

18 July 2008

Mr. Renato Redentor Constantino  
Executive Director  
NGO Forum on ADB  
85-A Masikap Extension, Central District, Diliman  
Quenzon City 1101, Philippines

Dear Mr Constantino,

Thank you for the letter dated 4 July 2008, from the NGO Forum on ADB regarding the Safeguard Policy Update (SPU) and providing comments on the Draft Updated Consultation Plan <http://www.adb.org/Documents/Policies/Safeguards/Consultation-Draft-19June2008.pdf> posted on the ADB website 20 June 2008. Specifically, the comments address the following topics: (i) translation of the second draft of the Safeguard Policy Statement (SPS) and simultaneous translation during the workshop in Manila; (ii) additional time required to comment on the second draft SPS, draft operations manual and comments-response matrix; (iii) length of stakeholder consultations; (iv) further information regarding the number of participants and preferences by which ADB will extend invitations; and (v) legal roundtable to follow the consultation workshop.

We enjoyed meeting with you and CSO colleagues on 19 June and the discussions that followed on the Draft Updated Consultation Plan on 10 July. As you are aware, ADB continues to be committed to a broad-based, transparent and inclusive consultation process for the SPU. We have discussed your comments internally and would like to provide the following responses.

**Translation** – From your letter and subsequent discussions, we understand your reasons for seeking translation of the second draft of the SPS. Our experience with translation of the Consultation Draft of the SPS has demonstrated that translations can lead to confusion, especially in the context of safeguard terminology. Nevertheless, based on our discussions with you, we understand many NGOs feel it is particularly important we provide the SPS in Russian and Bahasa Indonesia. We will do so with the understanding that the English version will prevail if there are any discrepancies.

**Simultaneous Interpretation** – We are prepared to consider providing simultaneous interpretation for the workshop in Manila for widely used languages.

**Timing** – We are prepared to post the English version of the second draft at least 45 days before the consultation workshop. Furthermore, we will ensure that there will be at least 30 days between the web-posting of the last translation of the SPS and the workshop. Also, subsequent to the workshop, we will provide an additional comment period of two weeks for written submissions.

**Length of Consultation** – The 14 consultation workshops have demonstrated that, with appropriate preparation, participants can engage in meaningful discussions on the three policy topics within one or two days, but we are prepared to consider extending the workshop to three days. We intend to post a draft agenda for the workshop on the SPU website, and we will welcome your comments and suggestions.

**Participants** – We can confirm that we plan for 60 participants for the two day multistakeholder workshop in Manila and 20 participants for the half day IP workshop. Any more than 60 participants would make it extremely difficult for each participant to contribute to the discussions. Similar to the previous multistakeholder workshops, we will continue to apply a one-third proportion for each of (1) CSOs, (2) government, and (3) other stakeholders (including multilateral and bilateral agencies, professional associations, academe and the private sector) to ensure that we have balanced representation from all stakeholders.

We are currently finalizing the method by which invitations will be extended and we will communicate further details on the invitation process on the SPU website in the coming month. Based on our discussions, we understand that you will further consider your request for participation of senior economists and clarify your recommendations with us at a later stage.

**Legal Roundtable to Follow Consultation** – We feel that it is appropriate for all issues relevant to the SPU, including legal issues, to be discussed during the consultation workshop. We will ensure that relevant staff from ADB's Office of the General Council are invited.

We look forward to further constructive discussions on the SPU as we proceed with the external consultation.

Sincerely yours,



David McCauley  
Officer-in-Charge  
Environment and Social Safeguard Division  
Regional and Sustainable Development Department