



**International Alliance of Indigenous-Tribal Peoples of the Tropical Forests**  
**Alianza Mundial de Pueblos Indígenas y Tribales de los Bosques Tropicales**  
**Alliance Internationale des Peuples Autochtones – Tribaux des Forêts Tropicales**  
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**Mr. Nessim Ahmad**  
**Director, Environment and Social Safeguards**

**Ms. Xiaoying Ma**  
**Senior Environment Specialist / SPU Team Leader**  
Asian Development Bank  
6 ADB Avenue, Mandaluyong City 1550  
Metro Manila, Philippines

22 February 2008

**RE: THE MEKONG SUB-REGIONAL CONSULTATION ON ITS DRAFT  
SAFEGUARD POLICY STATEMENT**

Dear Mr. Nessim and Ms. Ma,

The International Alliance of the Indigenous and Tribal Peoples of the Tropical Forests (IAITPTF), a global network of indigenous peoples' organizations spanning the three continents of Asia, Latin America and Africa, stands in solidarity with the various Asian social movements and Indigenous Peoples organizations in their stance against the on-going efforts of the Asian Development Bank (ADB) to weaken their safeguards for indigenous peoples as evidenced in the current draft Safeguard Policy Statement (SPS).

The ADB has initiated a process of consultation with different stakeholders on this draft SPS. A consultation between the ADB and representatives of Indigenous Peoples was held in November 2007 in Manila. During that consultation a large range of recommendations were provided to the ADB regarding the substance of the current draft. These included:

1. Free, Prior and Informed Consent must be enshrined in the safeguards for all lending modalities affecting indigenous peoples;
2. Any new safeguard system must not weaken existing protections and must comply fully with existing international law and standards on protection of the rights of indigenous peoples;
3. Safeguard protections related to the rights of indigenous peoples must provide guidance and reference to international law, including the UN Declaration on the Rights of Indigenous Peoples; and
4. The safeguards must detail the establishment of accessible, effective and responsive mechanisms.

In addition to these key central demands, further recommendations were made which are annexed here for reference. There were great concerns expressed during the consultation

about the weakening of the ADB standards as evidenced by the language used in the documents.

Since November 2007, the IAITPTF has studied closely the events leading to the regional consultations as well as the documents prepared by the ADB. We have considered in great detail the pros and cons of participating in the ADB consultations. We know that these consultations do serve a purpose in further educating the Bank and its directors of indigenous concerns and issues. However, this must be weighed against the impacts of continuing to participate in a flawed process.

While we welcome the invitation of the ADB to indigenous peoples and other social movements to participate in this process, we feel that this is not enough. The goodwill shown by indigenous peoples in participating in the consultations must be reciprocated by the ADB. The ADB has to act on the recommendations presented by the indigenous peoples in the November 2007 consultations before it proceeds to the regional and sub-regional consultations. Doing so would demonstrate the sincerity of the ADB in engaging indigenous peoples. This would also facilitate and hasten the consultation process, as there would be no need for indigenous peoples to repeat previous recommendations.

The IAITPF supports the call to cancel the consultations until such time as the ADB satisfactorily addresses the minimum demands made by the indigenous peoples in 2007. Such time would also allow the ADB to study the UN DECRIPS and incorporate its basic principles in its basic documents. We realize that the UNDECRIPS was adopted only in September 2007, which is why the ADB was not able to incorporate its key principles in its draft SPS, thus we recommend that time be allowed for the ASB to do so.

We remain hopeful that the ADB will take its lead from the actions of the Asian governments when they endorsed the UNDECRIPS in September. We look forward to a revised and strengthened draft SPS.

We look forward to hearing your response to this letter.

Regards,

International Alliance of Indigenous and Tribal Peoples of the Tropical Forests  
Inter Mountain Peoples' Education and Culture in Thailand Association (IMPECT)