ESS10
Stakeholder Engagement and Information Disclosure
Clinic 1

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ENVIRONMENTAL
AND SOCIAL
FRAMEWORK

Where the Clinic is in all Capacity Building Efforts for ESS10

1. eLearn Program (45 min)

To provide overview of the ESS10 main requirements, concepts and procedures.

2. ESF Masterclass (75 min)

To provide basics on requirements with emphases on good practices and implementation

3. ESS10 Clinic (90 min)

Understanding ESS10's structure and policy requirements with opportunity to deep dive in provisions and interpretations of the policy.

4. Training of Trainers on Managing Grievances (one day)

To discuss good practices in GM and how GM toolbox with good practice note, training guide and PPTs will support your engagement with the borrowers/clients. Short presentation is available on request.

5. ESS10 training for ADB staff based on a case study (one day)

To guide on Stakeholder Engagement through project cycle based on one case study with emphasis on ADB staff roles and responsibilities.

ESS10

Stakeholder Engagement and Information Disclosure

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Session Overview

Session Objective

Understanding ESS10's structure and policy requirements

Clinic 1 Deep Dive

- ✓ Information Disclosure
- ✓ Organizational

What we will cover today

- ✓ Engagement during preparation and implementation
- ✓ Stakeholder Engagement Plans and other new tools
- ✓ **Information Disclosure**
- ✓ Meaningful Consultation
- ✓ Safe engagement and risk of reprisal
- ✓ Grievance Management
- ✓ **Organizational Capacity**

ESS 10 Objectives

- A **systematic approach** to stakeholder engagement to be established
- **Information** on E&S risks and impacts to be disclosed in a timely, understandable, and accessible manner and format.
- Stakeholders' **views to be considered** on project development, implementation and monitoring
- The needs and concerns of **disadvantaged or vulnerable PAPs** to be recognized and accounted for.
- **Effective and inclusive engagement** with stakeholders to be ensured throughout **project cycle**
- **Safe, accessible, and inclusive** means to raise questions, proposals, concerns, and grievances, **without threat of reprisal.**

Who are stakeholders under ESS10

The term stakeholder refers to individuals, communities, or groups who:

- **Are affected** or likely to be affected by a project, referred to as project-affected persons; and
- May **have an interest in a project**, referred to as other interested parties.

New Tools of ESS10

- **Stakeholder Engagement Plan**
- **Framework approach** where subprojects/components are unknown at appraisal
- **E&S Audit** conducted if engagement undertaken prior to ADB's involvement to determine gaps with ESS10

Stakeholder Engagement Plans

- **Borrowers must prepare, disclose, and update** a Stakeholder Engagement Plan (SEP).
- The SEP can be a standalone document **or** part of another document prepared under ESS1.
- SEP must be updated if project **conditions change.**

What an SEP must include:

- ❑ **How** stakeholders are engaged.
- ❑ **Methods** of consultation.
- ❑ **How feedback is integrated** into project design.

ESS10
In Consultation with ADB

PARA 12: As part of the E&S assessment the borrower/client will **undertake stakeholder engagement planning**, in consultation with ADB…

ESP PARA 55: Risks relevant in the context of the project as set out in Para 24 will be also considered in planning for stakeholder engagement and meaningful consultation.

Disclosure of SEP and Engagement Record

Stakeholder Engagement Plan:

- Borrowers/clients must disclose the SEP and submit to ADB for disclosure **as early as possible** in project preparation but **no later than ADB's project appraisal** or final credit approval.

- If significant changes are made to the SEP, the borrower/client will **disclose the updated SEP** in a timely manner and will submit it to ADB for disclosure.

Disclosure of Engagement Record in ESIA
(ESS1 Annex A-1):

- ❑ Description of the stakeholders consulted.
- ❑ Summary of the feedback received.
- ❑ Brief explanation of how the feedback was considered, or the reasons why it was not.

Meaningful Consultation

Provides detailed indicator level definition of meaningful consultation

- Begins early to inform project design
- Is transparent and accessible
- Is based on early disclosure
- Is tailored to different stakeholder needs
- Supports inclusive engagement with PAPs
- May involve separate discussions for different PAPs, considering the local languages of project-affected persons and educational differences as well as potential social bias
- Considers and responds to feedback

ADB Staff and consultations under the Environmental and Social Policy

ESP PARA 57

ADB will participate in consultation activities led or organized by a borrower/client to **understand the concerns of project-affected persons, and how such concerns will be addressed** by a borrower/client in project design and mitigation measures in accordance with ESS10.

The **frequency of ADB participation will be determined at the scoping stage** and will be proportionate to the nature and scale of project's E&S risks and impacts.

ADB will monitor the implementation of consultation and stakeholder engagement by a borrower/client.

Safe Space for Stakeholder Engagement

ESF VISION: ADB does **not tolerate any form of reprisals** in ADB-financed projects; will seek to **take all steps** within the **limits of its ability** to work with appropriate parties **to address them**, including **requiring its borrowers/clients** to provide protection to project-affected persons who raise concerns or grievances in or about such projects.

ESS10: Refers in the objectives and cascaded through different sections of the ESS10

Stakeholder engagement to be undertaken in a manner that is safe, accessible and inclusive for stakeholders, without THREATS OF, or ACTUAL coercion, intimidation, manipulation, force, or any form of reprisal.

Consultations to be UNDERTAKEN and DESIGNED in an atmosphere free of external manipulation, discrimination, coercion, intimidation, and threat of reprisal.

Confidentiality and data privacy protocols

The grievance mechanism to be implemented without external manipulation, discrimination, coercion, intimidation, and threat of reprisal.

Anonymous complaints to be raised and addressed.

Review and address allegations and take appropriate measures

ESS10

Agreed with ADB

PARA 8: The borrower/client will agree with ADB on the **management of confidential information or personal information** especially for project-affected persons, including the **timing and content of the disclosure** of such information.

Grievance Management

All projects must establish a grievance mechanism

- **An effective grievance mechanism must:**
  - ✓ Be safe, accessible, and inclusive.
  - ✓ Have a clear process for receiving and resolving grievances.
  - ✓ Implemented without threat of reprisal.

- **New requirements:**
  - ✓ Anonymous channels and response
  - ✓ GM assessment, update as needed and disclosure
  - ✓ Disclosure of resolution timelines

Grievance Management

- **ADB's Accountability Mechanism** is to be included in consultation and information disclosure.
- **Worker GM is separate** under ESS2, however, this will not impede their access to GM Under ESS10
- **SEAH GM** under ESS4 and ESS2 requires separate procedures
- **Other ESSs** have specific requirements related to the GM: ESS5, ESS7

Information Disclosure to Affected People

General Requirements

- Borrowers must disclose project information during project **preparation, implementation** and **monitoring.**
- **Minimum information** should be disclosed as early as possible to **enable meaningful consultation**, including project details, duration, analysis of alternatives, timeline for consultations, means to raise concerns.
- Information must be **understandable, accessible and culturally appropriate.**
- **Special measures** for groups with specific needs such as ethnicity, disability, literacy, gender, age, mobility, differences in language, or accessibility.
- If **project changes** result in additional E&S risks and impacts, affecting project-affected persons, **information on such will be provided** and meaningful consultation conducted.

Information Disclosure to Affected People

- Environmental and Social Impact Assessment
- Environmental and Social Management Plan
- Environmental and Social Audit
- Cumulative Impact Assessment
- Environmental and Social Management Framework
- Strategic Environmental and Social Assessment
- Environmental and Social Management System
- Land Acquisition Plan/ Framework
- Indigenous Peoples Plan/ Framework
- LA/IP Due Diligence Report

Disclosure of Documents to Affected People

- Disclosed timely, in an accessible place and in a **form** and **language/s** understandable to affected persons.
- E&S **assessment** and **management documents**
- **Relevant** information from **monitoring** reports

Documents to be submitted by the borrower/ client to ADB for Disclosure

High Risk, Substantial, & Moderate Risk Projects:

A **draft, or final, E&S assessment and management documents** and **ESCP/ESAP** for projects as early as possible in project preparation and **prior to ADB's project appraisal** or final credit approval

+ For High-Risk Projects:

A draft, or final, **environmental and social impact assessment**

- **Sovereign**: at least **120 days** before ADB's Board of Directors consideration of the proposed project
- **Non-Sovereign:** at least **60 days** before ADB's Board of Directors consideration of the proposed project

All Projects

- E&S assessment and management **documents to be prepared post-ADB approval** of a project
- **The final or updated** E&S assessment and management documents
- E&S performance **monitoring reports**
- **Corrective action plans under** ESS5 and others as stated in the ESCP/ESAP (ESS1)
- **Due Dilligence** Report (ESS5; ESS7)

Organizational Capacity

- Borrowers/clients must make **available** sufficient **financial** and qualified **human** resources
- **Designate specific personnel** to be responsible for stakeholder engagement
- Define their **roles** and **authority**.

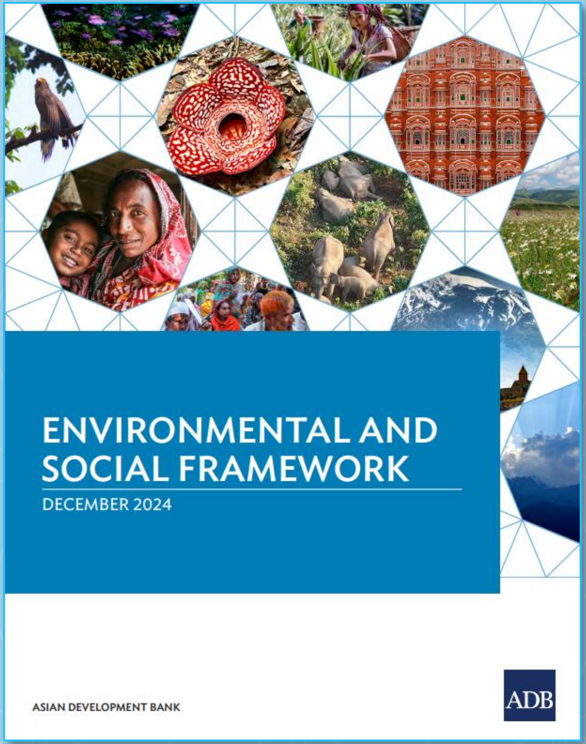
Pre-identified questions from ESF Orientation and Masterclass sessions

There is a reference to Access to Information Policy in the General Requirements. How is the AIP applicable to safeguards disclosure?

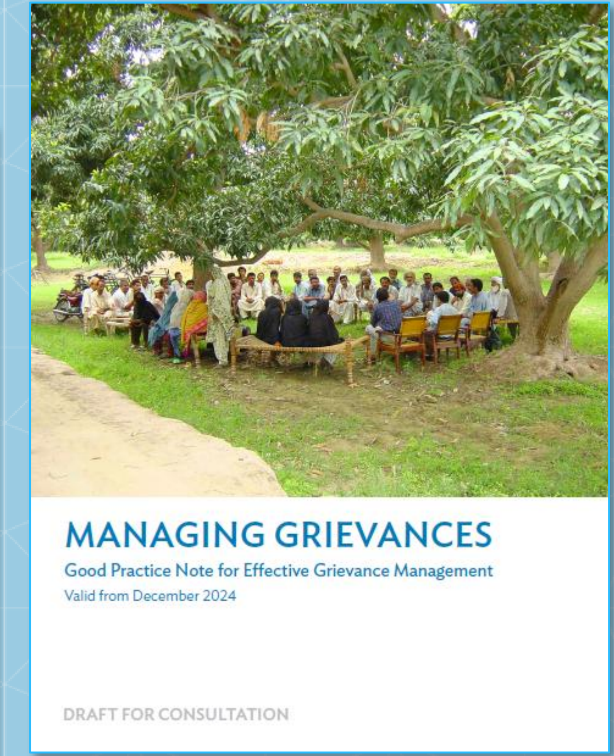
Should full E&S assessment and management documents translated in local language?

QUESTIONS

Resources



ESS10 Guidance Note [to be added]



Priority Topic for Deep Dive Discussions

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Mentimeter

Which of the following topics should be prioritized for future deep dive sessions?