

December 10, 2002

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Mr. Akram Malik  
Executive Director  
Asian Development Bank  
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Metro Manila, Philippines  
Fax: 632 636 2041

Dear Mr. Malik

We would like to draw your attention to the recent Inspection Request regarding the Chashma Right Bank Irrigation Project (Stage III) that was submitted to ADB on November 19, 2002. We understand that the Board Inspection Committee will meet soon to make a recommendation as to whether the claim is eligible. We believe that the claimants have legitimate grounds for their request and strongly recommend you to support the request.

The Inspection Request fulfills all the requirements determined by the ADB's current Inspection Function, approved in 1995:

- The claimants have provided evidence of material harm: Adequate compensation has not been paid to twenty-two villages who have been displaced by the project and others who have lost land to the project, indigenous systems of flood irrigation have been destroyed, and serious environmental impacts have affected communities' livelihoods. .
- The claimants have shown that they have raised their concerns with ADB Management but that the response has not been satisfactory. Despite the adverse impacts of displacement, ADB Management has failed to ensure compensation for resettlement and other livelihood losses.
- The claimants have established that the material harm was caused by policy violations and have clearly identified the policies they believe to have been violated.
- The claimants represent affected communities and have been officially endorsed by the affectees to represent their interests.

Based on these conditions, we believe that the Board cannot justify a rejection of the request.

In the context of the Samut Prakarn Inspection and the on-going Inspection Function Review, the Chashma request comes at a time at which the Bank's credibility is at stake. If the ADB rejects this claim, external stakeholders will no longer take the Bank's proclaimed commitment to accountability seriously.

In addition, we would like to express our disappointment with the Board Inspection Committee's refusal to meet with civil society to discuss the claim. When the NGO Forum on the ADB approached the Board Inspection Committee, we received the response that the "Rules" did not allow such a meeting. The current Inspection Policy

does not contain any provision that prohibits the Board Inspection Committee from engaging in discussion with civil society on a claim already submitted. If such "Rules" indeed exist we would kindly ask you to refer us to the relevant document. If they do not exist, the Board Inspection Committee's refusal sets a bad precedent on unjustified grounds.

The Chashma inspection request presents an opportunity for the ADB to rectify past mistakes to affected communities and to demonstrate the Bank's commitment to accountability. We urge the Board Inspection Committee to accept the request and the full Board of Directors to authorize the Inspection, thus safeguarding the integrity of the Inspection Function.

For your information, we enclose a summary of the request prepared by Sungi Development Foundation.

Sincerely,

Aviva Imhof  
International Rivers Network

Jessica Rosien  
NGO Forum on the ADB

Endorsed by the following organizations:

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ActionAid, USA

Melita Grant  
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Jane Garrido  
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