

Subject: **NGO Lobby**

I. Introduction

1. The meeting took place at the ADB Headquarters on 30 March 2005. The meeting was designed to enable NGO representatives from various countries to discuss a) ADB's views on various water sector issues; and b) the plans and progress of the upcoming ADB water policy implementation comprehensive review.

2. Wouter Lincklaen Arriens, Lead Water Resources Specialist, was the resource person for the dialogue. The participants included the following:

NGO

Pasiuk, Oleksi
Withanage, Hemantha
Simon, Michael
Jin, Jun
Singh, Prabin Man

CEE Bankwatch Net
CEJ – Sri Lanka
OXFAM – Australia
Green Water- PRC
WAFED – Nepal

ADB Staff

Nazal, Suzanne
Dueñas, Chikoy

NGOC
RSAN

II. Meeting Results

3. Preliminary issues raised

Prior to the dialogue, the NGO participants were given a chance to state the topics or questions they want to discuss. Their responses are as follows:

3.1 On the comprehensive water policy implementation review

- What is the current status of the policy implementation review?
- What are the avenues for participation?
- To what extent will the review cover transboundary issues, particularly those involving the Mekong region and the Pacific?

3.2 On other topics

- On water rights, there is ongoing debate on who has the authority to prepare the policy tackling this issue, and what substance should be included. (Sri Lanka)
- There is a need to facilitate sharing of information on water projects in the different countries (Sri Lanka)
- In connection with the Kathmandu water supply project, ADB is allegedly pressurizing the government to formulate 2 laws that support privatization (Nepal)

Before responding to the questions/ issues raised, WLA emphasized that RSDD does not deal directly with operations. As such, project-specific questions should be addressed to the regional departments.

4. Comprehensive water policy implementation review

WLA oriented the meeting attendees on the comprehensive water policy implementation review. His initial inputs focused on the a) potential composition of the panel; b) activities involved in the review process; and c) tentative schedule of panel meetings, regional and in-country consultations, and ADB staff workshops.

In response to previous and new questions raised by the participants, WLA added the following:

- ADB will make every effort to involve key stakeholders in the process, beginning with the composition of the review panel.
- The report on the review process is expected in early 2006 (as the last panel meeting is tentatively scheduled in December 2005). It will be submitted to the ADB Board of Directors as a board information paper.
- The review process will not automatically result in a revised policy. A separate and subsequent process will deal with the recommendations arising from the review.
- The review could cover a wide range of issues, including those related to the policy itself and those relevant to its implementation.
- ADB will not have a master document that will be used in the review. In stead, the review process will be informed in a variety of ways, e.g. interim review of the water policy implementation, annual water sector reports, survey results, various papers to be prepared for the review panel, etc.
- ADB welcomes reports, case studies or other inputs from various countries or stakeholders.
- The water website will be used as repository of all information on the review process and as a 2-way communication mechanism--- ADB will use it to publish updates on the process and stakeholders can use it to give comments or inputs to the dialogue. These comments will be published on the website.

The participants commented that:

- Focusing on specific project experiences raises the bar for the review process, but also introduces new challenges (Oxfam).
- It would be good to have translations of key documents to ensure that country stakeholders really understand what is being discussed (Russia).
- Equal participation of stakeholders in the review process is important (Sri Lanka).
- The civil society has already contributed in various dialogues with ADB. Maybe those inputs, whenever and wherever relevant, can be reused for the review process (Oxfam).

5. Other issues

WLA responded to the questions earlier raised, plus additional ones, as follows:

5.1 How does the water policy comply with the report of the World Commission on Dams?

ADB follows its own policies and procedures but learns from reports such as the WCD's. In addition, ADB recently revised its water policy provision on dams, and expects dams to be one of the topics discussed in the review process.

5.2 What is ADB's stand on privatization?

ADB does not support privatization. But it firmly believes that there is a big opportunity for private sector participation (PSP), which should take place within a good regulatory framework. In addition, ADB does not promote PSP as a panacea, but in stead views it as a possible realistic solution to move the countries' water agenda forward.

ADB is also recognizing that in addition to PSP by international companies, work is also needed to involve domestic private sector and small-scale water providers.

5.3 What is ADB's stand on water rights?

Water rights are one of the most important emerging issues in the water sector. Generally speaking, it is advisable that countries do not rush into adoption of administrative water rights systems as there is a risk that customary rights of the poor may be adversely affected. ADB is interested to help its member countries deal with this issue.

6. Conclusion

WLA invited all the attendees to send their inputs on the policy implementation review process, and said that they will be considered to the extent possible. Inputs can be sent to water@adb.org.

Recorded by C. Dueñas