2 years after the financial institution has ended its relationship with the client.”

## **B. CSO Comments on Issues Raised by the Reports:**

### **I. Structure:**

The External Review Report recommends that ADB should consider the merits of retaining the Compliance Review Panel or establishing a “One ADB” IAM, comprising compliance review, dispute resolution, and advisory function, and a permanent secretariat that reports to the Board. It further considers the [different advantages](#) of having an independent Compliance Review Panel and having a unified IAM.

Firstly, we consider this to be an important question that should be considered during the review with a view to improve independence of the AM and effectiveness for project-affected communities, as opposed to making cost cutting the objective. The AM’s costs are a relatively small part of the ADB’s overall budget and do not necessitate a reduction. According to the Reports, the AM’s budget has been stable for the period from 2012-2022, the AM’s annual administrative expenditure on average is 0.3% of ADB’s overall internal administrative expenses. Even the budget of AM’s consultant expenditures, which can vary year-on-year reaching a high in 2018, should be viewed on the basis of the positive impacts of technical expertise on problem solving and compliance investigation processes. Overall, the Reports demonstrate that costs remain miniscule and should not be the justification to reduce independence or effectiveness. This is consistent with the approach under the New Operating Model which asserts that cost-cutting [isn’t the objective](#).

Secondly, one of the main advantages of retaining the current structure where there are two separate functions with separate heads who are at the level of the Director General, is that it better safeguards against the risk of management influence that exists when there is only one IAM head whose appointment is influenced by management. We know that the AM’s unique function of exercising independent oversight while still being an internal mechanism brings it under frequent pressure from other stakeholders at ADB, leading to bureaucratic politics. The structure and independence of the AM play an important role in its ability to withstand these pressures.

A similar benefit is had when there is a panel of experts conducting a compliance investigation. In addition to having a variety of experts (technical, social, financial) that can better respond to the many issues that a compliance case raises, there is also the benefit of being able to

withstand the eventual push back from management around whether non-compliance exists, what remedial action is necessary, and whether compliance of remedial action was achieved.<sup>5</sup>

Moreover, the benefits of a unified IAM provided by the External Review Report don't seem to be related to its unified nature. For example, having a clear institutional home for accountability, improving the culture of accountability in ADB, or having more clear public information about the AM does not depend on collapsing the OSPF and OCRP. If it is a mere matter of nomenclature, the OCRP and OSPF are anyway together referred to as the Accountability Mechanism and should be publicly identified as such. The lack of accountability culture in ADB also does not depend on the *esprit de corps* of the accountability professionals themselves, and it is unclear why having a unified AM would improve their ability to nurture an accountability culture. The concern of OSPF and OCRP becoming "silos," thus "isolating staff, hindering cross-fertilization of ideas, and limiting professional development opportunities" is important and can also be addressed when both OSPF and OCRP are independent. But even under a unified AM, some separation between the functions and staff is essential to good governance.

We recommend that the current structure be retained and further that (i) strengthening the OSPFs independence, (ii) addressing any obstacles communities face with the intake system i.e. Complaints Receiving Officer (CRO) would substantially improve the effectiveness of the AM.

- II. Clarifying the mandate of the CRP regarding likely harm or potential harm to people or the environment:

In 2019, implementation guidance issued by the Office of the General Counsel regarding the AM Policy limited management's responsibility to remedy non-compliance when it results in "likely harm" in the future. In 2022, this limitation became the subject matter of a [CRP case](#), where they noted:

*"The interpretation of 'likely harm' under the AMP that was provided by ADB's Office of the General Counsel to the CRP in February 2019 is not well-aligned with prevention of adverse impacts because it requires the CRP at the time of writing its final report to establish with reasonable certainty whether harm that has not yet crystallized will occur in the future. When there has been ADB noncompliance, even a small likelihood of serious harm that is caused by that noncompliance should in the CRP's view trigger remedial action under para. 190 of the AMP.*

*A 'reasonable certainty' threshold for future harm potentially has the perverse effect of readily enabling ADB Management to avoid triggering para. 190 by taking initial remedial action with an unclear chance of success in the period between a CRP eligibility determination and its final report following compliance review."*

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<sup>5</sup> ADB's CRP can provide a number of examples.

We echo the CRPs reasoning against a reasonable certainty threshold. One of the key benefits of an IAM is that IAM processes can help prevent harms before they manifest and are harder - or impossible - to address. The AM's pre-2019 practice of interpreting "harm" as including both harm that has materialized at the time of compliance review and harm likely to materialize in the future should be made clear in the amended policy. The case further demonstrated how the OGCs dual role as lawyers of both management and IAM can lead to weakening of accountability and independence of the CRP (since the OGC attempted to determine the extent of CRPs monitoring mandate, when only CRPs own interpretation of the 2012 AM policy, subject to the BCRC should guide that.) In June 2023, this issue led to the resignation of an ex CRP Panel member.

### III. Special Operational Rules for Private Sector Operations (PSO):

The External Review Report recommends that ADB consider the merits of adopting specialized operational procedures to apply to complaints received by the IAM in relation to ADB's PSO. It characterizes private sector financing as highly sensitive to risk, and particularly the risks of a compliance review, and the fear that private sector sponsors may resort to early pre-payment. These concerns seem to stem from the sensitivity of the PSOD with the CRP based on past "bruising and tortuous experiences".

We agree that private sector operations may pose unique accountability challenges and could require the AM to have specialized expertise on private sector operations, and design outreach material for private sector clients. However, we do not believe that private sector operations are less suited for compliance reviews nor that the ADB should somehow dilute its safeguards or accountability policies for private sector clients. Indeed the ADB's new Environmental and Social Framework applies to both public and private sector clients, and therefore its accountability mechanism should also apply equally. As CSOs, we have ample experience with private sector compliance cases at other IAMs. Notably, for example, the Compliance Advisor Ombudsman (CAO), accountability mechanism for the World Bank Group's IFC and MIGA, which has one of the highest case loads among the IAMs, exclusively handles complaints regarding private sector operations and has always included a compliance review function. Moreover, even PSOD's own experience suggests that a compliance review case led to widespread institutional changes and a renewed commitment towards compliance, which is a positive outcome. We believe that the IFC CAO/WB AM being separate is due to historical, legacy, and structural specificities that do not offer guidance in terms of best practice. Ultimately, the entire goal of increasing private sector participation in the region is to support development effectiveness, which is not possible if remedy is not achieved for any environmental and social failures.

### IV. Improvements to the Intake Function:

The ongoing review provides ADB an opportunity to evaluate the functioning of the CRO to ensure that the AM continues to be accessible to project-affected communities. In addition to resolving any concerns around the need for enhanced capacity and resources, there are two other aspects that should be delved into further.

- According to a [2018 Joint Learning Report](#), a high number of complaints received by the CRP do not go forward as they lack basic information needed to meet admissibility. Instead the cases are marked incomplete and closed within 6 weeks. It is important to understand whether the CRO is taking necessary steps to contact with complainants and communicate the need for information, disclose that information on the complaint registry. Despite best efforts to simplify processes, language and technical barriers can be a challenge for potential complainants and in the absence of CSO support, communities continue to require support in navigating AM processes.
- The CRO further plays the important role of communicating to complainants the different choice of function available to them, if the complainants have not clearly indicated a choice in the first instance. Moreover any party in ADB can object to the CRO's decision regarding where to forward the complaint.
  - It is important that the choices are being communicated in a manner that does not create a bias for either of the functions and that the CRO moves forward based on the complainant's choice. Any discretion the CRO may exercise in the limited circumstances such as if the complaint is about corruption or fraud, should be specified in the new policy.
  - The 2012 AM Policy also does not specify why and under what circumstances can parties (other than the complainants) object to CRO's decision. According to good practice, the complainant's choice should be paramount.

#### V. Additional Issues for Consideration

In addition to the important recommendations already discussed in the External Review Report, we also recommend that the review consider the following issues:

- The CRP should be empowered to self-initiate a compliance review; many IAMs, including the AfDB's IRM, the IFC CAO, the GCF's IRM, and the UNDP's SECU, allow for self-initiated compliance reviews to occur even when a formal request has not been received, subject to certain conditions. These may include fear of reprisals and risk to the reputation of the IFI resulting from the project it is financing.
- Communities should have the ability to choose Compliance Review or Problem Solving simultaneously and/or in the sequence of their choice. These options should be explained through a joint briefing for requesters on the different timelines, outcomes, and processes, explained in a clear and culturally sensitive way;
- The review should also consider how best to improve information disclosure about the mechanism at project level among project-affected communities, particularly in more complex financial structures such as financial intermediary or capital markets investments.
- The AM Policy should enshrine the principle of community agency throughout the AM process, including respect of the Free, Prior, and Informed Consent when engaging with Indigenous communities, particularly for complaints related to impacts on their lands and resources.

- The AM should be able to accept submissions relating to harms against biodiversity, critical habitats, cultural heritage sites, and other global public goods by any natural or legal person.
- The AM should have the authority to recommend suspension of financing for ongoing complaint investigation processes if it is deemed that continuing the process will cause further/irreparable harm, such as attacks/risks on defenders/communities.
- In the case of co-financed projects, the AM should coordinate with other IAMs to ensure that the highest standards are applied.

### C. Strengthening ADB's Remedy Mandate

Too many communities overcome barriers and risks of reprisals to file a complaint only to be turned away at the first stage of eligibility. However, even the miniscule number of complaints that lead to a signed agreement or a remedial action plan ([7% of total complaints closed by the AM](#)), often find that the commitments are either not implemented, do not adequately remedy harm, or only lead to institutional changes. Thus communities continue to face impossible roadblocks to remedy that need to be urgently addressed by the Formal Review. Unremediated harm can lead to persisting environmental and social harms that prevent Banks from fulfilling its development mandate and commitment to frontline communities in Asia. Moreover it can lead to delay in projects, alienate communities that reside in the area, and cause reputational harm to banks.

This is well demonstrated by the Cost-Benefit Analysis Report's findings on the Mundra Ultra Mega Power Project. It concluded that, "none of the CRP's findings of ADB's noncompliance had been fully addressed to bring the project back into compliance." The Remedial Action Plan did not adequately consult the complainants and was in fact [rejected by them](#) on grounds that it lacked "[sincerity, intent, and imagination](#)." Moreover, after the three year period of CRP monitoring ended without adequate progress, the complaint was simply closed rather than extending monitoring and continuing to work on bringing the project back into compliance with additional requirements, leaving the community to deal with the negative environmental impacts of the project and reliant on the project for drinking water.

Accountability Counsel's latest research on outcomes from IAM processes is consistent with these findings. ADB AM related data [demonstrates](#) that there have only been 21 complaints that have a completed dispute resolution agreement or compliance review report, which have led to a total of 129 commitments.<sup>6</sup> Of these only 50 commitments (across 13 complaints) have been publicly disclosed as completed. In fact there are 8 complaints where none of the publicly disclosed commitments have been reported as complete, meaning no publicly verifiable action has occurred. 50% of problem solving commitments and 10% of compliance review commitments are [unknown](#) which may be an issue of information disclosure but may also relate to the AM Policy, whereby once AM monitoring periods come to an abrupt end, there is no way to publicly verify implementation of commitments.

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<sup>6</sup> A list of the top ten commitments for problem solving and compliance review can be found [here](#).



The AM review should lead to the following improvements to strengthen remedy based on existing international good practice:

- The AM should have an explicit remedy mandate.
- The CRP should have the power to make recommendations alongside findings.<sup>7</sup>
- Management should be required to consult communities on its remedial action plan.
- Management should be obligated to ensure remedy for harms identified by the AM case process, to set aside contingency funds for provision of remedy, and to exercise influence over clients to provide remedy.
- Monitoring should continue until all commitments in a dispute resolution agreement have been completed or all instances of noncompliance are remedied.
- Monitoring Reports should be published and discussed with complainants and the communities it concerns.

In addition, the review also affords ADB an opportunity to identify other ways in which ADB could strengthen its remedy mandate. The following question should also be considered:

1. When the Board approves a Management Action Plan, is it required to review whether the commitments explicitly mitigate/remediate harm?
2. What are the consequences of non-implementation of remedy on the overall project? What is the incentive structure for the project team to implement a remedial action plan?
3. What are the consequences of non-implementation of remedial action on the borrowers and future disbursements or loans, given ADBs practice of giving loans to repeat offenders?
4. How will ADB ensure that it will fulfill its responsibility to contribute to remedy when it has contributed to harm? What type of financial mechanisms can the ADB put in place to ensure that sufficient funds are available to remediate harm if/when it occurs?

#### **D. CSO Comments on Cost Benefit Analysis Report**

The 2012 AM policy review noted the Developing Member Countries' (DMCs) concerns around costs, in particular, balancing the costs of “solving AP’s [affected parties] problems, ensuring ADB compliance, and contributing to development effectiveness.” DMC’s have also previously raised the explicit concern with “bearing the costs resulting from ADB’s noncompliance with ADB’s operational policies and procedures.” This resulted in a policy commitment to conduct a regular cost-benefit analysis of the AM policy.

We appreciate this commitment towards evidence based decision making, however as CSOs we strongly believe that compliance with ADB policies and remedy for communities are unavoidable costs for ADB that are essential for its license to operate as a development institution that does no harm. Based on this, we expect that ADB’s AM operating budget should

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<sup>7</sup> IAMs associated with nearly every Multilateral Development Bank has this ability, except the World Bank and the Asian Infrastructure Investment Bank.

increase commensurate to its needs and the benefit it has on ADB's operations as a whole, and ADB should be required to contribute to remedy.

That being said, the findings of the Cost-Benefit Analysis Reports go a long way in assuaging DMC concerns. The findings are clear - when AM processes led to outcomes for affected communities and those outcomes were implemented, it also led to an improvement in the welfare of affected communities, which justified the costs based on the Bank's own thresholds. Additionally there were qualitative benefits to the institution and borrowers, including improved policy processes, prevention of recurrence of harm. Involvement of the AM also improved the capacity of the project-level GRM. The AM review should also be guided by Case Study 3 of the Mundra Ultra Mega Project which [found](#) that "since the implementation of the RAP actions resulted only in partial compliance, the benefits to the complainants were marginal."

This report further identifies the costs borne by the various stakeholders during a compliance process and finds that the borrower costs primarily included the cost of increased resettlement benefits to complainants, additional road safety and design measures, preparation and implementation of livelihood plans, technical studies, improvements to road access. It isn't clear to what extent ADB itself contributes towards compliance but we echo the External Review Report's observation that "As part of the Formal Review, ADB must still reflect on the need to invest in compliance, especially having regard to the price to be paid for non-compliance."

ADB's own failures in monitoring and supervision contribute to non-compliance of policy and subsequent harm and consequently ADB should contribute to remedy. Moreover, Case Study 3 demonstrates that ADB's PSOD spent \$1.25 million USD in costs towards staff, travel, and consultants, while the cost of the borrower towards compliance was only \$0.64 million USD. This raises questions on whether resources are being effectively utilized.

### **E. Promoting a Culture of Accountability**

A welcome recommendation in the External Review Report is that ADB should enhance its culture of accountability. In addition to the changes to the New Operating Model that the External Review Report [recommends](#), we believe that a seismic shift is needed in the way project teams view the AM, in particular the CRP function. Both the External Review Report and the [Impact Assessment Report](#) documents many views that portray the CRP as an illegitimate tool for vindictive interests. As CSOs working on accountability, it appears as though some project teams at ADB would prefer to work with absolutely no oversight; expecting that no one, not even ADB's Board, should be able to investigate their internal processes.

If that is indeed the case, it is important for ADB to prioritize sensitization amongst project teams to ensure that they understand the public nature of ADB as an institution and the public responsibility associated with it and secondly the importance of ensuring that their finance does not lead to unremedied harm to its intended beneficiaries. We recommend that ADB reviews its internal incentive structures to ensure that the Accountability Mechanism, in particular, the

OCRP is not an actual or perceived threat to project teams and also actively incentivise better due diligence (to avoid problems in the first place) and effective remedy (if/when harms and/or non-compliance does occur.)

Moreover there is ample evidence of the positive impact that the AM has had on the institution. Of the three cases analyzed by the Cost Benefit Report, the involvement of the AM has prevented additional costs and delays and led to important institutional learnings that prevented harm from occurring again. For example, as a result of a complaint relating to the undervaluation of land acquired by the Georgian government for the road project, ADB hired independent valuations in other Georgian projects, avoiding a repetition of the same complaint issue.

Finally, the successful handling of a complaint also leads to trust and reputation enhancements for the Bank, project, and government. Such benefits have wide reaching implications for the success of the Bank's ongoing and future operations.

#### **F. CSO Comments on Stakeholder Engagement Plan**

We want to use this opportunity to share our comments on the recently released stakeholder engagement plan:

1. The formal review should be based on clear objectives to strengthen the ability of the Accountability Mechanism to effectively carry out its mandate in line with international good practice. This includes especially the accessibility, effectiveness, and ability to deliver remedy. Cost-effectiveness is an important consideration but cannot supersede this underlying mandate. The latest [Terms of Reference](#) does not give the Formal Review a mandate.
2. There should be at least a 120 day period for comments after the W paper is released, in line with good practice.
3. We appreciate that an R paper will be released on board submission, we also want clarity on whether CSOs will have the opportunity to advocate to the Board on the concerns that persist in the R paper.
4. The locations selected for in-country consultations do not include countries where there have been significant cases filed - such as Pakistan or Nepal, nor does it include any country in the Mekong region where there is much to learn from for this review. While appreciating difficulty in organizing logistics, we recommend that this location list be revisited and revised.
5. The AM policy review should at the very least directly consult complainants where the accountability process resulted in a dispute resolution agreement or remedial action plan to learn crucial lessons.

We look forward to seeing these recommendations and issues reflected in the consultation paper and further to continue our engagement in the course of the formal review.

Sincerely,  
Accountability Counsel  
Alternative Law Collective (ALC)  
Asia Indigenous Peoples Network on Extractive Industries and Energy (AIPNEE)  
Bank Information Centre, USA  
CEE Bankwatch Network  
Centre for Research and Advocacy, Manipur  
Community Empowerment and Social Justice Network (CEMSOJ)  
Defenders in Development Campaign  
Friends of the Earth, US  
GAIA Asia Pacific  
GongGam Human Rights Law Foundation  
Green Advocates International  
Inclusive Development International  
INWOLAG  
Jubilee Australia Research Centre  
KRUHA - People's Coalition for the Right to Water  
Lawyers' Association for Human Rights of Nepalese Indigenous Peoples  
NGO Forum on ADB  
Peace Point Development Foundation-PPDF  
Reality of Aid - Asia Pacific  
Recourse