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BANKWATCH

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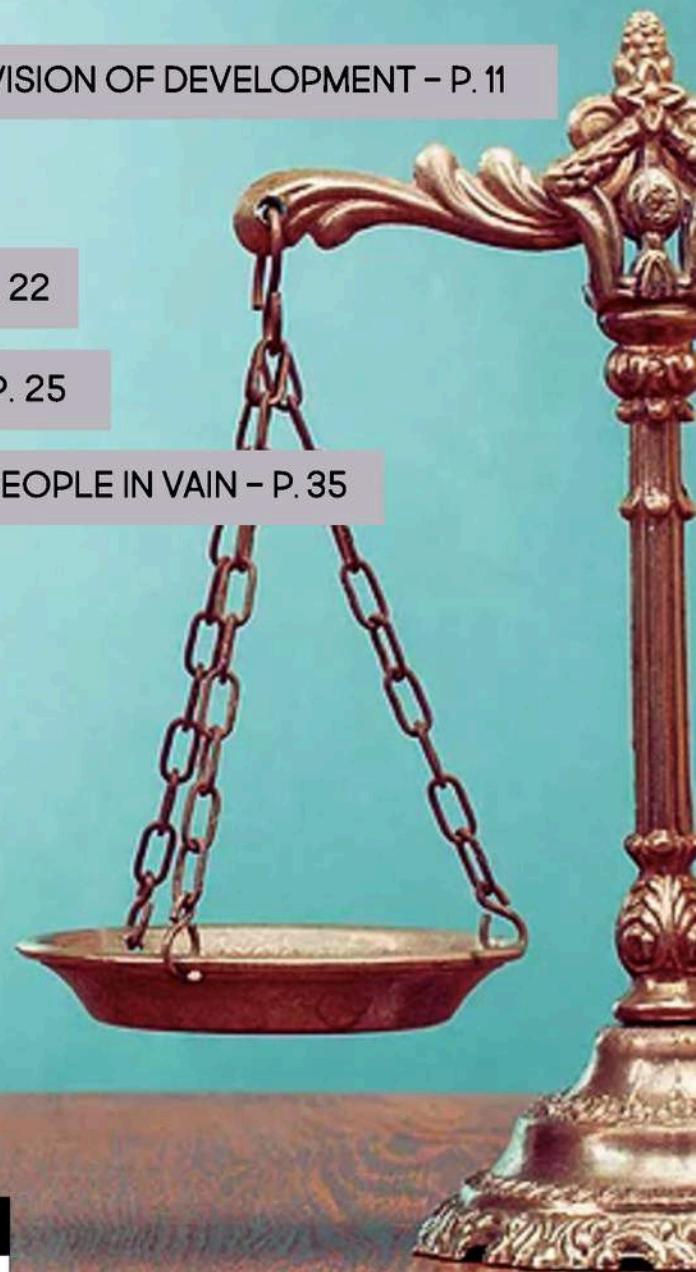
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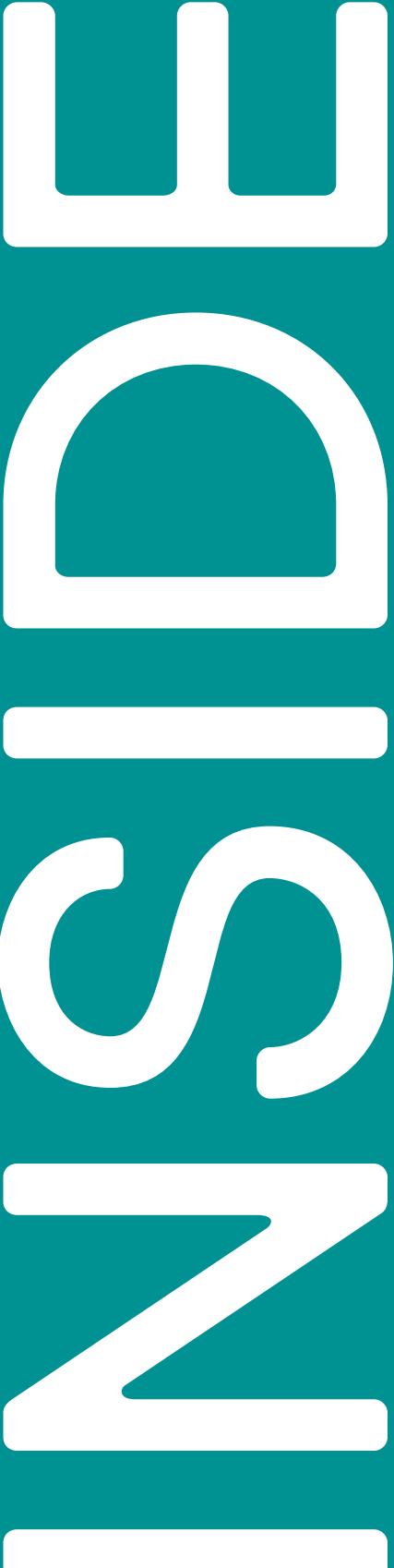
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NGO Forum
on ADB
Holding ADB accountable since 1992

OFFICIAL PUBLICATION OF NGO FORUM ON ADB

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NOTES FROM THE EXECUTIVE DIRECTOR

Dear Readers,

Please find the 2016 December Issue of Bankwatch. The articles are submissions and think pieces collected from the membership during the advocacy period of 2016. This issue puts special emphasis on Asian Development Bank's 50 years anniversary and the debt, destruction, disparity, destitution and displacement that it has caused to countries in Asia.

Articles about the Mundra Ultra Mega Power Plant written by seasoned activist Joe Athialy. The journey of Community Leader Dawan Chantarahasdee as she, together with the affected communities stood still and did not flinch as the Samut Prakarn Wastewater Management Project started and later on was put to stop due to their peaceful resistance.

The Cambodia Railway Rehabilitation project in the eyes of Equitable Cambodia's information officer witnessing the project and its damages as it unfolds.

An article by Shalmalli Guttal which talks about the unchanged vision of development of the ADB and the violations of policy made by the West Seti Hydroelectric Project researched by one of our International Convener, Yuki Tanabe.

Two articles coming from Nelpal, one about geopolitical tussle in which ADB is caught and the horrific Kali Gandaki Land Slide brought about by the Kali Gandaki A Hydropower.

We hope that you will find the pieces informative and useful in your ongoing campaigns for economic and environmental justice.



Rayyan Hassan
Executive Director
NGO Forum on ADB

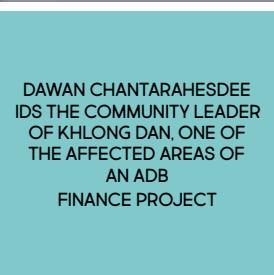
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SAMUT PRAKARN WASTEWATER MANAGEMENT PROJECT (ALSO KNOWN AS THE KLONG DAN WASTEWATER MANAGEMENT)

ADB เรียนรู้และแก้ไขอะไรบ้าง จากการทุจริตกรณีป้อบ้ำบัดน้ำเสียคลองด่านของประเทศไทย

by DAWAN CHANTARAHASDEE

Community Leader of Khlong Dan, one of the affected areas of an ADB Financed Project in Thailand

สวัสดีค่ะ ก่อนอื่นดิจันขอแนะนำตัวเองก่อน ดิจันชื่อ ดาวลัย จันทร์หัสสี เป็นชาวบ้านที่อยู่ในชุมชนตำบลคลองด่าน อำเภอ บางปะอุ จังหวัดสมุทรปราการ ซึ่งอยู่ติดกับอีกตำบลหนึ่งชื่อ ตำบลสองคลอง อำเภอบางปะกง จังหวัดฉะเชิงเทรา ชาวบ้านของทั้ง 2 ตำบลนี้มีอาชีพทำการเกษตรและการประมงเป็นหลัก เนื่องจากพื้นที่ตอนบนของตำบลเป็นพื้นที่เพื่อการเกษตร ถ้ามาเป็นพื้นที่ป่าชายเลนและป่าชายฝั่งติดกับแหล่งของอ่าวไทย ชาวบ้านส่วนใหญ่มีอาชีพทำการประมง และอาชีพอื่นๆ ที่เกี่ยวเนื่องกับการประมง ที่นี่ไม่ใช่พื้นที่เพื่อสร้างโรงงานอุตสาหกรรม ชายฝั่งทะเลบริเวณนี้เป็นแหล่งเรียนรู้ทางทะเลของอ่าวไทย แล้ว นำมาปักในทะเลเพื่อการเพาะเลี้ยงหอย หอยแครงกุ้งวัยอ่อนจะยัดจับกับหลักไม้ไผ่และเจริญเติบโตขึ้นเรื่อยๆ ภายในเวลาประมาณ 3 เดือน ชาวประมงก็จะเก็บเกี่ยวหอยแครงกุ้งจากหลักไม้ไผ่เหล่านั้น แล้วนำไปจำหน่าย แนวโน้มไผ่นี้ยังคงได้รับการสร้างแนวปะการังในอกรุปแบบหนึ่งด้วย ชาวประมงทราบกันดีว่าแนวปะการังนั้น เป็นที่ตอบภัยและเป็นที่เจริญวัยของสัตว์น้ำ

วัยอ่อน เช่น กุ้ง หอย ปู และปลา เป็นต้น บริเวณพื้นที่ชายฝั่งทะเล ที่เป็นป่าชายเลนของที่นี่ถือเป็นป่าชายเลนที่ยังสมบูรณ์ ความสมบูรณ์ของป่าชายเลนแบบนี้ทำให้ชายฝั่งทะเลและน้ำมีการประกอบอาชีพประมงเพาะเลี้ยงสัตว์น้ำโดยวิธีธรรมชาติ เช่น การทำบ่อเลี้ยงกุ้ง บ่อเลี้ยงปู บ่อเลี้ยงหอย และบ่อเลี้ยงปลา เป็นต้น สิ่งเหล่านี้คือกรอบการธรรมชาติทางทะเลที่เป็นแหล่งพัฒนาและผูกพันกับวิถีชีวิตของคนคลองด่านและชาวตำบลสองคลองมาเป็นนาน

ในวันที่ดิจันเขียนบทความนี้ ทำให้ดิจันมีโอกาสสนทนากับย้อนไปถึง อุปสรรคและความยากลำบากที่ชาวชุมชนคลองด่านต้องลุกขึ้นมาคัดค้านโครงการแก้ไขปัญหาสิ่งแวดล้อมรอบโครงการหนึ่งในประเทศไทย คือ “โครงการจัดการน้ำเสียเขตควบคุมมลพิษ จังหวัดสมุทรปราการ” หรือเรียกว่า “โรงบำบัดน้ำเสียที่คลองด่าน”

โครงการนี้ได้รับการอนุมัติตามนิติคโนมัตรฐานนตรีเมื่อวันที่ 17 ตุลาคม 1995 ให้สร้างบ่อบำบัดน้ำเสียบน 2 ผังของแม่น้ำเจ้าพระยา ผังดังนี้ตอกของแม่น้ำให้สร้างที่ตำบลบางปลาด

และผังตัวบันวอกให้สร้างที่ตำบลบางปูใหม่ โดยรัฐบาลได้อุบัติให้ใช้เงินงบประมาณ 13,765 ล้านบาท และมีเงินกู้จากธนาคารพัฒนาเอเชีย (ADB) ในเดือนธันวาคม 1995 ADB ได้อุบัติเงินกู้งวดแรกให้แก่โครงการนี้เป็นจำนวนเงิน 150 ล้านเหรียญสหรัฐ ต่อมาในปี 1996 ได้มีการเปลี่ยนแปลงรูปแบบโครงการ โดยมีการยกเลิกระบบบำบัดน้ำเสียผังตัวบันตาก ให้เหลือเพียงผังตัวบันวอกเพียงแห่งเดียว และมีการเปลี่ยนตำแหน่งที่ตั้งโครงการของผังตัวบันวอกด้วย คือมีการย้ายที่ตั้งโครงการไปอยู่แห่งใหม่ที่ห่างจากพื้นที่เดิม 20 กิโลเมตร การเปลี่ยนแปลงรูปแบบและสถาบันที่ตั้งโครงการนี้ทำให้ต้องเพิ่มงบประมาณจาก 13,765 ล้านบาท เป็น 23,701 ล้านบาท และต่อมาในวันที่ 20 สิงหาคม 1997 อธิบดีกรมควบคุมมลพิษ ได้เซ็นสัญญาับบริษัทผู้รับเหมาคือ กลุ่มกิจการร่วมค้า NVPSKG Joint Venture เพื่อดำเนินการก่อสร้างโครงการนี้ ปีต่อมา ADB ได้อุบัติเงินกู้งวดที่สองให้แก่โครงการนี้อีกเป็นจำนวนเงิน 80 ล้านเหรียญสหรัฐ ในเดือนธันวาคม 1998

ทั้งนี้การเปลี่ยนแปลงสถานที่ตั้งโครงการนี้ถือเป็นการเปลี่ยนแปลงสาระสำคัญของโครงการอย่างยิ่ง เพราะวัตถุประสงค์ของโครงการคือการแก้ไขปัญหาบ้าน้ำเสียของโรงงานอุตสาหกรรมในจังหวัดสมุทรปราการ ตามหลักการแหล่งกำเนิดน้ำพิษอยู่ที่ใดก็ควรแก้ปัญหา ณ ที่นั้น ไม่ใช่นำปัญหาไปยังที่ไม่มีปัญหา ตามแผนเดิมของโครงการสถานที่ตั้งที่กำหนดไว้คือตำบลบางปูใหม่ เป็นพื้นที่ที่มีโรงงานอุตสาหกรรมหนาแน่น การย้ายที่ตั้งโครงการมาที่ตำบลคลองด่าน ซึ่งเป็นพื้นที่เพื่อการเกษตรและประมงเป็นหลัก จึงผิดวัตถุประสงค์ของโครงการที่รัฐบาลได้อุบัติไว้ ตั้งนั้นการที่ ADB ให้การสนับสนุนโครงการที่มีการเปลี่ยนแปลงไปจากวัตถุประสงค์ของการแก้ไขปัญหาน้ำเสีย ด้วยการให้รัฐบาลไทยกู้เงิน จึงเป็นสิ่งที่ไม่สมควรอย่างยิ่ง เมื่อชุมชนคลองด่านของเรารายบ่าบว่าจะมีการก่อสร้างบ่อบำบัดบ้าน้ำเสียที่ใหญ่ที่สุดในเอเชียในพื้นที่บ้านของเรา ชาวบ้านจึงเริ่มคัดค้าน เราได้พยายามแสวงหาข้อมูลเพื่อให้รู้ถึงความเป็นมาต่างๆ ของโครงการ เทคโนโลยีในการบำบัดน้ำเสีย การบริหารจัดการเรื่องกลิ่น และภาคตะกอน ข้อมูลเกี่ยวกับบริษัทผู้รับเหมา ก่อสร้างโครงการนี้ รวมทั้งใครเป็นผู้ให้การสนับสนุนด้าน



KLONG DAN DURING ITS CONSTRUCTION PROCESS.

การเงินโครงการบ้าน้ำ ให้ที่สุดจึงได้ทราบว่า ธนาคารพัฒนาเอเชีย (ADB) ให้การสนับสนุนโดยการให้กู้เงินในโครงการนี้รวมทั้งสัมปันธ์กับ 230 ล้านเหรียญสหรัฐ ปี 1999 และต่อมาในปี 2001 ให้กู้เงินและชาวบ้านจำนวนหนึ่งต้องเข้ามาเกี่ยวข้องกับ ADB เราจึงคำนวณมาภายใต้ ธนาคารพัฒนาเอเชีย คือ โครงการนี้ทำให้เราได้รับประโยชน์จากการดำเนินการอย่างยั่งยืน ทางด้านเศรษฐกิจ การจ้างงาน การลงทุน และการพัฒนาชุมชน แต่ก็มีผลกระทบต่อสิ่งแวดล้อม น้ำดื่มน้ำเสีย ภัยธรรมชาติ และสุขภาพของคนในชุมชนของเรา

เราได้ร่วมตัวกันยื่นหนังสือคัดค้านโครงการบ่อบำบัดบ้าน้ำเสียคลองด่านต่อหน่วยงานราชการต่างๆ ในประเทศไทย ทั้งฝ่ายบริหาร คือ นายกรัฐมนตรี ผู้ว่าราชการจังหวัด ได้แก่ สภาพัฒนราษฎรและวัฒนาการ รวมถึงองค์กรอิสระต่างๆ คณะกรรมการป้องกันและปราบปรามการทุจริตแห่งชาติ (ป.ป.ช.) และกรมสืบสวนคดีพิเศษ (DSI) เพื่อขอให้ทำการตรวจสอบโครงการนี้ เราจึงได้ทำหนังสือร้องเรียนไปยังฝ่ายบริหารของ ADB ให้ตรวจสอบการปล่อยเงินกู้แก่โครงการนี้ นอกจากนี้สมาชิกกุฎีสากลของไทยจำนวน 102 คน ยังได้ร่วมกันลงลายเซ็นหนังสือถึง ADB เพื่อขอให้กับกบกวนการให้เงินกู้แก่โครงการด้วย สิ่งที่ชุมชนของเราระบุคัดค้านอย่างมากคือการต้องรับภาระของ ADB ที่ต้องจ่ายค่าใช้จ่ายส่วนตัว น้ำที่ดื่มน้ำเสีย ภัยธรรมชาติ และการต่อต้านค่าครองชีวิต แต่แล้วฝ่ายบริหารของ ADB ก็ไม่ได้ให้ความสนใจกับเรื่องนี้ ซึ่งแตกต่างจากสิ่งที่ฝ่ายบริหารของ ADB ประชาสัมพันธ์ต่อสาธารณะว่า ADB มีนโยบายส่งเสริมธรรมาภิบาลและต่อต้านการทุจริตคอร์รัปชัน ในช่วงปี 1999-2001 เป็นช่วงเวลาที่ชุมชนชาวคลองด่านของเราร้องเรียนต่อ ADB ให้รับผิดชอบการปล่อยเงิน

กู้แก่โครงการนี้ โดยมีเครือข่าย NGOs เข้ามาช่วยเหลือด้วยการให้ความรู้เกี่ยวกับวิธีการร้องเรียนต่อฝ่ายบริหารของ ADB ตามนโยบายที่ ADB กำหนดไว้ ในนามชาวบ้านต่อบลคลองด่าน เราขอให้มีการตรวจสอบว่าโครงการป้องบัดบ้านเสียคลองด่านนี้ไม่ได้ปฏิบัติตามนโยบายของ ADB อย่างไรบ้าง ดังนั้นและตัวแทนชาวบ้านคลองด่านได้ดำเนินสือร้องเรียนถึง ADB และเข้าพบกับผู้แทนฝ่ายบริหารของ ADB ในช่วงที่มีการประชุมประจำปีของ ADB ปี 2001 ซึ่งจัดขึ้นที่จังหวัดเชียงใหม่ ประเทศไทย ต่อมาเราภารกิจพิโภคاسيปร้องเรียนเรื่องเดียวกันนี้ในช่วงที่มีการประชุมประจำปีของ ADB ที่เมืองรัฐวิวาย ประเทศสหราชอาณาจักร และการประชุมประจำปีของ ADB ที่เมืองเชียงใหม่ ประเทศไทย ในการเรียกร้องทุกครั้ง เราได้เสนอข้อเรียกร้องให้ ADB ยุติการให้เงินกู้กับโครงการนี้



ອយ່ງຂອງชาวប້ານໂດຍໄມ່ສົມຄຣໃຈ ແລະກາຈ່າຍເຈັບຊັດເຊຍກີ່ໄປເປັນ
ຮຽນ ຈາກກາໄດ້ຮັບພລກຮະກບຈາກໂຄຮງການນັ້ນ ພ
ເຮາຕ້ອງໃຫ້ເວລາເຮັດກ່ຽວຂ້ອງ ADB ໄກຍອນຮັບການຕຽວຈັບສອບເນື້ນບານ
ເກືອບ 3 ປີ ໃນກໍສຸດ ADB ກີ່ຍອນກຳກຳການຕຽວຈັບສອບໂຄຮງການນີ້ ໂດຍ
ມີການແຕ່ງຕັ້ງຄະນະຜູ້ຕຽວຈັບ (Inspection Panel) ເຂັ້ມງານ 1 ຜູດ
ການແຕ່ງຕັ້ງຜູ້ຕຽວຈັບຮ້າສະນີເປັນກລິກສໍາຄັກທີ່ ADB ກຳເນັດ
ໃຫ້ມີຂຶ້ນເພື່ອຕອບສນອງຂອງເຮັດກ່ຽວຂ້ອງຜູ້ກໍໄດ້ຮັບພລກຮະກບຈາກ
ໂຄຮງການເຈັບກູ້ຂອງ ADB ແລະຈະຕ້ອງຜ່ານຂັ້ນຕອນສັບສ້ອນແລະຢູ່ງ
ຍາກນາກກວ່າຈະມີການແຕ່ງຕັ້ງຂຶ້ນມາ ກຣັນຕົລອງດ່ານເກີ່ມເປັນກຣະນີ
ແຮກໃນປະວັດຄາສຕ່າງການດ່ານຂອງ ADB ທີ່ມີການຕຽວຈັບໃນ
ສັກເຜົນນີ້ ໃນກໍສຸດຮາຍງານຂັ້ນສຸດກ້າຍຂອງຄະນະຜູ້ຕຽວຈັບທີ່ອຳກ
ນາເນື່ອປລາຍປີ 2001 ກໍໄດ້ຮັບບຸ້ຊື່ສັດວ່າ ກາຮອບນຸມຕັເຈັບກູ້ແກ່
ໂຄຮງການທີ່ຄລອງດ່ານຂອງ ADB ມີໄດ້ປົງປັດຕາມນິຍາຍຂອງ
ຮາຄາໃນການດຳເນີນໂຄຮງການບໍາບັດນໍ້າສີທີ່ຄລອງດ່ານຫລາຍ
ປະກາດ ໄດ້ແກ່ ນິຍາຍກາໃຫ້ກູ້ເພີ່ມສໍາຫຼັບໂຄຮງການທີ່ໃຫ້ງບໍເກີບ
ນິຍາຍເກີຍກັບການປົງປັດງານຂອງ ADB ນິຍາຍກາໂຍກຍ້າຍ
ໂດຍໄມ່ສົມຄຣໃຈ ນິຍາຍກາດຳເນີນກົ່ງມີຕິກາງດ້ານສັກຄນ ນິຍາຍ
ຮຽນນາກບາລ ແລະບໍ່ນິຍາຍກາປະເມີນພລກຮະກບສົ່ງແວດລ້ວນ
ນອກຈາກນີ້ ADB ຍັງລະເມີດບາງສ່ວນຂອງນິຍາຍກາຕັດຕາມແລະ
ປະເມີນພລປະໂຍໝນຂອງໂຄຮງການ ແລະນິຍາຍກາວິເຄຣະກຳການ
ດ້ານຄຽບຮູກຈົດຕ້ວຍ

นอกจากนี้รายงานการตรวจสอบสุรุ่อย่างชัดเจนด้วยว่า “ADB ได้กระทำผิดพลาดอย่างร้ายแรงในขั้นตอนของการประเมินโครงการ การอนุมัติโครงการ และการดำเนินการโครงการ จัดการน้ำเสียจังหวัดสมุทรปราการ” จากผลการตรวจสอบข้างต้นนี้ “หากันเป็นการยอมรับของ ADB เองว่า โครงการก่อสร้างระบบบำบัดน้ำเสียที่คลองดำเนินสะท้อนถึงความล้มเหลวในการปฏิบัติงานของ ADB อย่างเต็มที่ ถึงแม้จะมีความผิดที่ระบุชัดแจ้งก็ตาม แต่ก็ไม่ได้นำไปสู่การดำเนินการที่แสดงความรับผิดชอบของ ADB แต่อย่างใด ยิ่งกว่านั้นคือ ในขณะที่มีการตรวจสอบการก่อสร้าง ADB ก็ยังคงยืนยันให้มีการเบิกจ่ายเงินกู้ต่อไป จนในที่สุดรัฐบาลไทยก็เบิกจ่ายเงินกู้จับครบตามจำนวนเงินกู้ซึ่งก่อจดหมายและจัดการเบิกจ่ายเงินกู้โดยกันที่สำหรับโครงการได้ก่อตามที่มีการอนุมัติให้ดำเนินการตรวจสอบ

สอบ ໃນស່ວນການຕຽບ
ສອບເກີຍວິກັບການຖຸຈົດ
ຂອງໂຄຮົງການນີ້ໃນ
ປະເທດໄກຍ ກີພບວ່າ
ໂຄຮງການນີ້ມີການຖຸຈົດທຸກ
ໜັນຕວນ ຈົນກະກັ້ງມີການ
ດຳເນັນຄືກັບບັກການເມື່ອງ
ນີ້ຄຳພິພາກຫາສາລູກົງກາຜູ້
ດຳຮັງດຳແໜ່ງກາງການ
ເມື່ອງກັບອັດດັບການເມື່ອງ
ແລະ ຄຳພິພາກຫາສາລູ
ວາງາກັບອັດຫ້າຮາຊການ
ໃນກຣມຄວບຄຸມນລພິບ ໂດຍ
ກ່ອນນີ້ຄຳພິພາກຫານີ້ກຣມ
ຄວບຄຸມນລພິບໄດ້ນີ້ຄຳສັ່ງ



KHLONG DAN AS SEEN FROM GOOGLE SATELLITE DATED NOVEMBER 2016

ให้บังการเมืองและข้าราชการ ที่มีส่วนเกี่ยวข้องกับการกระทำที่ทำให้รัฐเสียหายต้องชดใช้ค่าสินไหมทดแทนแก่รัฐบาล ในวาระที่มีการประชุมครบรอบ 50 ปีของ ADB ในครั้งนี้ หากติดตามจะเปรียบเทียบ ADB เป็นบุษย์คนหนึ่ง ก็เป็นได้ว่าบุษย์คนนี้มีอายุผ่านมาแล้วครึ่งศตวรรษ เป็นผู้ใหญ่เต็มตัวมีประสบการณ์ ผ่านสิ่งเดร้ายมาหากาย มีความรับผิดชอบซึ่งกันและกัน รู้ว่าอะไรควรและอะไรไม่ควรอย่างที่ได้กล่าวมาตั้งแต่ต้น เมื่อ 20 ปีที่ผ่านมา ADB ได้ก้าวความทรงจำที่ไปมาให้อภัยในฐานะที่เป็นผู้มีบทบาทสำคัญในการช่วยเหลือผลักดันโครงการบำบัดน้ำเสียที่คลองต่างๆ ซึ่งติดฉบับไม่แน่ใจว่าสิ่งที่เกิดขึ้นได้ให้บทเรียน ข้อคิด และข้อควรระมัดระวังอะไรบางแก้ว ADB หรือว่า ADB ก็ยังคงเป็นนาครากรที่ต้องการแสวงหาผลประโยชน์จากดอกผลของการปล่อยเงินกู้ และให้การสนับสนุนโครงการของรัฐบาลในแต่ละประเทศ ต่อไปเรื่อยๆ โดยไม่ได้เรียนรู้ความเสียหายจากความผิดพลาดของตัวเอง หรือไม่สนใจอะไรก็ตามที่สันนิษากำไรเงินกู้ของตนจะก่อผลกระทบทาง济และแก่ใครบ้าง ซึ่งหากเป็นเช่นนั้น ก็เป็นเรื่องที่น่าเสียใจเป็นอย่างยิ่ง ในโอกาสนี้ติดฉบับไม่ได้ต้องการเรียกร้องอะไรมาก ขอแต่เพียงให้ ADB เคราะพใบสิกธ์ เสรีภาพ และผลประโยชน์ของประชาชนในพื้นที่ตั้งโครงการเป็นสำคัญ และ ADB ต้องให้ความสำคัญในการปฏิบัติตามนโยบายของตนอย่างเคร่งครัด พร้อมกับการกำกับควบคุมเจ้าหน้าที่ของตนให้ได้มาตรฐานในทุกๆ ด้าน ■

DAWAN IS ONE OF THE COMMUNITY LEADERS OPPOSING THE CONSTRUCTION OF KLONG DAN WASTEWATER MANAGEMENT PROJECT OF ASIAN DEVELOPMENT BANK

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<http://www.bangkokpost.com/print/427298/>

WHAT ADB LEARNED AND FIXED FROM THE CORRUPTION OF KLONG DAN WATER TREATMENT PROJECT IN THAILAND

ENGLISH TRANSLATION

My name is Dawan Chantarahasdee. I'm a villager from Klong Dan sub-district, Bang Bor district, Samut Prakarn province connected to Song Klong sub-district, Bang Pakong district, Chacherngsao province. The livelihoods of villagers from both sub-district are inland-agriculture and local fisheries around mangrove forest on the Gulf of Thailand. Our jobs are only local fisheries, which has nothing to do with industrial factory. We have the best place for mussels farm in Thailand. Each year, we buy bamboo sticks across the country and put them into the sea to grow mussels. Larvae mussels will settle down on the bamboo sticks and gradually grow. Within 3 months the fisher folks will collect mussels from the sticks and sell them. These line of bamboo sticks are one of the reefs used by fisher folks as shelter and nursery habitat for juvenile sea animals like shrimp, shellfish, crab, fish etc. The Klong Dan coast has the richest and most intact mangrove forest where locals can naturally grow sea animals. This abundant sea is a vital natural resource that livelihoods of Klong Dan and Song Klong people have always depended on and bonded to.

Writing this article reminds me of the obstacles and difficulties Klong Dan community faced during our struggle against the "Samut Prakarn Waste Water Management Project," also known as the "Klong Dan Waste Water Treatment Plant."

The project was approved by the Thai government in October 17, 1995. Its aim was to build waste water treatment plants along the Chao Praya river—the west side at Bang Pla Kod sub-district and the east side at Bang Pu sub-district. The project was funded by 13,765 million Thai Baht from national budget and a USD 150 million loan from the Asian Development Bank. In 1996, the project design was changed to cut the west part of the project. The project was moved to a new place which was 20 kms farther from the original location. This change of the project design and location had added the project cost to 23,701 million Baht. In August 20, 1997, the Director General of Pollution Control Department signed a contract with a

contractor company NVPSKG Joint Venture. ADB approved the second phase of the loan amount USD 80 million to the project in December 1998.

The change to location of the project is significant because the objective of the project was to solve the waste water from industrial factories in Samut Prakarn according to the principle of treating pollution source not moving them to somewhere else. The original project location is at Bang Pu Mai where industry is dense. The relocation of the project to Klong Dan—a place where people only do agriculture and fisheries—was against the objective of the approved project. It is inappropriate that ADB still loaned this project when its original objective has been manipulated.

When we, the Klong Dan community, learned that Asia's biggest water treatment plant would be built in our home, we start to campaign against it. We tried to find project information, such as the technology used for this water treatment, odor and sewage sludge management, profile of the contractor and the project financier. We found that ADB had financed USD 230 million. This led me and my community to engage with the ADB. We had so many questions about the bank: who are they? Where are they located? Did they know they are supporting a project that is destroying natural resource, environment and livelihoods of our community?

We filed petitions against the project to various Thai government agencies at the prime Minister office, the parliament and senate including independent departments, the National Counter Corruption Committee, and the Department of Special Investigation, asking them to investigate the project.

We submitted complaints to the management of the ADB to review its financing of the project and we demanded ADB to investigate this project according to ADB's policy including good governance and corruption. Unfortunately, the management of ADB ignored our complaints, different from what ADB always talk publicly about its policy on good governance and anti-corruption.



For the past 20 years, ADB has left so many unforgivable memories as the important push for the Klong Dan Wastewater project.

I am unsure if ADB has learned any of its lessons and precautions from the past or ADB is still one of those banks keep seeking profits from loans to projects in many countries and not taking any lesson learn from its scrutiny and mistakes and ignore the negative impacts from its loan to others

- DAWAN CHANTARAHASDEE



ment. Besides, the policy on monitoring and evaluation of the project and the economic analysis had been broken.

In addition, the inspection report clearly concluded that “ADB has seriously failed in project estimates, the approval and the operation of the Samut Prakarn Wastewater management project.”

During our struggles in 1999-2001, we continued to pressure the ADB even harder to be accountable for the loan to this project. We received support from NGO allies who supported us in formally filing complaints to the ADB management, according to its procedure. We requested the investigation of the violations of ADB safeguard policy in the Klong Dan Water Management project. Community representatives and I traveled to meet the ADB management in its 2001 annual meeting in Chiang Mai, Thailand. Not just one, we went to submit the same complaint at ADB annual meeting in Hawaii, USA and another annual meeting in Shanghai, China. Every time we demanded the ADB to stop the loan to the project.

It was not easy for us to bring our complaint to the complaint mechanism of the ADB and ask ADB to cancel the loan to the project. Our campaign needed collaborative support from local and international NGO networks when we had to learn the complicated language and procedure of ADB accountability mechanism. Many times, affected communities from ADB financed project are rural and often poor populations whose livelihoods and human rights are violated including forced eviction and inadequate compensation.

It took us 3 years to get ADB to begin the investigation by the Accountability Mechanism, which response the demands of the ADB project affected people. This mechanism is very complex and difficult to get settled. Our Klong Dan case was the first time ever in history of ADB to use the Inspection Process. The final report of the Inspection Committee in 2001 concluded that ADB did not comply with its environmental and social safeguard policy such as the cost overruns for a supplementary loan, the operation policy, the involuntary resettlement policy, social impacts, good governance and the environmental impacts assess-

This report confirmed that ADB failed in the operation in Klong Dan wastewater project, However it didn't lead ADB to do any actions that show its accountability. Moreover, during such investigation the ADB still authorize the money to use in the project construction until the Thai government had received all the loan. ADB should have a policy to suspend all the loan immediately after the investigation started.

We pursued investigations of the corruption about this project in Thailand and found frauds in every single steps of the project and put charges against politicians involved. The supreme courts ruled against the politicians and former government officials and ordered them to pay compensation to the government.

On the occasion of ADB 50th Anniversary, I would like to take ADB as a human being who has grown up quite half a life to be fully experience and mature, who has been through many good and bad things, who conscious of responsibility and know good and evil, know what to do and not to do. For the past 20 years ADB has left so many unforgivable memories as important push for the Klong Dan Wastewater project. I am unsure if ADB has learned any of its lessons and precaution from the past or ADB is still one of those banks keep seeking profits from loans to projects in many countries and not taking any lesson learn from its scrutiny and mistakes and ignore the negative impacts from its loan to others. If so, it would be very sad.

Lastly, I do not want anything from ADB. The only thing I ask for ADB is to respect the human rights, freedom and benefits of local people in project areas. ADB must also follow its own policies and make sure its officials have no conflict of interest in the ADB financed projects for the good of your organization reputation.■

PROMOTING PRIVATIZATION THE ADB'S UNCHANGED VISION OF DEVELOPMENT

INDIA

by SHALMALI GUTTAL - FOCUS ON THE GLOBAL SOUTH

In the name of poverty reduction and inclusive development, the ADB continues to promote the transfer of natural wealth and public assets to private companies across the Asia and Pacific region. Through loans, co-financing and Technical Assistance (TA), the ADB creates and demands conditions for widespread privatization in virtually every sector, from transportation, energy and urban development to agriculture, water and finance. ADB supported infrastructure projects, Special Economic Zones (SEZs), information technology parks and agriculture modernization are resulting in widespread dispossession of workers, urban and rural poor, and agricultural, coastal and indigenous communities from their resources and livelihoods, as well as in the capture of lands, forests, water and minerals by private corporations.

In his first address to the ADB Board of Governors on May 4, 2013, the new ADB President Takehiko Nakao indicated that the ADB will retain its ideology of rapid economic growth as the most effective path to development, free markets as the most efficient allocators of resources and opportunities, and the private sector as the best option for delivering goods and services. He emphasized the need for an enabling environment for the private sector to grow, innovate and provide jobs which include, conducive regulatory systems, broad-based financial systems, and infrastructure development. Mr. Nakao also said, "All of these must be underpinned by good governance. The rule of law and its just implementation, accountability, and protection of property rights are essential in building a better climate for investment and innovation."²



Although the ADB expresses support for job creation, education and accessible, cost-effective health services, private sector development is at the heart of ADB operations. The private sector is aggressively pushed in ADB supported projects through public-private partnerships (PPPs), private capital equity investments, loan and risk guarantees, co-financing, etc. Governments are advised to shift from "owner-producer" to "facilitator-regulator" of goods and services, and to create an "enabling environment for private sector participation" through policy reforms and regulatory changes. The ADB's Strategy 2020 document states:

To spur market-led growth, ADB will invest in infrastructure and advise governments on the basics of a business-friendly environment, including reliable rules, regulations, and policies that do not disadvantage private sector enterprise. ADB's tools to catalyze change through greater private investments in DMCs will include direct financing, credit enhancements, risk mitigation guarantees, and innovative new financial instruments... ADB will promote public-private partnerships in all of its core operational areas, gaining experience first in MICs, and then expanding these efforts to all DMCs.³

INFRASTRUCTURE AND INVESTMENT

Whether a Developing Member Country (DMC) or a Middle Income Country (MIC), the ADB's development strategy contains the same three elements: inclusive growth, environmentally sustainable growth and regional integration (i.e., trade and investment) as an avenue to spur growth, especially in countries well endowed with natural wealth. Although the ADB recognizes that rapid economic growth has resulted in environmental damage and resource depletion, it continues to promote growth driven projects and programs that perpetuate environmental destruction and alienation of local people from productive resources.

Key among these are, infrastructure projects in transportation, energy, and information and communication technology, as well as policies, regulatory and financial systems to attract private capital for investment in infrastructure projects.



ECONOMIC CORRIDOR DEVELOPMENT IS ACCOMPANIED BY A PUSH FOR HOST GOVERNMENTS TO PUT IN PLACE POLICIES AND REGULATIONS TO ENABLE SEZS, INDUSTRIAL PARKS, AGRICULTURAL PROCESSING, MANUFACTURING, TOURISM AND OTHER FORMS OF HIGH INVESTMENT.

The institution believes that an infrastructure deficit has constrained market-led growth and access to social services, undermined agricultural productivity and job creation, and deprived many countries of private investment.

Under Strategy 2020, ADB's infrastructure operations will emphasize public-private partnerships and private sector engagement. ADB will promote a larger role for the private sector in financing infrastructure, either as a project sponsor or an institutional bond or equity investor. The latter role carries great promise for augmenting the supply of capital for infrastructure in developing the region.⁴

The ADB states that its core strategy of infrastructure-led growth to reduce poverty continues to be relevant for India. In order to meet the huge financial requirements of its ambitious physical infrastructure plans, the Indian Government is increasingly relying on PPPs. ADB supported PPP Cells are already operating across 16 states and 7 central line ministries in India.⁵ Through its private sector window, the ADB has supported the development of India's financial markets, primarily through capital markets, investment funds, banking, and housing finance. Over the years, the ADB has also approved several investments in private equity funds that have in turn invested in an array of private companies and infrastructure projects.⁶

The ADB's lending program in India over 2013–2015 will average around \$2 billion annually in terms of sovereign operations. The funds will be allocated across four core infrastructure sectors—transport, energy, urban, and agriculture and natural resources—and two crosscutting sectors—finance and skills development—with continuing involvement of the ADB's private sector operations in

all these areas. The country partnership strategy (CPS) 2013–2017 currently being formulated will include support for the development of high-priority economic corridors, create markets for infrastructure finance, and promote regional cooperation and integration through the South Asia Sub regional Economic Cooperation (SASEC) platform.⁷ The Greater Mekong Subregion Economic Cooperation Program (GMS) is the ADB's flagship regional integration programme. Initiated in 1992, the GMS aims to transform the rich human and natural endowments of the Mekong region into a region-wide free trade and investment area, fueled and led by private sector operations. Majority of the capital investment in the GMS has been in the areas of transportation (road, railways, air and waterways), energy, telecommunications, tourism, trade, agriculture and private sector investment. Since 1992, infrastructure projects worth around US\$10 billion have either been completed or are being implemented. Among these are the upgrading of the Phnom Penh (Cambodia)-Ho Chi Minh City (Viet Nam) highway and the East-West Economic Corridor that will eventually extend from the Andaman Sea to Da Nang in Vietnam.⁸ GMS projects are developed almost entirely by ADB staff and private consultants and firms, and financing comes from the ADB, bilateral donors and private capital.

The GMS strategic framework adopted at the 4th GMS Summit in Nay Pyi Taw, Myanmar in December 2011 prioritizes the development of economic corridors, which the ADB claims, "provides the spatial and thematic focus to the program going forward" by fostering multi-sector investments.⁹

Economic corridors are pockets of high infrastructure development to attract private investment and in the GMS framework, to facilitate the establishment of a free trade and investment region. Economic corridor development is accompanied by a push for host governments to put in place policies and regulations to enable SEZs, industrial parks, agricultural processing, manufacturing, tourism and other forms of high investment.

The economic corridor strategy is also being supported in India. In the Indian state of Chhattisgarh, the ADB will provide US\$ 430,500,000 to the Chhattisgarh Public Works Department to support six transportation corridors and road networks that will pass through forest and indigenous areas, near rich coal and mineral deposits. One of the most destructive projects that the ADB is involved in is the Delhi-Mumbai Industrial Corridor (DMIC), a mega infrastructure project that runs from Delhi to Mumbai through six states (Delhi, Uttar Pradesh, Haryana, Rajasthan, Gujarat and Maharashtra), covering an overall length of 1483 km. The DMIC is an extremely ambitious undertaking and includes the construction of super-highways, power plants, ports, railway lines, airports, SEZs, satellite cities, magnet towns, industrial nodes, technology parks, etc. The current estimated investment needed to operationalize the DMIC is USD 90 billion, majority of which is coming from the Japanese Government with significant involvement of the ADB. Although the Indian Government is the “owner” of the DMIC, 75 % of the projects in the DMIC will be privately owned, through PPPs.

Another sector that the ADB is increasingly involved in and which has significant implications to natural resource use is agriculture. The ADB is promoting intensive commercialization of agriculture across the region through policies, projects, and infrastructure to establish agricultural markets, promote cross-border/regional agribusiness investment and expansion, and facilitate agricultural trade.

In the GMS, the agricultural strategy includes, promoting agribusiness investment, building global competitiveness in food safety, modernizing agricultural trade, e-com-

merce, weather-based insurance systems, biomass technologies, eco-labelling for market access, etc. The emphasis is on integrating the region's subsistence farmers into regional/global “value-chains” led by agribusiness corporations and re-directing agricultural production from self-sufficiency towards regional-global trade imperatives. In several Indian states, the ADB aims to diversify agricultural growth, and increase “value addition” by promoting private sector investment in all stages of agricultural value chains. Through the Agribusiness Infrastructure Development Investment Program, private companies will have increased control over agricultural resources, production and marketing—especially for high value crops—facilitated and supported by public sector agencies.

THE NEED FOR RESISTANCE

ADB documents contain appealing language about poverty reduction, environmental protection, public participation, good governance, gender equity, food security, climate resilience, sustainable agriculture, etc. But past experience of several decades cautions us that the continuing emphasis on private sector development and investment, free trade and market driven economic growth in the ADB's development vision will greatly increase the exploitation and destruction of environmental, human and societal capacities.

The DMIC in India is an environmental, social and economic disaster in the making with a huge carbon footprint. This high-growth, private-profit oriented mega fantasy will seize lands up to 200km on both sides of the Delhi-Mumbai Dedicated Freight Corridor, while the proposed 11 investment regions and 13 industrial areas will require land of 100 - 250 sq. km each. Approximately 180 million people will be affected and hundreds of thousands of hectares of agricultural and grazing lands will be lost to corporate growth industries that will bring few benefits to local populations. The DMIC will capture the water needed by farmers to grow food and by rural communities for their daily lives. Studies show that the rivers in the DMIC region are already under severe stress and cannot withstand greater exploitation.¹⁰

The ADB's development model is predatory, undemocratic, discriminatory and destructive. This model will secure benefits for corporations and upper classes, but will impoverish workers, small-scale farmers, fisher-folk, indigenous communities, and rural and urban poor populations.

Water and land acquisition for the DMIC will displace millions of people, destroy precious natural environments and resources, and trigger violent conflicts between local communities and state security forces.

In Cambodia, the Climate Resilient Rice Commercialization Sector Development Program aims to remove the “constraints” in rice value chains in order to achieve economic growth on a sustainable basis. This is envisaged through legal and regulatory changes in agricultural land management, provision of credit and other supports for private sector milling and trading companies, and increasing productivity through various measures including setting up large-scale irrigation systems to increase “water efficiency.” What this means practically is that local small-scale farmers will likely lose access to their water sources, wetlands and forest lands to large commercial rice farms, and be compelled to enter into contract farming arrangements under adverse conditions.

In ADB supported infrastructure projects, the government is expected to acquire land, secure access to water and mineral deposits, facilitate financing, risk protection and guarantees, and put in place policies and regulations required to ease the operations of private companies. But such facilities, benefits or even participation in decision-making about such projects, are not extended to local communities whose lives and livelihoods are irreparably

damaged by them. The Second Chittagong Hill Tracts Rural Development Project in Bangladesh—which is supposed to increase rural incomes—will likely require land acquisition from local communities who constitute over 40 % of the country’s indigenous population.

The ADB's development model is predatory, undemocratic, discriminatory and destructive. This model will secure benefits for corporations and upper classes, but will impoverish workers, small-scale farmers, fisher-folk, indigenous communities, and rural and urban poor populations.

By over-exploiting the environment and capturing natural wealth for use by corporations and elites, it will ensure that a large segment of the region’s population is trapped in im- miserating conditions.

Those who resist or call attention to the injustices of the model will be branded as anti-development and anti-state, persecuted and incarcerated. The ADB cannot be reformed, it must be stopped. In order to retain democratic control over our lives, societies and environments it is imperative that we join forces to resist the ADB's extractive, destructive development model and privatization agenda.■

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¹Asia Prosperity Requires More Innovation, Inclusion, Integration - ADB President.4 May 2013. <http://www.adb.org/news/asia-prosperity-requires-more-innovation-inclusion-integration-adb-president>

²Strategy 2020, The Long-Term Strategic Framework of the Asian Development Bank, 2008-2020. Asian Development Bank, 2008. Page 14.

Note: MIC stands for Middle Income Countries and DMC stands for Developing Member Countries.

³Strategy 2020, The Long-Term Strategic Framework of the Asian Development Bank, 2008-2020. Asian Development Bank, 2008. Page 18.

⁴India Country Partnership Strategy 2009-2012 Abridged Version. Asian Development Bank, July 2009. Page 20.

⁵bid

⁶Asian Development Bank and India Fact Sheet: <http://www.adb.org/sites/default/files/pub/2013/IND.pdf>

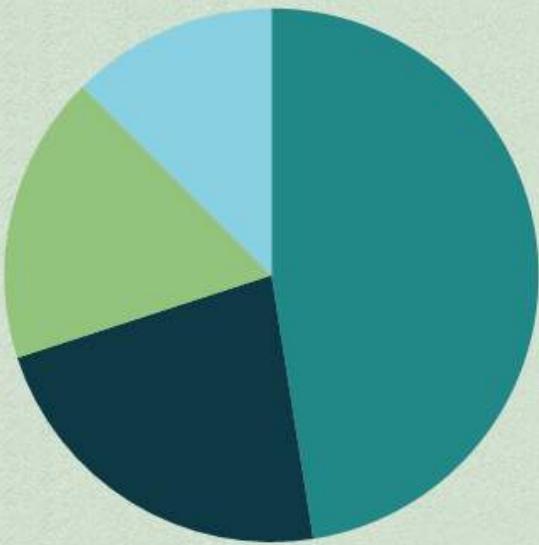
⁷<http://www.adb.org/countries/gms/overview>

⁸The Greater Mekong Subregion Economic Cooperation Program Strategic Framework 2102-2022. ADB 2011.

⁹Delhi-Mumbai Corridor, A Water Disaster in the Making? Romi Khosla and Vikram Soni, Economic and Political Weekly, March 10, 2012. VOL XLVII NO 10

FAST FACTS

TOP COMPLAINTS RECEIVED BY THE ASIAN DEVELOPMENT BANK



- Lack of Consultation (47.50%)
- Compensation (22.50%)
- Resettlement (17.50%)
- Environment (12.50%)

SOURCE: <http://www.adb.org/site/accountability-mechanism/problem-solving-function/complaint-registry-year>

WEST SETI HYDROELECTRIC PROJECT AND ADB POLICY VIOLATIONS

JAPAN

by YUKI TANABE - Japan Center for a Sustainable Environment and Society (JACSES)

The West Seti Hydroelectric Project is a 750 MW dam project in western Nepal (located in Baitadi, Bajhang, Dadeldhura and Doti Districts), which has been planned by an Australian company, Snowy Mountains Engineering Corporation (SMEC). The estimated project cost is 1.2 billion dollars, and the project is expected to receive loans and political guarantees by Asian Development Bank (ADB), Multilateral Investment Guarantee Agency (MIGA), Export and Import Bank of China, Bank of China, Infrastructure

Leasing and Export Corporation (India), Industrial Bank of China, China Export and Credit Insurance Corporation (SINOSURE). All the electricity produced will be transferred to India by the Power Trade Corporation (PTC).¹ As a royalty, 10 % of the produced electricity (or equivalent cash) is expected to be provided to the Government of Nepal. This project has been set under Category A, as per the ADB Environment Policy, and the first Environmental Assessment (EIA) report was carried out in 1999. According to the EIA, 1,160 families (9,096 people) will be displaced due to the project.

This EIA is currently under revision by SMEC, and is expected to be publicly available 120 days prior to the ADB Board approval (ADB Board approval is expected on December 20, 2007). Between July 6 to 15, 2007, Ratan Bhandari (Water and Energy Users' Federation Nepal, WAFED) and Yuki Tanabe (JACSES) jointly visited affected areas of the West Seti Hydroelectric Project (Deura, Mori Bagad, Lekam, Harada Khani, Dhungad, Talara and Talkot) and resettlement sites in Kailali District (Sandepani, Lamki and Narayanpur).

Meetings and interviews with more than 200 local people (total) were held in these areas. This short report has been made to spell out people's concerns regarding the project and violations of ADB policies.

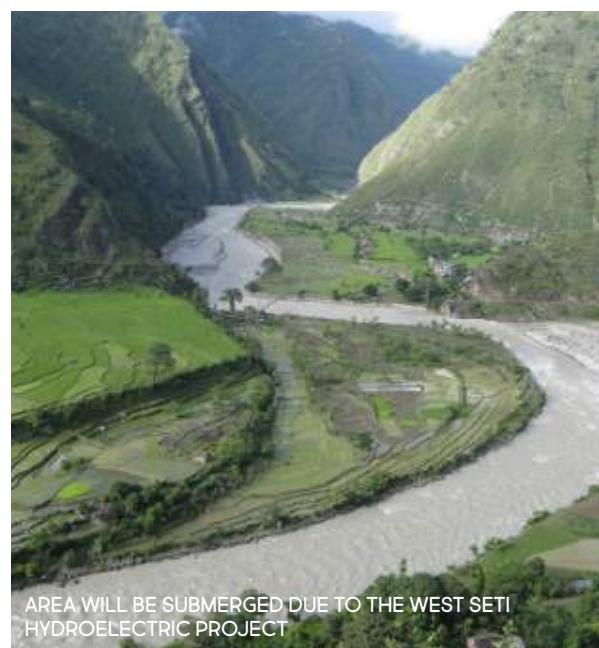
PROBLEMS

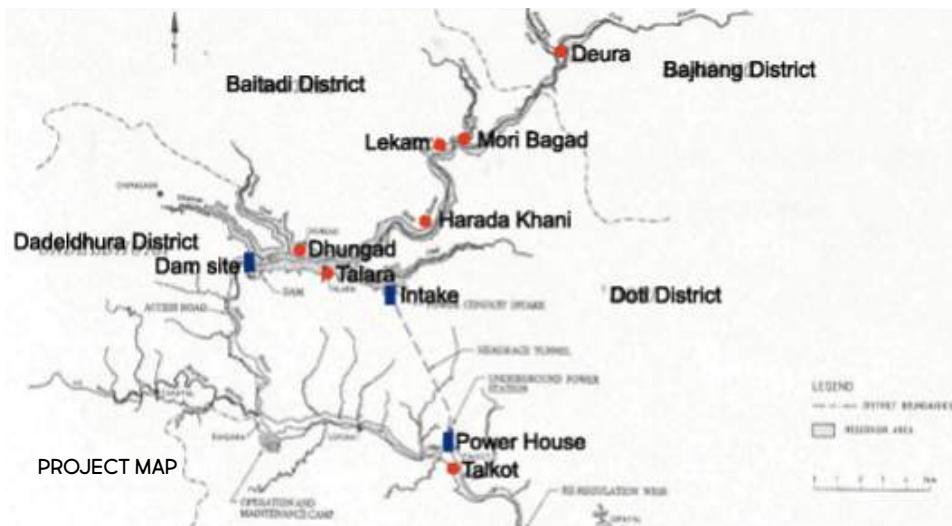
The followings facts and views came up in the field research:

1. Violation on Information Disclosure: Although full EIA report and resettlement plan will soon be completed, drafts of the EIA report and resettlement plan have never been disclosed to the affected people in the project site. This is a clear violation of ADB Pub-

lic Communication Policy (Para 78 and 82). In addition, a local resident claims that the SMEC rejected his request to make information on the project's environment issues available.

2. Inadequate Consultation: ADB requires project sponsors to hold consultations so that the views of the groups to be affected by the project are taken into account adequately in the design of the project and environment mitigation measures (ADB Environmental Policy, Para 63). However, affected people complained that the SMEC staff only explained at the series of meetings with affected people, and affected ADB Environmental Policy.
3. No Free, Prior and Informed Consent (FPIC): Most of the affected people expressed their concerns and disagreements concerning the West Seti Hydroelectric Project. In fact, West Seti Concern Group (a broader local affected committee) sent a letter to Haruhiko Kuroda, the President of ADB on July 15, in order to request ADB to reconsider its finance the project. It is clear that there is no "free, prior and informed consent" as required in the Recommendations of World Commission on Dam (ADB supports the Recommendations).





1. Deception on People's Consent: Local people claimed that they signed a participant list at a meeting with SMEC staff. However, SMEC staff forged this paper as an evidence of people's consent to the project. SMEC failed to follow basic ethical standards in this project.
2. Livelihood Losses: ADB requires project sponsors to ensure that economic and social future of displaced people will generally be "at least favorable" with the project as without it (ADB Involuntary Resettlement Policy, Para 34 (iii)). However, livelihood in resettlement sites in Kailali District in Terai is significantly different from that in the submerged area. Terai is a southern plane area, and has biodiversity less than the submerged area. Therefore, there is a high possibility that affected people would lose many natural

products such as edible wild plants, fruits and vegetable oil. It is difficult to improve their livelihood without these natural products, and this is a violation of the ADB Involuntary Resettlement Policy.

3. Community Disintegration: ADB requires project sponsors to ensure that resettlers are integrated economically and socially into host communities so that adverse impacts on host communities are minimized. However, resettlement lands in

Kailali District in Terai are widely interspersed. Therefore, there is a high possibility that extending communities would be distracted, and this is a violation of the ADB Involuntary Resettlement Policy.

CONCLUSION

According to the ADB website, 10 Board approval is expected on December 20, 2007. However, as described above, there are many violations of ADB Environmental Policy, Involuntary Resettlement Policy and Public Communication Policy as well as Recommendations of World Commission on Dam, and it is difficult to meet most of these requirements by the approval date. Therefore, ADB should not finance the West Seti Hydroelectric Project, and address the lack of basic social and environmental consideration to the project sponsor.

YUKI IS THE PROGRAM COORDINATOR/DIRECTOR OF THE JAPAN CENTER FOR A SUSTAINABLE ENVIRONMENT AND SOCIETY (JACSES). HE OVERSEES THE SUSTAINABLE DEVELOPMENT AND AID PROGRAM (SDAP) PROGRAM .

The Kathmandu Post, May 20, 2007

The Himalayan Times Daily, June 26, 2007

Winrock International Nepal, The Potential of Generating CDM Revenue from Hydropower Exported by West Seti Hydroelectric Project,

<http://www.adb.org/Clean-Energy/documents/NEP-FS-West-Seti-Hydroelectric.pdf> 4

ADB, Project Information Document, <http://www.adb.org/Documents/PIDs/41055013.asp> Minutes of these meetings are recorded in Nepalese by the West Seti Concerned Group which is a broader local affected committee and consists of 28 representatives from 4 districts.

ADB, Public Communication Policy, <http://www.adb.org/Documents/Policies/PCP/default.asp>

ADB, Environmental Policy, <http://www.adb.org/Documents/Policies/Environment/default.asp> 8

International Rivers Network, IRN and the World Commission on Dam, <http://www.irn.org/wcd/>

ADB, Involuntary Resettlement Policy, http://www.adb.org/Documents/Policies/Involuntary_Resettlement/default.asp

ADB, Project Information Document, <http://www.adb.org/Documents/PIDs/41055013.asp>

FAST FACTS

MYINGYAN POWER PLANT PROJECT

COUNTRY: Myanmar

LOCATION: Tauntha
a township of Myingyan
District in
Mandalay Division



PROJECT NAME : Myingyan 225 MW
Combined Cycle Gas Turbine (CCGT)
Power Plant Project, Myanmar

BUSINESS SECTOR : Energy

FINANCING SUMMARY : US\$20 million
The AIIB financing will be in parallel with other
lenders including the International Finance
Corporation ("IFC"), the Asian Development
Bank ("ADB") and certain commercial lenders.

STATUS : Final Investment Decision Approved,
Pending Board Approval

RESPONSIBLE AIIB OFFICER : Chuanzhi Su
(csu@aiib.org)



RISK ASSESSMENT : Category A



A large, complex project with correspondingly significant
risks and impacts on the environment.



Expansion of industrial activities in this rural area including
cumulative impacts to air quality'



Influx of migrant construction labor

Related community health and safety risks

Potential relocation of approximately 5 to 10 families
settlers without land titles or legal claims along the
water pipeline right of way

RESOURCES NEEDED : 8 hectares of land
acquired for a 12 kilometer cooling water supply
line and 3 kilometer overhead power transmission
line, affecting 8 to 10 families without legal claims
whose homes and small businesses may be
physically displaced



APPLICABLE SOCIAL &
ENVIRONMENTAL STANDARDS



PS 1 – Assessment and Management
of Environmental and Social Risks
and Impacts



PS 2 - Labor and Working Conditions



PS 3 - Resource Efficiency and
Pollution Prevention



PS 4 – Community Health, Safety
and Security



PS 5 – Land Acquisition and
Involuntary Resettlement



RISKS TO HUMAN RIGHTS



Right to Property & Adequate Housing



Right to Water



Right to a Healthy Environment



Right to Health



Labor Rights

អ្នកសុខសម្រាយទេ?

(HOW ARE YOU?)

by SOTHEA UN - EQUITABLE CAMBODIA

About 10 years after the Cambodian Railway Rehabilitation project has been implemented, affected communities still have been facing the problems they had from the beginning up until now. These affected communities are from Phnom Penh, Sihanoukville, Battambang, and Poipet. They all have raised respective issues such as debts, drainage system, clean water, infrastructure, low living standard, and land titles.

Can you imagine how young kids ranging age from 6 to 15 riding bicycles to school all alone while their parents are struggling to earn money? Not to mention the road to the relocation site is bumpy, dusty, and unsecured. Some families raise farm animal such as pigs and chickens to pay off their debts while their husbands drives a Tuk Tuk from the early morning to late evening just to get enough money to support their families.



RESSETLEMENT SITE IN PNHOM PENH



A YOUNG GIRL RIDING HER BIKE FROM AND TOO SCHOOL ON ROUGH ROADS

IN PHNOM PENH

To exemplify, the most unpleasant hardship is in Phnom Penh relocation site due to the fact that they hardly earn descent income to support their families, what they have is a hand to mouth system, they earn something good enough just for a day, they do it through knitting, and raising a few animals. Some of them gave up their education since they do not have enough money to go to school. "Before coming to the relocation site, my children could even study second language, English; but now they gave up even studying Khmer in order to help me find money to support this our family." One female from the relocation site said.

IN SIHANUOKVILLE

Sihanoukville is popular because of its pristine beaches, white sands and fantastic fishing areas but it is also one of the resettlement site of affected communities. The affected people have debts in order to survive. Their young kids need to go to school, 5 km from their relocation site.

IN BATTAMBANG

Clean water is one of the most vital elements to support lives, but the affected community in Battambang do not have access to it. What they have is a man-made pond that captures rain water, and a water-filter container to sift that water from the pond so that it will be potable. They said that the scarcity of water always happens during dry season in which they have to buy water from another place. And this takes a heavy toll to them since they almost have no income at all, they do not have money to buy food much more extra to buy clean drinking water.

IN POIPET

To obtain education is great only if there is no disturbance in the circumstances. Children in the Poipet relocation site is having their education beside a dumpsite, literally. When the wind blows you can smell the rotting garbages a few meters away from the school. This situation affects the physical and mental states not only of the children

CAMBODIA



but the teachers and personnel of the school as well. Dark smoke and unpleasant smell keeps on haunting them day and night. Some days during studying, they need to

GET OUT OF THE CLASS DUE TO THE STRONG UNPLEASANT SMELL COMING FROM THE DUMP SITE

Having been suffering for so long, they have stood up to get what they really deserve from this project. They consolidate among their members to form solid communities

to have one united voice in order to be heard not only in the country but as well as globally.

I can only hope that the destitution of these family would end as every one deserves the right to live peacefully and with dignity.



SOTHEA UN IS THE INFORMATION AND COMMUNICATION OFFICER OF EQUITABLE CAMBODIA

ADB UNDER BRINK OF GEOPOLITICAL TUSSLE

NEPAL

by Saurav Raj Pant - Writer and Founder of GARJAN-Nepal

In post-1945 world order, United States established the ultimate hegemony in three fundamental dynamics of internationalism--- Geopolitics, Geo-economics & Geo-Technology. US have far reached in Asia, Europe, Africa and Australia by navy power replacing Great Britain (Great Britain was former 'power house' in navy force). US designed Bretton Woods's institution that gave birth to World Bank & International Monetary Fund dominating the entire global economic sphere. The US has been the front runner in innovation & technology-----

---The Silicon Valley, start ups & Social Media.

Now, the attempt is made to challenge the US in these 3 fundamental parameters by former decolonized countries and Second world. The newly emerging world focused on inter-regional trade, reducing poverty, infrastructure and connectivity development via envisioning the financial institutions. But, due to multiple regional groupings and financial institutions, sometimes their interest collides in result for making new institutions.

In this regards, Asian Development Bank (ADB) went under serious geopolitical captive right after the formation of Asian Infrastructure Investment Bank (AIIB) in 2015 by

initiation of Government of China. Japan controlled ADB (Japan has 15.6% shares in ADB) has a long standing influence in the region. China has been very behind in shares (6.5%). Such domination of Japan in ADB also has pushed Chinese authorities to think 'alternative way' to counter Japanese influence in the region. Addition to that, China has been very much successful in reducing poverty, orator for intra-regional & global trade.

After the China entry to the global economic battle field in 2008, China is countering Japan in South China Sea, Asian market, geopolitical make up from Eastern part of Asia to Far western regions. AIIB is the new show in the interestingly brewing realities of 21st century where India has been portrayed as a 'Factory of skilled managers', China as a 'Factory of the world' and Brazil as a 'World's Agricultural field'.

Fundamentally, the 'STANS' of Central Asia i.e Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan, Uzbekistan are emerging as a 'show stealers' of 'New Great Game'. 'Great Game' is a geostrategic rivalry between super powers to control over the resources of Central Asia. AIIB (fueled by Chinese Government), Russia's perceive sentiment for 'STANS' as her satellite states, ADB (fuelled by Japanese interest)

and NATO(fuelled by the interest of US& Western Europe) are the characters of ‘New Great Game’.

This game is under progress for the vested interest of super power over the control in natural gas and oil of Central Asia----- the strategic pathway to Asia & Europe.

ADB by large has been criticized for violating human rights of local communities, displacing vulnerable

groups over the access of natural resources. So, ADB’s past 50 years of history has not so much colorful. It remained under the ‘clout’ of Japan & United States influence, forcing it to lie under their vested interest.

By contrast, AIIB envisioned enhancing investment and infrastructure project of \$160 billion in the Asian region. One of the notable project of AIIB is OBOR (One Belt, One Road) ----Silk Road Economic belt & 21st Century maritime Silk Road that passes from Xian to Rotterdam & Fuzhou to Venice via Kenya respectively. AIIB which has a capital of \$100 billion will be financial arms of OBOR project.

Catching up the show, ADB announced its partnership in 2016 with AIIB in \$10 billion TAPI (Turkmenistan, Afghanistan, Pakistan & India) in a co-financing model to build road project in central Punjab. The natural gas pipeline project transport natural gas of Caspian Sea from Turkmenistan via Afghanistan into Pakistan & to India.

Initially, the idea was stalled as it carries sensitive geopolitics & geo-economics ups & downs. Eventually, Indian Prime Minister Narendra Modi revived the idea of it and made it on the track. In addition to that, ADB in collaboration with DFID is funding 64 KM stretch of Motorway connectivity from Shorkot to Khanewat of Pakistan.

Connectivity has become the ‘bold’ subject of 21st century reality for robust growth in trade and economy. Whoever has pawn over ‘infrastructure’ & ‘connectivity’ ---- the particular country rules & dominates in the 21st century.

This year is 50 years of ADB and it is in the crossroads of its existence & goodwill. The age of regionalism is entangled series of vested interest of super power bypassing the issues of deprived groups. ADB’s position on Public Communications Policy (PCP)---the policy that discourse information to general public has been disrespectful to general public in the ground, secondly, SPS evaluation process; a tool to protect people & ecosystem --- is limited by dislocating the civil society groups, ADB Accountability Mechanisms, Water, Energy and Forest are some of the issues where CSO is continuously lobbying and ADB is perceive threatening against these issues. Influence of Business companies, super powers & Global politics over banks had made ADB very much limited in its work in these past 50 years. According to NGO Forum on ADB, there were 13 cases related to Accountability Mechanisms filed in 2009 out of which 4 were by NGO Forum on ADB members. In 2016, in the bank’s complaints registry there are 4 complaints registered that fall under the category of Accountability Mechanism. Those complaints were basically fall under the disturbance in the private properties



and business. So, there had been the serious debate whether to develop by compromising natural resources & bio diversity or to develop anyway. This has made CSO groups which is a grassroots initiation to develop infrastructure by protecting bio diversity & natural resources whereas banks wants to do it anyway-----‘cracking’ over each other. The ideological divide line between ‘Business profits’ Vs ‘Peoples interest’ is the crux issue that has halted the development process in developing world.

The possible success mantra for ADB could be engage, empower and collaborate with emerging financial institutions like AIIB & BRICS. By the way, this is not the age of ‘Uni-polarity’ or ‘Bi-polarity’. This is the age of ‘Multi-polarity’.

SAURAV IS A NEPAL-BASED INTERNATIONAL RELATIONS ENTHUSIAST, VOLUNTEER AND OCCASIONAL FREELANCE CONSULTANT & BLOGGER

PHOTOS RETRIEVED FROM

https://upload.wikimedia.org/wikipedia/commons/8/8a/Asian_Development_Bank_headquarters.jpg
http://previews.123rf.com/images/alex_star/alex_star0812/alex_star081200333/4005652-Compass-on-old-map-Stock-Photo.jpg

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FAST FACTS

FAST FACTS ADB PROJECTS IN NEPAL



The oldest project of the ADB in Nepal is the Melamchi Water Supply, this was approved November 10, 1988

Amounting to US\$ 5.00 million



182

As of the moment there are 182 projects in the country

ALL OF THEM SOVEREIGN

These are loans extended to the government or guaranteed by the government.

THE WEAKEST LINK IN DEVELOPMENT LENDING INDIA

by Joe Athialy - Centre for Financial

The World Bank and ADB's internal accountability mechanisms sometimes violate their own guidelines and policies on project lending

Institutions such as World Bank and Asian Development Bank (ADB) are considered the panacea of all ills that developing countries like India face. Although the amount of money these institutions lend is small, their influence on the economy is high. They continue to be the benchmark for social and environmental policies, good governance, climate change, corruption and so on. A look at some of the reports of these institutions' own accountability mechanisms, however, suggests that all is not well when it comes to complying with their own guidelines and policies.

Consider the case of the Tata Mundra power plant in Gujarat, a \$4-billion project in which ADB and the International Finance Corporation (IFC) invested \$450 million each. In October 2013, the Compliance Advisor Ombudsman (CAO) - the accountability mechanism of IFC, the private sector arm of the World Bank Group - released its findings on its audit on the Coastal Gujarat Power Ltd (CGPL, the formal name of the Tata Mundra project).

The CAO observed: "IFC's review of its client's E&S [Environmental and Social] assessments was not commensurate with the risk involved. IFC paid insufficient attention to the requirements of the Performance Standards. IFC should have required that its client commission additional E&S assessment in order to ensure compliance. IFC did not pay adequate attention to verifying whether pre-

project consultation requirements were met. IFC failed to assure itself that directly affected fishing communities were engaged in effective consultation. IFC's E&S review regarding marine impact did not meet the due diligence requirements set out in the Sustainability Policy. IFC has failed to ensure that its client has correctly applied the requirements of the Thermal Power Guidelines. IFC failed to meet the requirements of the Sustainability Policy despite sufficient indications of project-related displacement (both physical and economic) as to require objective assessment....IFC is unable to demonstrate that its client's monitoring is commensurate to risk."

In an 11-page response, IFC dismissed the CAO findings, essentially rejecting expert opinion, defended its project decision and its client and issued no remedial action. World Bank President Jim Yong Kim cleared the IFC management's response and did not take any action until public pressure mounted about a month later. Over 100 Indian organisations and networks wrote to Kim decrying his inaction on



the CAO findings. Sixty-eight organisations from 28 countries wrote to him urging him not to ignore the findings. The US-based Physicians for Social Responsibility wrote to Kim (himself a physician) urging him to deny World Bank support to the coal plant on public health grounds.

IFC issued a statement and action plan and in another few weeks, Kim responded to what he called, "civil society's concerns on private sector investments". The local organisation, Machimar Adhikar Sangharsh Sangathan (MASS), rejected the action plan terming it "a non-serious, non-committal one, and issued under duress from

ance... the CRP concludes that the noncompliance is serious enough to warrant a full compliance review."

CRP found the following evidence of noncompliance: insufficient public consultations; the project-affected area is defined erroneously; CGPL discharges water at a higher temperature than is allowed by ADB standards; ADB's air emission standards are not met; insufficient cumulative impact assessments; flawed social and environmental impact assessments; harmful effects of the cooling system on the environment and the fish harvest; inaccessibility of fishing grounds and effects of coal-dust emissions. The full investigation is underway.



A YOUNG GIRL LOOKING AT FISH BEING DRIED IN THE AFFECTED COMMUNITY IN GUJARAT, INDIA.

the growing criticism of IFC's/World Bank President Kim's inaction on CAO's findings of serious social and environmental violations". Responding to Kim, MASS said his response was a "disappointment because [he] missed the point, chose to act weak and made a mockery of all that communities have been saying about impacts."

Three months after the CAO's findings, ADB's Compliance Review Panel (CRP) decided to investigate policy violations while financing the 4,000 Mw coal plant. ADB's board of directors approved the recommendation of its accountability mechanism, the CRP for a full investigation.

In its eligibility report, CRP said, "The CRP finds prima facie evidence of noncompliance with ADB policies and procedures, and prima facie evidence that this noncompliance with ADB policies has led to harm or is likely to lead to future harm. Given the evidence of noncompli-

There are four other projects financed by IFC that are under CAO scrutiny.

1. In response to a complaint by workers on Tata Tea's plantations in Assam alleging inhuman working and living conditions, violations of their freedom of association and coercion of workers, CAO ordered a full investigation in January this year. IFC's project with Amalgamated Plantations Private Ltd is to set up a company to acquire and manage the 24 tea plantations in Assam and West Bengal owned by Tata Tea and implement a sustainable "worker-shareholder" model. The project costs an estimated \$87 million; the IFC investment comprises equity of \$7.8 million.

In its report, the accountability office concluded, "This complaint raises potentially significant adverse [environmental and social] impacts associated with the project." A full investigation of potential non-compliance



AN OLD MAN LIVING IN ONE OF THE COMMUNITY AFFECTED BY TATA MUNDRA

1. The technical assistance provided by IFC to the Vizhinjam port in Kerala is contested by the local residents and fishworkers in three separate complaints. In its complaint, the fishworkers' union, Kerala Swathantra Malsya Thozhilali Federation, raised concerns about negative impacts of the proposed port project, such as pollution from port operations, damage to marine biodiversity, possible displacement of fisherman and their families, and loss of livelihood for fishing communities within the vicinity of the project site. This report is awaited.

2. Financed through an intermediary (FI), the Infrastructure Development Finance Corporation (IFC), faces more scrutiny in the GMR Kamalanga thermal power project in Odisha for using FIs to camouflage its lending to the project and refusal to take responsibilities for alleged negative impacts of the project. This report is expected in June or July.

Since an FI is involved, none of IFC's policies are applicable in the project and people are denied access to IFC's grievance mechanism. This is the first complaint at the CAO on an FI from anywhere in the world.

3. CAO also initiated an enquiry into the violations by the largest cement manufacturer, Lafarge, financed partly by IFC in 2003. A cross-border project between India and Bangladesh, the limestone for the cement plant in Bangladesh is mined in Meghalaya, allegedly violating the customary rights of and Con-

stitutional provisions for tribals in the state. The complaint was filed only in January this year and preliminary investigations have begun.

There are at least three pointers here.

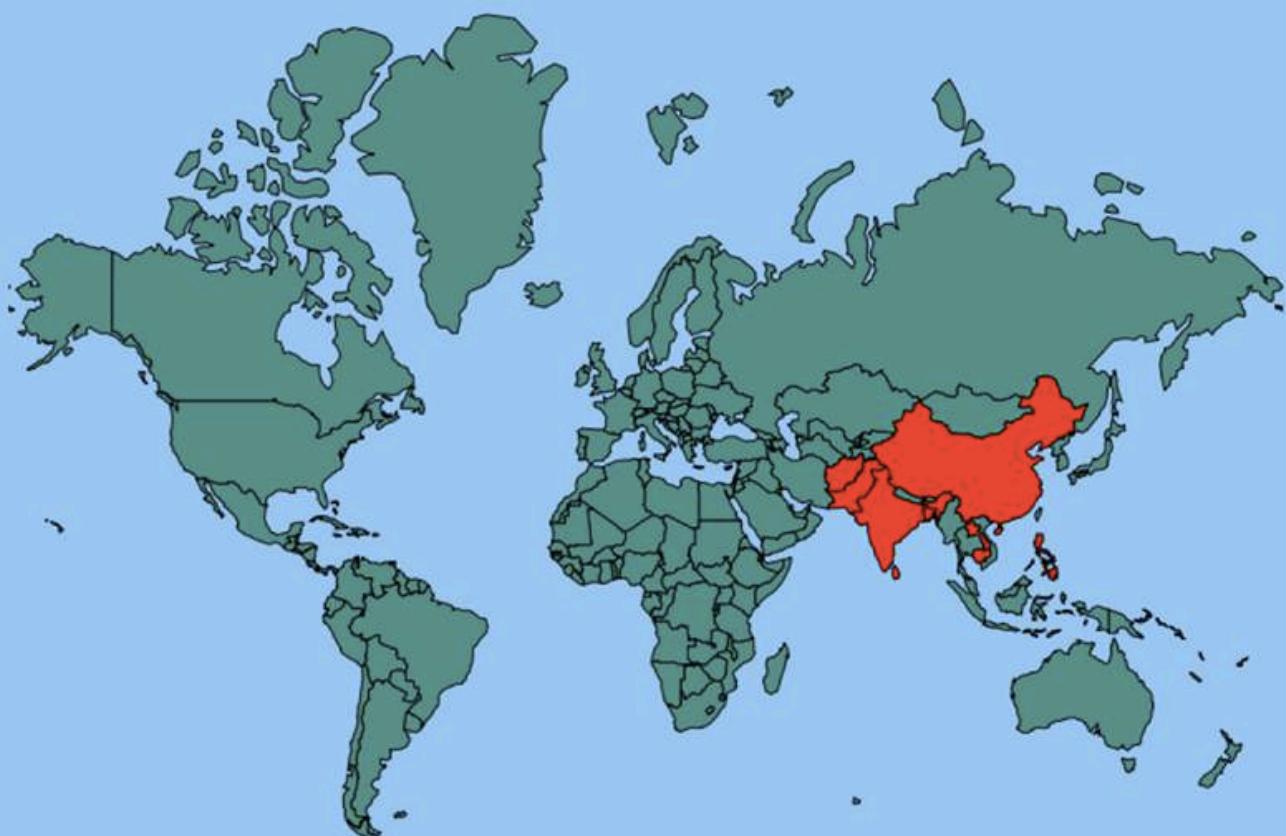
People affected by these projects have decided to take on the financiers of those projects that are threatening their lives and livelihood. Apart from petitioning the district collector or, at best, other state agencies and, rarely, the judiciary, people realise that the unfettered flow of global finance to the project proponents without accountability needs to be challenged. Taking on big financiers such as World Bank and ADB makes companies sit up and take note of the issues raised by the people.

However progressive the policies look on paper, institutions like World Bank and ADB do little to implement them. They do not have independent monitoring mechanisms and rely on the reporting of the company on compliance. What is more alarming is that even when internal mechanisms like CAO confirm the concerns of the communities and investigate violations, the lending institutions' senior management defend their actions and their client. This casts a big shadow on their claim that these institutions ultimately want to alleviate poverty and better the lives of the have-nots.

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CENTRE FOR FINANCIAL ACCOUNTABILITY

FAST FACTS

COUNTRIES WHICH HAS DISPLACEMENT CASES DUE TO ASIAN DEVELOPMENT BANK (ADB) FUNDED PROJECTS



Afghanistan
Bangladesh
Cambodia
China, People's Republic of
Lao People's Democratic Republic
Pakistan
Philippines
Sri Lanka
Timor-Leste

* INCLUDES INDIGENOUS PEOPLES

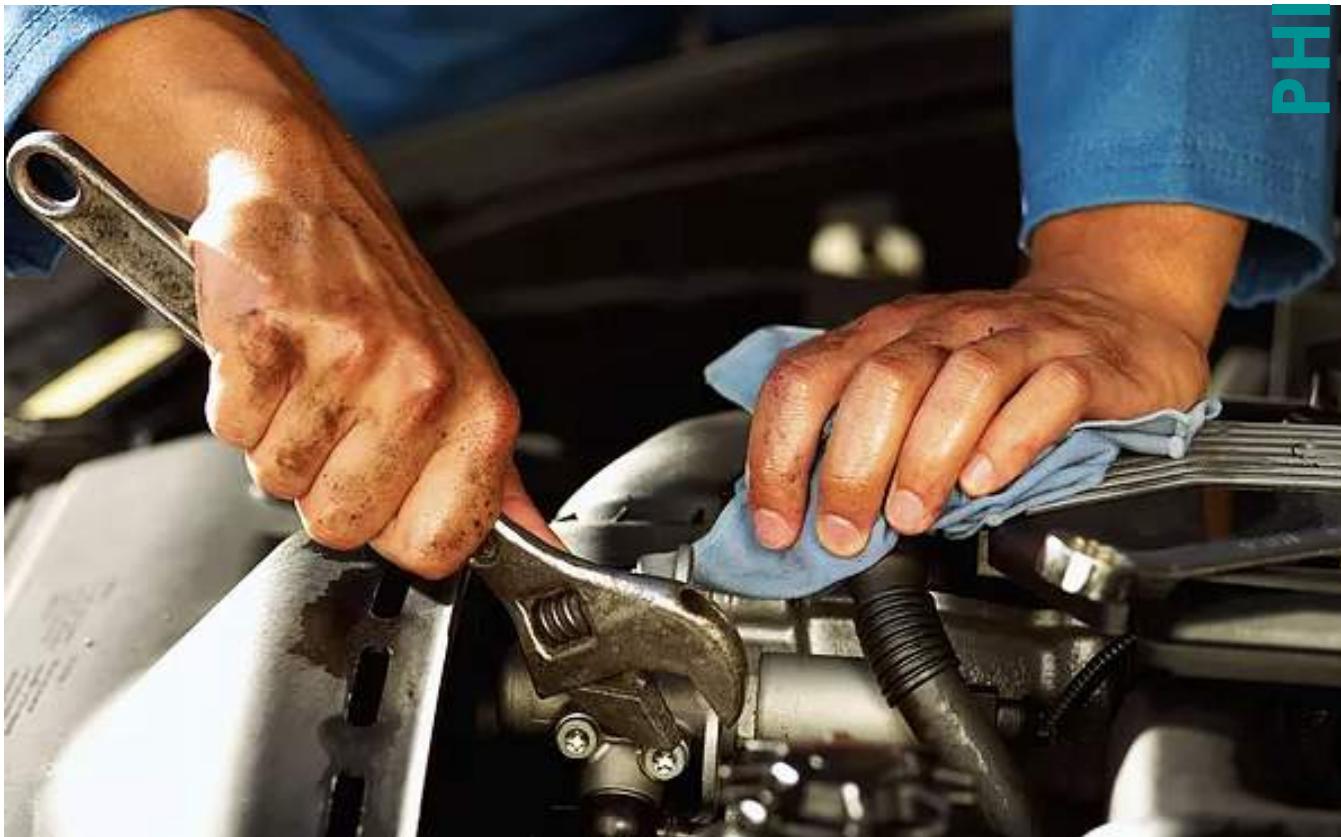
** DOES NOT INCLUDE REGIONAL PROJECT THAT CAUSED DISPLACEMENT



ORGANIZATIONS ASK TO FULFILL ASIAN DEVELOPMENT BANKS (ADB) PROMISE FROM FIFTEEN YEARS AGO

LABOR DAY PRESS STATEMENT 2016, NGO FORUM ON ADB

PHILIPPINES



Leading organizations from around the world signed a statement regarding the implementation of the core labor standards across all Asian Development Bank (ADB) operations. The organizations collectively stated that they have been waiting for 15 long-years.

In 2001 ADB was amongst the first multinational development banks to commit that its operations will comply with the internationally recognized Core Labor Standards (CLS). 15 years after, ADB is yet to implement fully its commitment to the international community and the workers of Asia and the Pacific.

The organizations have specified that ADB did not recognize the following:

1. Freedom of association and the effective recognition of the right to collective bargaining,
2. Elimination of all forms of forced or compulsory labor,

3. Effective abolition of child labor, and;
4. Elimination of discrimination in respect of employment and occupation.

ADB's project teams and consultants lack of expertise on labor issues is being plugged through the recruitment and engagement of gender and social specialists or simply social sector specialists. These violations to workers' rights because of lack of technical capacity; should not exist in projects funded by ADB whose mission is to eradicate poverty in Asia.

During the Global Infrastructure Forum 2016 in Washington, United States, ADB claimed that the world's infrastructure needs are huge, yet ADB infrastructure projects workers are the first to suffer.

Forced labor, poor wages, violation of right to freedom of association and collective bargaining, poor and inadequate health and safety measures, lack of social security, deplorable working condition of contract and migrant workers have been reported from ADB funded projects in India, Bangladesh, Indonesia, Philippines and Uzbekistan amongst others.

In 2011, the Global Union Federation (GUF) came out with serious CLS violations in ADB funded projects. One of which is with the Regional Railway Construction Network project in Cambodia. The unions' findings indicated that workers were not provided copies of the employment contracts but they were asked to sign, pay slips provided to workers were in English language only, thus

limiting the workers' understanding of the slips' contents and details and employers did not give the workers accident insurance plans and did not pay premiums for legally mandated benefit plans.

In 2012 the same situation occurred with the Melamchi Drinking Water project in Nepal where workers were not provided with written and formal employment contracts, workers reported that no premiums are deducted from their salaries and majority of workers reported that working on rest days and on holidays was also compulsory, without corresponding extra pay.

For 15 years organizations around the world expects that the ADB-ILO collaboration inked in 2002 Annual General Meeting in Shanghai, China will deliver results in favor of the workers and their rights and that the ADB will ultimately comply with its commitments to adhere to and implement core labor standards in its operations. This cannot go on and should not go on. It's time that ADB should move from its rhetoric to action.

The Bank cannot espouse to eradicate poverty in Asia when its own interventions defy internationally recognized basic rights of workers. It cannot continue to work around poor compliance mechanisms and weak national labor laws to expedite the implementation of its own development projects and claim success when those who labor for these projects remain unprotected or marginalized even further.

ADB should come out clear, be transparent, commit to due diligence in upholding the rights of the workers and fulfill its commitments to fully implement core labor standards in its all levels of operations.



47 YEARS AFTER

by Jen Derillo - Santos - NGO Forum on ADB

The year was 1969, Marcopper Mining Corporation (MMC) began their mining operation in Marinduque, Philippines. With a \$40-million loan from the Asian Development Bank (ADB), Placer Dome, Inc., promising 30,000 tons of run-of-mine output per day. Placer Dome, which is 40% owner of MMC, secured and guaranteed the loans from the ADB. During its operation, the Marinduqueños experienced a series of environmental mining-related disasters.

In spite of numerous actions made by local communities and non-government organizations (NGOs), and surviving cease-and-desist orders by the National Pollution Control Commission during the Martial Law, MCC continued its operation. It was later found out that 50% of the company was owned by the late president Ferdinand Marcos through four front companies. (Roja Salvador, 2001)

Later on the ADB and Placer Dome agreed to transfer the bank's interest to MR Holdings, Ltd., which is a company created by Placer based in the Cayman Islands. (Keith Damsell, May 1999) Around US\$20 million was paid to the ADB. After the payment of the outstanding loan and return of the Covenant, the project documents at the Bank were no longer accessible. ADB stated that it is no longer involved in the project and the project is not covered by the 1994 Information Disclosure Policy. (James Esguerra, July 2003).

The ADB washed off its hands from the tragedy.

AFFECTED COMMUNITIES

CALANCAN BAY

For 16 years, Marcopper dumped 200 million tons of mine tailings in Calancan Bay via surface disposal. This was done without the consent of the villagers whose main source of food and livelihood rely on the bay. The mine spill covered 80 square kilometers of the rich corals and sea grasses of the bay.

This affected 2,000 fishing families, leaving them in the brink of starvation. (Catherine Coumans, 2005) Houses and rice fields were covered with dust storms.

MOGPOG RIVER

A dam was constructed in the Maguila-Guila Creek in 1991 inspite of the protests by the local communities because of its potential negative impact on their food source and water. The project aimed to hold back the contaminated silt from the San Antonio pit.

After two years, the dam collapsed. Downstream villages were flooded, houses were swept away, livestock, poultry, and crops were destroyed.

Two children were also swept by the flash flood. The collapse of the dam did not only cause contamination of the river but also eruption of skin diseases, plastic anemia and metal poisoning of the villagers. (Aguillon, 2004) Placer Dome denied its responsibility, blaming the tragedy to typhoon Lando. However, the rehabilitation of

the dam included an overflow, which is in a way acknowledging that faulty engineering caused the disaster. (Coumans, 2005) Bagtuk, a specie of crab that people consume for subsistence, completely disappeared after the tragedy.

BOAC RIVER

Massive tailings spilled into the 26-km long Boac River in 1996. The river was contaminated with three to four million tons of metal enriched and acid generating tailings immediately after a badly-sealed drainage tunnel at the base of Tapian pit burst. This translated to around 1.6 million liters of waste that spilled into the river, killing the river instantly.



This prompted a team from the United Nations to investigate the extent of the impact that the Marinduque Mine Spill, as what the tragedy has been called ever since, has caused the environment and the townsfolk. UN identified unacceptable levels of heavy metals in some parts of the river and toxic wastes leaching into the river due to faulty waste rock siltation of the dam.

The Department of Health and the University of the Philippines (DOH-UP) the following year, 1997, conducted health studies and concluded heavy metal contamination due to the use of the river as run-off for Marcopper's disposal site since the 1970s.(Aguillon, 2004) The DOH-UP investigative team found out unacceptable lead and mercury level in seven of the 22 children tested; two adults tested positive for lead contamination. They also collected blood, air and soil samples in and 7 km out from the causeway.

All of the 59 children tested proved to have unacceptable levels in their blood; 25 percent of them had unacceptable blood cyanide levels. Also, the soil samples have unacceptable levels of lead, cadmium and elevated levels of copper and zinc. Lead values were present in the air sam-

ples, exceeding the standards of the US Environmental Protection Agency. (Aguillon, 2004)

Placer Dome spent almost US\$80 million for compensation, medical treatment, infrastructure development, river rehabilitation, flood risk assessment and water projects. However, it still maintains its position that it has no responsibility for the tragedies in Calanca Bay and Mogpog River, claiming these events as accidents.

The people of Marinduque will forever be reminded of this tragedy and how the funder of the project bailed out on them when things starts crumbling down.

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MARCOOPER MINING SITE VIA GOOGLE EARTH

LET US LEARN FROM THE LANDSLIDE NEPAL

by Ratan Bhandari - Jal Sarokar Manch

Last month, the residents of Basari village in Nepal informed officials about a nearby landslide that damaged five houses. Rising to the call of duty, at half past seven in the morning the District Administration and Police Officers arrived and took stock of the situation. The nearby cracked surfaces served a reminder of the devastating Gorkha earthquake the previous month. More than 250 villagers were relocated to a safe spot.

More landslides ensued the following day as tents were provided for affected residents. Whilst sleeping in the temporary camp, the residents of Basari village got another rude shock at half past two in the morning. This time an even more colossal landslide formed a wall of mud and rock that blocked the Kali Gandaki River. There was pandemonium as people panicked fearing for their lives. Local police made announcements on loudspeakers asking people in Mustang, Myagdi, Baglung, Parbat, Gulmi, Syangja, Tanahun and Nawalparasi districts downstream to remain on high alert. The landslide dammed the river and blocked almost the entire flow,

which resulted in a 2-km long artificial backwater lake. The landslide occurred as a nearby ridge had developed cracks after the earthquake.

The landslip buried 27 houses; thankfully there were no casualties as people had already been evacuated. People living in the downstream were moved to higher ground as road transportation was halted in the area. According to an Engineer at the Road Division Office in Baglung, the artificial dam at the landslide site was about 35 meter high.

All gates at the Kali Gandaki A Hydropower project were opened fearing a dam outburst upstream

Asian Development Bank. The Kali Gandaki River is the main source of the Narayani River, known as the Gandak in India, and flows through one of the world's deepest gorge between the Annapurna and Dhaulagiri ranges in Nepal.

The steep gradients are favorable for 'run-of-river' hydropower, which divert water in to tunnels unlike 'dam-toe' storage projects.



ADB FUNDED KALI GANDAKI A DAM- NO WATER IN DOWN STREAM.

Nepal's largest hydro project happened to be located downstream of the dam caused by the landslide. Power generation of the 144 MW Kali Gandaki 'A' hydropower project was halted for several hours, fearing possible outburst upstream. All the gates at the Gandak barrage were opened amid flood fears. According to the Chief District Officer of Nawalparasi of Nepal, the authorities in India too were informed given the potential downstream impact.

This is not the first time the Gandaki has been impeded by a landslide. There are records that the river was blocked several times in the past, last recorded in September 1997. Authorities have maintained that the vulnerable cliffs at Bandarjung, Guithe, Bhurung, Gharkhola, Ghar and Ramche could pose great threat in the rainy season, more so in the aftermath of quakes. According to Deputy Superintendent of Police, Hira Gire, other mas-

sive landslides could occur in the area during the upcoming monsoon. The landslide prone zones coupled with the seismic activity can have a calamitous impact on downstream hydropower dam or barrage sites, and communities dependent on and living near the river.

In this case a disaster was averted after 15 hours as the impeded water in the dam started overflowing as the landslide induced reservoir slowly released water. The water level was two meters above the usual monsoon flow. Though floodwaters from the artificial dam entered houses near the banks at Beni, the district headquarter, there was no notable damage. Soon after, downstream settlers returned to their homes.

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JAL SAROKAR MANCH



FAST FACTS



NATIONAL MOTORWAY M-4



PROJECT NAME: Pakistan: National Motorway M-4 (Shorkot-Khanewal Section) Project



DATE OF APPROVAL: June 2016



PROJECT TYPE: Involves construction of 64 kilometers of a four-lane section of motorway linking Shorkot to Khanewal in the Punjab province of Pakistan. The motorway will be four lanes wide, with each lane 3.65m wide.



FINANCING SUMMARY:

AIIB : \$100 million USD
ADB : \$100 million USD (ADB), USD Department for International Development : \$34 million USD
United Kingdom : \$39 million USD
Government of Pakistan : \$39 million USD



PROJECT COMPONENT:

- Construction of a 4 lane dual carriageway
- Construction of interchanges at various road crossings
- Construction of bridges at Ravi river and Sadhnai Canal

APPLICABLE SOCIAL & ENVIRONMENTAL STANDARDS



Environmental Assessment - the potential multi-dimensional environmental and social concerns that could be sensitive, diverse or unprecedented

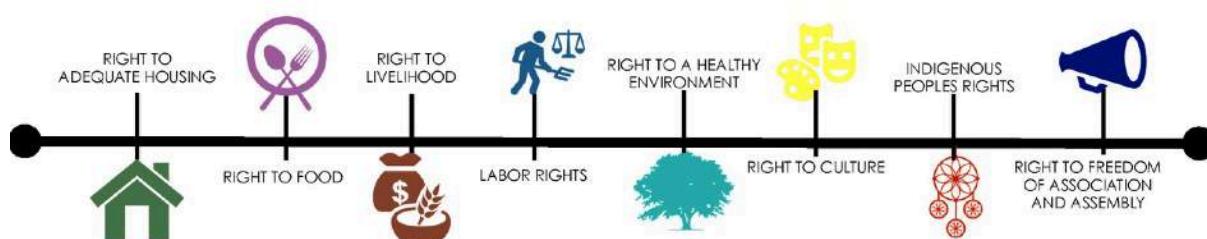


Involuntary Resettlement – most significant impact of the project is the resettlement of residents and taking about 4715 acres of agricultural land out of production



Indigenous Peoples - the screening of project confirmed that no IP groups were found existing in the project areas

RISK ASSESSMENT



CAMBODIAN ROYAL RAILWAY: A TRAIN LEAVING THE PEOPLE IN VAIN

by Jen Derillo - Santos - NGO Forum on ADB

Nearly 10 years after the Cambodian Railway Rehabilitation project was approved, affected communities are still in the same dire situation that they were in since 2007.

The project was funded by OPEC (Fund for International Development), Government of Malaysia and a large chunk of the budget coming from the Asian Development Bank (ADB), amounting to US\$ 42.00 million. As of the moment the railway is already operational offering several services including passenger accommodation going



to different destinations of the Cambodia. In fact, large numbers of people who ride the train are tourist going to Sihanoukville, a place in the country that is known for its beaches, tropical islands and the mangrove jungles of Ream National Park. The train is air-conditioned, with Wi-Fi and flat screen television. In case you get hungry

you may order food and drinks inside the train, truly efficient if you do not know the background of the project.

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In the ADB Compliance Review and Recommendations, Second Annual Monitoring Report to the Board of Directors on the Implementation of Remedial Actions for the Greater Mekong Subregion: Rehabilitation of the Railway Project in the Kingdom of Cambodia released last June 20, 2016, the bank claimed that "...they have made good progress on re-assessing and paying out deficit compensation for lost assets and additional payments for income support", but that is not what the affected families are saying.

A resident of Trapaing Anhchanh, a resettlement site 5 to 6 hours away from Phnom Penh stated angrily that ADB and its fellow funders as well as the Cambodian Government lied to them by saying that the relocation site would be better than their current place; and that they will be given a compensation package that will help them get back on their feet as soon as they move to the designated relocation site.

To their dismay, none of the promises ever came true.

A TEN-YEAR PROBLEM THAT CAN'T BE SOLVED BY A 50-YEAR OLD INSTITUTION.



7X15 LOT GIVEN TO AFFECTED FAMILIES

ADB is celebrating its 50-year anniversary next year but it appears that wisdom doesn't come with age in the case of the bank. A resident from Sihanoukville recalled the day they went and saw the relocation site. What they

saw was a piece of land measuring 7x15 meters, with a small, narrow toilet with a blue door bearing the number of the house where a family would be settling.

In Battambang province, another relocation site approximately 293.9 km far northwest of Phnom Penh, a resident is hopelessly narrating how they go about every day with unclean rainwater using a catch basin that ADB

digged for them. The same catch basin where 2 children died while fetching water for their families in 2010, just four days after they moved to the resettlement site. As a result of the accident, the basin is now being locked to avoid accidents.

In the CRP report, it was stated "In Battambang, the resettlement site gets its water from an artificial rainwater pond. The water is pumped to an overhead tank and then filtered before being delivered to the houses of the AHs. When the CRP inspected the water in homes on this monitoring mission, it appeared to be clearer than what the CRP observed last year, but it is only used for washing and cooking. However, the water in the pond is very low and given the current drought conditions, this water supply is likely to become dry soon." Not only that, the report did not mention that the electricity being used for the pump to "filter" the water is coming from the community, which they collectively pay for every month; another unnecessary expense on the part of the relocated families.

An elder in the relocation site said that the ADB installed a solar panel to power the pump in 2013 but after a few months it broke down leaving the residents with muddy water to drink, they have reported it but nothing has been done until today.



CATCH BASIN FOR RAINWATER WHERE RESIDENTS GET THEIR DRINKING WATER



WATER FILTER DISTRIBUTED TO THE AFFECTED FAMILIES.

With their distance from the nearest market and the cost of potable water at \$7-8 per gallon, it is another problem that they have to deal with especially for people who do not have a regular income coming in. A mother of three from the community showed us the water filter that was given to them so that they can drink the water from the catch basin.

It was a white plastic jug, with a hard plastic layer that serves as the filter hat, which hopefully cleanses the water coming from the rainwater catch basin. But if one looks at the water inside, it still has some soil or fine sand residue and not totally clear.

LICADHO, a national Cambodian human rights organization with advocacy on health and have been helping families in the five resettlement sites for nearly 10 years stated that the water that is being consumed by the people in the Battambang relocation site is way below the World Health Organizations “framework” for safe drinking-water. In fact, even if the people in the area boil it before drinking, there are still bacteria and pathogens that might cause illnesses like typhoid, E. coli, Hepatitis A and rotaviruses. The group also added that perhaps the people in the community are already sick and they do not know it yet due to the location of the nearest hospital, which is 7km away.

A person with disability (immobile) from the same relocation site said that the ADB lied to her by saying that she will be much better once she transfers to the designated resettlement sites, that not only will she have her ‘own’ land with title, but will also be given compensation to begin her life anew, seeing her situation, she gladly agreed, but like the rest it was not what she expected.

She sadly narrated that she is now relying on hand me downs of the community for she cannot do anything, from food, water, hygiene and medicine. Before she can still earn a little by selling vegetables in the market since moving around is not difficult. When asked about her health, she laughed dryly saying that the nearest hospital in the area is 7 km away. If an emergency occurs it will not make much of a difference because she does not have money to be admitted to the hospital anyway.

With the ill fate of all the relocation sites just to give way to the Royal Cambodian Railway, the most appalling are the Poipet resettlement households. Located in Banteay Meanchey Province, 411.3 km from Phnom Penh, this is also where the Meanchey Dump Site is situated. The largest trash dump in Cambodia, and it is just a few meters away from the relocated community, worsts it is behind the Kilometer 2 Elementary School. When asked how they cope with the smell and the smoke of the dumpsite, the elementary students collectively answered that they just ignore it or cover their noses.

The school was actually where the original dumpsite was located and when the affected households came in, they moved it a few meters to give way to the families.



IMMOBILE RESIDENT OF TRAPAING ANHCHANH



But the smell, the smoke, the water seepage that affects the the smoke, the water seepage that affects the drainage system of the community is inescapable and needs to be addressed properly. One resident narrated that during the rainy season, the entire community is flooded with waters mixed with the garbage's in the dumpsite and when it's summer, the streets, and the roads are dusty making it difficult for people to breathe. In the CRP Report under the Resettlement Site Infrastructure Status, it was clearly indicated that solid waste management problem has been introduced but part of the access road to the site still functions as a garbage dump and that there is no action nor change since 2007.

THE WHITE ELEPHANT IN THE ROOM.

The people from the resettlement areas are now asking the government as well as the ADB and its fellow investors regarding the land title that they promised 6-7 years ago. People are now alarmed that there is no news about the land titles despite their constant follow-up to the concern government offices. A cab driver from Sihanoukville fears that if they don't have any land title, anytime the government thinks of a development project

that will be situated in their area, they can be easily displaced again. He also added that in his old age with eleven family members he couldn't endure another displacement again. Just last August 8 he joined the protest outside the Ministry of Land Management, Urban Planning and Construction asking for the agency to address their grievances regarding the land title and their insurmountable debts brought about by the lack of livelihood in the resettlement sites.

JEN IS THE COMMUNICATIONS COORDINATOR OF
NGO FORUM ON ADB

ADB CRITICIZED FOR HOLDING QUESTIONABLE CONSULTATIONS ON ITS NEW CORPORATE STRATEGY

PRESS RELEASE ON STRATEGY 2030

NGO Forum on ADB expressed its disappointments and discontent on the stakeholders' consultation for the Asian Development Bank's corporate strategy held at the ADB Manila Headquarters last Monday due to lack of public disclosure and quality consultations with civil society organizations (CSOs).

The Forum questioned ADB's intent to shift towards using country safeguards systems without any 'assessment' and 'equivalency' with its own safeguards systems as presented by Strategy and Policy Department of the ADB. This alarming move towards using country systems prematurely will have disastrous impacts on local communities and the environment especially in autocratic regimes where civil society voice is suppressed and persecuted, and national instruments are riddled with corruption and weak implementation. ADB in doing so will also be in violation of its own ADB Safeguards Policy Strategy SPS 2010, where it clearly indicates 'equivalency' and 'assessment' to be conducted for Country Systems with ADB standards before they are considered for use in any ADB project. In ADB's own study on Country Systems in 2015, it indicates that in six upper middle-income countries UMICs, the use of country systems are not feasible as they are far from ADB SPS 2010 standards. The ADB is faced to provide competitive lending rates with the rise of new banks and abruptly moving towards using Country Systems is a way by which the Bank is trying reduce loan approval times and "costs" by compromising due diligence requirements which put human rights, public



safety, environmental sustainability and national economies at risk.

On being questioned on this issue of policy dilution, Safdar Parvez from the ADB HQ responded by reassuring there will be 'no dilution of ADB safeguards'. The Forum believes, however, that reliance on country safeguards systems is tantamount to "ADB absolving from its obligations to human rights, SDGs, and climate change deals". "Even if we have good national laws, safeguards implementation will be subject to the country's changing technical capacities, budgetary limits and shifting political leadership."

Rayyan Hassan, Executive Director of the Asia-wide independent watchdog of ADB expressed his deep concerns that the presence of CSOs in this consultation process could just be a way to legitimize ADB's questionable private-led sector strategies. Participating CSOs were asked to form workshop groups and comment after the "Road to 2030" powerpoint presentation of Safdar Parvez, ADB Director, Regional Cooperation and Operations Coordination, Central and West Asia Department. "We cannot provide substantial comments based on just a few bullet point summaries, without a full disclosure of the entire ADB strategy 2030 draft paper revealing the details of plans presented to us. This strategy will guide how public money is going to be used for development purposes for the next 14 years and thus we need full disclosure of information prior(with adequate time) to have a robust, informed, meaningful consultation", said Hassan.



THE 750-MW WEST SETI HYDROPOWER PROJECT



**REQUIRED 2,322 HECTARES OF LAND
AND 678 HECTARES FOR THE
TRANSMISSION LINE**



DISPLACED 1,575 HOUSEHOLDS



13,000 PEOPLE WERE IMPACTED



**7,870 WERE RESETTLED OUTSIDE THE
PROJECT AREA**



1,200 WOULD RELOCATE LOCALLY

NGO Forum
on ADB

Holding ADB accountable since 1992



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