



Policy Wayforward for the **NEW DEVELOPMENT BANK**

Author: Shreya Kaushik



Contents

Acknowledgement	
Introduction	3
Snapshot of Policies Across the Selected Six Development Finance Institutions	5
2.1. Environment and Social Safeguard Policies	5
2.2. Approach to Civil Society Engagement	13
2.3. Gender Mainstreaming	18
2.4. Access to information and transparency	23
2.5. Accountability Mechanism	28
2.6. Energy Strategy	36
Conclusion	43
References	44

Acknowledgement

Efforts of several people have gone into making this report a reality. Their involvement in various forms, such as direct inputs, timely reviews, incessant encouragement and guidance, have been crucial in the development and completion of the report.

First of all, we express our deep gratitude to Oxfam India for supporting the study both in terms of resources and extensive inputs.

We would also like to take the opportunity to thank the reviewers Nadia Daar, Christian Donaldson, Marianne Buenaventura Goldman, Diya Dutta, Jessica Rosien and Tomojit Basu (all mentioned reviewers are associated with Oxfam), Prof. Karin Costa Vazquez (OP Jindal University) and Laura Waisbich (Articulação SUL, Brazil) of the report, without whom the report would not have taken its current shape.

We would also like to thank the timely inputs from the communications team of Inter-American Development Bank, Asian Development Bank and African Development Bank.

BRICS



Introduction

The year 2015 saw a few historical decisions taken at the global level which could put countries not only on a sustainable development pathway but also help in addressing climate change issues on a “war footing”.

The first of these is the adoption of the 2030 Agenda for Sustainable Development including the Sustainable Development Goals (SDGs) in September 2015 by 173 countries,¹ which was followed by the adoption of the Paris Agreement by parties in the United Nations Framework Convention to Climate Change in December 2015. Significantly, the Paris Agreement also came into force in November 2016 with 155 countries ratifying it,² representing close to 83 per cent of global greenhouse gas emissions.

In view of these international agreements, there is a lot of pressure on countries and country groupings and alliances to put in place policies and programmes that will ensure effective implementation of the Paris Agreement and simultaneously put countries on a path to achieve their 2030 Sustainable Development Agenda.

With these global development shifts, countries have started to put in place policies, frameworks and programmes that could put them on track to not only meet the SDGs but also those envisaged in the Paris Agreement. The imperative globally is to strive for “sustainable development”.

In the last meeting of the leaders of the BRICS countries at the 8th BRICS Summit held in Goa, India, BRICS leaders took a pledge that they would work together to “Build Responsive, Inclusive and Collective Solutions”³ to address issues

in developing countries. However, the question that is perhaps unanswered is whether the BRICS countries are geared up to meet the requirements of putting their respective countries on a “Sustainable Development Pathway” and particularly, whether the “New Development Bank” (NDB) is well placed to act as an engine for sustainable development.

The BRICS Leaders Xiamen Declaration⁴ (unveiled in the 9th BRICS Summit held in China, 2017) reaffirms the commitment of the BRICS countries to fully implementing the 2030 Agenda for Sustainable Development. The BRICS countries further committed to “*advocate equitable, open, all-round, innovation-driven and inclusive development, to achieve sustainable development in its three dimensions - economic, social and environmental- in a balanced and integrated manner.*”⁵

The Declaration further highlighted that the institutions within the BRICS framework including the NDB, would be very helpful in achieving the necessary transfer of knowledge and development of infrastructure to promote cooperation on science, technology and innovation that would enable the achievement of its commitment to sustainability.⁶

In this context, and perhaps to partially answer the question posed earlier regarding the NDB, the Bank has thus far funded/supported 11 projects amounting to more than USD 1.5 billion⁷ worth of



173
countries
have adopted
the Sustainable
Development Goals
(SDGs) in September
2015

1 UNDP 2015

2 UNFCCC November 2016, Paris Agreement- Status of Ratification

3 Press Information Bureau, Government of India, Oct 2016, Goa Declaration at 8th BRICS Summit

4 pib.nic.in, September 2017, BRICS Leaders Xiamen Declaration

5 ibid, pt.14, pg 9

6 ibid, pt 12, pg 7

7 thehindubusinessline.com, April 2017 and ndb.int, List of Project

infrastructure and energy projects in the BRICS Countries. Furthermore, it is interesting to see that most of the approved projects are in the realm of clean energy solutions, such as roof top solar, wind etc., or are in the realm of supporting renewable energy such as grid infrastructure.⁸ What is also important to note is that these projects have been supported in domestic currencies as opposed to the US dollar and this new practice is seen as a country-friendly approach.

While the Bank has defined certain kinds of investments as eligible for NDB financing,⁹ in the absence of a clear definition of ‘sustainable development’, it is possible that some projects that come under the category of “clean coal” for instance, could end up being financed by the Bank. If the NDB is to be something new, it will need to break away from the hitherto followed approach of supporting the extraction-oriented model of development that was pursued in the past but has also caused immense destruction and environmental impacts of which climate change is one manifestation. Moreover, there are now alternate pathways available that are more resource-efficient and climate-friendly, and therefore, less destructive and more sustainable.

Further, while the NDB has a social and environmental framework, experts have a mixed view on the nature of their principles.¹⁰ Experts are also of the opinion that there are sufficient clauses within the existing NDB framework that could give room for the host country to waive off certain standards for certain projects.¹¹ Importantly, based on a reading

of its current policies, it does not appear that the Bank has put in place adequate mechanisms that could sufficiently address adverse impacts of projects on host countries and/or local communities.¹²

Further, what is also of concern is that the policy formulations of the NDB have neither been transparent nor participatory. It appears that the Bank did not have any public consultations with stakeholders and particularly civil society groups while formulating its policies.

Against this backdrop, and in order to provide civil society inputs to NDB’s policies and its frameworks, Vasudha Foundation in partnership with Oxfam India had embarked on a project which aimed to compile various policies of existing Development Finance Institutions (DFIs), in order to create a “A compendium of policies and practices of some of the Multilateral and Southern Banks”. The recommendations emerging from this compendium will help in influencing the NDB to institute policies that would ensure not only transparency in governance but also hold the NDB to its promise of promoting sustainable development as its core business.

The choice of institutions was meant to create a mix of learnings from large multilateral DFIs like the World Bank (WB) and Asian Development Bank (ADB) as well as from DFIs that may offer more localized learnings for the NDB such as the Bank of Latin America (CAF) and Brazil’s National Bank for Economic and Social Development (BNDES).

In totality, the study is based on the presence of the mentioned banks in one or more BRICS countries. The six development banks being considered for the study are:

- i) World Bank
- ii) African Development Bank
- iii) Asian Development Bank
- iv) Inter-American Development Bank
- v) Bank of Latin America (CAF)¹³
- vi) National Bank for Economic and Social Development, Brazil (BNDES)¹⁴

The sections in the paper follow a common pattern with the list of policies in a matrix for the selected themes of the six DFIs along with their basic policy, strategy or guidelines¹⁵ overview. The chapter then derives the common policy principles that the NDB could follow. The chapter ends by listing the implementation gaps and emerging recommendations from each of the selected themes.

A note on limitations of the paper: The analysis is based on the overall assessment and implication of the policies, strategies and frameworks of the six DFIs and does not detail project and sector level assessments. Also, the recommendations do not entail the domestic limitations that the NDB might face during project implementation, as it is a matter of separate assessment altogether.

8 Shelepov Andrey, 2017

9 NDB 2016, New Development Bank Policy on Loans with Sovereign Guarantee Bank Policy on Loans with Sovereign Guarantee.

10 Roychoudhury, S. and Vazquez, K. C., 2016

11 Scroll.in Oct 16, 2016

12 Ibid.

13 In the paper, many policies of CAF have a mention of its Global Environment Facility Projects referred to as CAF-GEF projects in this paper. CAF being one of the key implementing agency of GEF in Latin American Region, funds a large number of projects in its investment portfolio.

14 BNDES has been selected to reflect the policies and practices of the local banks in one of the southern developing BRICS country.

15 In the context of this paper and the DFIs, a policy would typically refer to binding rules and procedures that the institution commits to adhering to or mandates its clients to adhere to. ii) A strategy or framework would typically refer to an agreed approach to follow, with a unified, comprehensive, and integrated plan. iii) Guidelines are typically non-binding procedures or practices that an institution may put in place to outline how to implement policies or programs and may include best practices

Snapshot of Policies/Frameworks/Strategies

ACROSS THE SELECTED SIX DEVELOPMENT FINANCE INSTITUTIONS

2.1. ENVIRONMENT AND SOCIAL SAFEGUARD POLICIES

A significant part of the Development Finance Institutions' (DFIs) investment portfolio is directed towards infrastructure projects with the objective of promoting economic growth and development. However, many infrastructure projects inherently involve high environmental and social risks and therefore potential and significant negative impacts if not designed properly. Most infrastructure projects financed by DFIs have an associated socio-environmental cost, and thus it becomes the responsibility of the Banks to strive towards minimizing these costs and enhance the benefits from their projects, especially ones related to infrastructure. In order to first identify potential risks and negative impacts, and then to avoid, minimize and/or mitigate them, most DFIs have not only developed their own institutional set of environmental and social safeguard policies, but also an institutional operational structure with specialized staff to facilitate

an enabling environment for the implementation and compliance of their policies.

Environmental and social safeguards are a set of frameworks, policies, procedures, and guidelines meant to govern and facilitate the management of risks and impacts of projects supported by DFIs. There are several different issues and situations covered by environmental and social safeguards, inter alia, biodiversity conservation and protection, sustainable natural resource management, pollution prevention and abatement, climate change, greenhouse gas emissions, as well as involuntary resettlement, participation/inclusion of indigenous peoples, forest-dependent people, labour and working conditions and affordability of public services.¹⁶ The matrix below gives an overview of the different policies, strategies and/or guidelines that the six DFIs selected in this report have in place to address environmental and social risks and impacts in their investments.



NDB in its first year of operations has funded/ supported over

\$1.5 billion

worth of infrastructure and energy projects in the BRICS Countries

¹⁶ FAO.org, Social Safeguards

2.1.1 Matrix: Safeguards Policies, Frameworks, and Strategies across DFIs.

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
I. List of Policies, Strategies and Frameworks on Environmental and Social Safeguards					
<p>In August 2016 the WB approved its new Environmental and Social Framework (ESF) that comprise an Environmental and Social Policy (ESP) and 10 Environmental and Social Standards (ESS).¹⁷ The framework would come into effect in 2018. The old ES policies would run in parallel to the new ESF till 7 years, after which only the new ESF would be valid.</p> <p>Currently WB has eight core environmental and social safeguards policies in addition to legal policies, and policies on using country systems and standards for private sector activities. The eight core policies are a set of Operational Policies (OP) and Bank Procedures (BP) on Environmental Assessment, Natural Habitats, Forests, Pest Management, Safety of Dams, Physical and Cultural Resources, Indigenous Peoples, and Involuntary Resettlement. The OPs/BPs are mandatory for borrower countries and Bank staff.¹⁸</p>	<p>AfDB adopted its Environmental Policy in 1990, a set of Environmental and Social Assessment Procedures (ESAPs) in 2001, the Involuntary Resettlement Policy in 2003 and a revised Policy on the Environment in 2004.¹⁹</p> <p>In 2013, AfDB adopted the Integrated Safeguards System (ISS).</p>	<p>Policy framework on Environmental and Social Safeguards that includes economic growth and environmental sustainability.</p> <p>In 2009, new Safeguard Policy Statement (SPS) governing the environmental and social safeguards was approved.²⁰</p> <p>There are 3 operational policies on Environment, Involuntary Resettlement and Indigenous peoples.</p> <p>ADB also has processes for monitoring projects' compliance with its safeguard policies.²¹</p>	<p>IDB has the following policies under this theme:</p> <ul style="list-style-type: none"> • Environment and Safeguards Compliance Policy and Guidelines.²² • Natural Disaster Risk Management and Guidelines.²³ • Involuntary Resettlement and Guidelines.²⁴ • Indigenous Peoples and Guidelines.²⁵ • Gender Equality in Development and Guidelines. This policy also included gender equality in safeguards.²⁶ 	<p>CAF has its own 'Environmental Strategy framework' (2010) to promote environment as well as social sustainability.²⁷</p>	<p>BNDES has a Socio-environmental Policy and Social and Environmental Responsibility Policy (2014).²⁸</p> <p>BNDES has a set of four Sectoral Guidelines for the water and sewer, cattle, sugarcane, and soy sectors (2010).</p> <p>BNDES also has a sectoral policy for the mining sector (2016).</p>

17 WB, 2016, Environmental and Social Framework

18 Environmental and Social Safeguards Policies of World Bank

19 AfDB (2013). Safeguards and Sustainability Series, Vol.1 Issue 1. Pg 66.

20 adb.org, ADB overview

21 ADB (2009). Safeguard Policy Statement. Pg. 97

22 IDB 2006, Implementation Guidelines for the Environment and Safeguards Compliance Policy

23 IDB 2007, Disaster risk management policy

24 iadb.org, Involuntary Resettlement Policy

25 IDB, 2006, Operational Policy on Indigenous Peoples and Strategy for Indigenous Development

26 IDB, 2010, Operational Policy on Gender Equality on Development

27 CAF (2010). CAF's Environmental Strategy. Pg. 34

28 BNDES.gov.br, Social and Environmental Policy

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
II. Overview of the Approach					
<p>The new ESF only applies to Investment Project Financing that is comprised by loans, guarantees, and technical assistance operations.</p> <p>The policy outlines mandatory requirements for Bank staff to follow, and Standards outlining mandatory requirements for Borrowers to follow.</p> <p>Some new aspects of the ESF include new policies on labour and working conditions; community health and safety, and disadvantaged or vulnerable groups inter alia people with disabilities, children, women, elders and LGBTI; and free prior and informed consent for Indigenous Peoples.</p> <p>The stated aim²⁹ of the new ESF is to enhance protection of people and environment, promote sustainable development through country ownership and capacity building and subsequently enhance efficiency of borrowing countries and WB.</p> <p>The new framework also incorporates emerging global trends like sustainability, low carbon emissions, climate change risks, etc.</p>	<p>AfDB updated its Environmental and Social Assessment Procedures (ESAP) in 2015 to incorporate the knowledge present in its ISS.³⁰</p> <p>AfDB's Integrated Safeguards System (ISS) include³¹</p> <p>i) Integrated safeguards policy statement; ii) Operational safeguards; iii) ESAP revised procedures³² and iv) Guidance notes revised Integrated Environmental and Social Impact</p>	<p>ADB's safeguards policy statement (SPS) is a single policy that integrates three previous safeguard policies on the environment, involuntary resettlement and indigenous peoples.³³</p>	<p>The IDB conducts a screening of projects' potential adverse impacts on environment and society as part of its overall safeguards screening during project design.</p>	<p>CAF's Environmental Strategy approach is to follow national environmental legislation in the country where CAF is financing a project.</p> <p>CAF's Environmental Strategy outlines a set of environmental and social safeguards principles applicable to all its operations. However, they do not establish any specific and mandatory requirement subject to compliance by CAF's clients.</p>	<p>Both the policies and sector guidelines are meant to align BNDES' socio-environmental approach with current Brazilian legislation policies, in particular with the provisions set out in the National Environmental Policy. Therefore, BNDES' investments in Brazil follow national legislation.</p> <p>BNDES' investments outside Brazil follow the national environmental legislation in the country where BNDES is financing a project.</p>

29 World Bank, 2016, Fact Sheet: The World Bank's New Environmental and Social Framework

30 AfDB, 2015, AfDB launches revised version of its Environmental and Social Assessment Procedures for 2015

31 AfDB, 2015, Integrated Safeguards System of AfDB- Guidance Materials (Vol 1)

32 AfDB 2015, Safeguards and Sustainability Series Volume 1- Issue 4

33 ADB 2009, Safeguard Policy Statement

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
II. Overview of the Approach					
The new framework also incorporates emerging global trends like sustainability, low carbon emissions, climate change risks, etc.	Assessment (IESIA) guidelines ESAPs are meant to describe the guidelines for AfDB and its borrowers to work together to ensure that environmental, climate change and social considerations are integrated into the project cycle from country programming to post completion. Undertaking ISS, helps AfDB in better articulation of its safeguard policies while improving their clarity, coherence and consistency.	ADB's SPS sets out the policy objectives, scope, triggers, and principles for the mentioned three key safeguard areas. ADB's safeguard policies are meant to define the safeguard requirements for all projects financed by ADB including provision of undertaking preliminary project assessments and implementation of safeguard mitigation measures. The SPS also provides a platform for participation by affected people and other stakeholders in project design and implementation.	Update of IDB's institutional strategy 2016-2019, ³⁴ included the following cross-cutting themes to address development challenges in these areas through bank funded operations: • Gender equality and diversity. • Climate change and environmental sustainability. • Institutional capacity and the rule of law.	CAF's strategy promotes the undertaking of environmental and social impact assessments for CAF-financed projects at the start of the project cycle. ³⁵	The aim of the policies and sector guidelines are to promote social and environmental responsibility in the processes of planning, management and operations of BNDES. However, they do not establish any specific and mandatory requirement subject to compliance by BNDES's clients. The policy principles and sector guidelines promote the development and refining of methodologies and other instruments, to monitor and evaluate the socio-environmental impacts and results generated by BNDES and by the activities that it supports financially. But are not mandatory.

8

From the policies listed in the matrix above, it is possible to observe that, in principle, most DFIs have put in place policies and frameworks that try to address, manage and/or at least promote the consideration of social and environmental risks and negative impacts of projects supported by them. It is important, however, to make a clear distinction between a requirement-based policy and a principle-approach policy or strategy.

The main distinction is that the former most often establishes a series of mandatory set of substantive rules and procedural requirements that the client and the institution have to comply with in order to proceed to the next stage of the project cycle. For instance, a common procedural requirement is that the project implementation agency 'must' conduct an Environmental and Social Impact Assessment, whereas a substantive rule is the prohibition of any high

risk projects in protected areas.³⁶ On the other hand, a principles-based policy often has more flexible or open-ended procedural 'guidance' to promote or encourage a specific approach. Such is the case with CAF and BNDES.

This said, there are also policies or frameworks that fall somewhere in between these two approaches. The construct of socio-environment policies of DFIs does indicate however, their intentions and aspirations to address issues related to social and environment protection. Nevertheless, it is the actual implementation of such policies that more often than not is a subject of debate. But the analysis of the implementation of these different policies is not part of the scope of this report, since that would require a deeper understanding of the institutional structure and a thorough evaluation of projects financed by these institutions.

2.1.2. Emerging Key Principles For Environment and Social Safeguards Policy

Environmental and social safeguards are cross-cutting policies across DFIs, but also form a mix of policies to be addressed individually. Therefore, their effectiveness depends on the right balance between their governing principles and the clarity of their procedural requirements and substantive rules. The broad key principles listed below can be derived from the constructs of the socio-environmental policies of other DFIs, including the lessons learnt from the policy implementation:

i) Incorporation of safeguards in the early stages of the projects:

The purpose of adopting safeguards from the early stages of the project is to effectively identify and manage risks as well as enhance positive impacts of DFI-funded projects. For instance, World Bank's current safeguard policies as well as the new ESF require borrower countries to

34 IDB 2015, Update to the Institutional Strategy 2010-2020

35 CAF 2010, Environmental Strategy

36 Gaia Larsen and Athena Ballesteros (WRI 2014)

conduct a preliminary analysis at the earliest stage of project preparation to identify potential risks and impacts, accordingly plan for the prevention, mitigation and minimization of adverse project impacts on the people and the environment. The WB's current operational policies and bank procedures and new ESF further require that the project team should categorize the project as high, moderate or low (environmental and social) risk, depending on the type and scale of the project, nature and magnitude of the potential environmental and social risks and impacts, among other things.³⁷ Similar requirements and approach is used at the ADB, IDB, and AfDB.³⁸ Furthermore, the ADB also has a project-based 'Initial Poverty and Social Analysis' (IPSA). This is an early participative fact-finding to flag issues like gender, vulnerabilities, etc.³⁹ ADB's Climate Risk Management⁴⁰ approach also aims to address climate risks vis-à-vis project performance. As per the approach, all ADB projects have to be screened for climate risks at early stages of project concept development in addition to a climate risk and vulnerability assessment.

ii) Aligning socio-environment frameworks with the borrowing countries:

These policies should ideally support borrowing countries strengthen their own safeguards systems and develop their capacity to manage risks. Most DFIs outline responsibilities in terms of safeguards implementation where borrower countries through their implementing agency are in charge of conducting

the different impact assessments and mitigation plans with the oversight of the financial institutions. For instance, in the case of the WB, its Environmental and Social Standard 1 (ESS1) considered the umbrella policy that encompasses other safeguards, requires the assessment of the potential risks posed by projects, and sets forth the procedures for how the assessment and management of risks have to be conducted by the country/client. Furthermore, it encourages the consideration of whether to use all or part of the borrower's safeguard framework (country system) after a comparative review of the borrower's safeguards against the Bank's safeguards.⁴¹ The ADB and IDB take a similar approach where these banks assess the equivalency of the borrower's safeguards compared to its own.

However, the effectiveness of the borrower's system approach, depends not only on the capacity of the DFIs to assess the borrower's safeguards and identifying where the gaps are, but also on supporting countries in improving their systems and building capacities for implementation and enforcement. In any case, a good practice is to utilize the safeguards systems with the highest standards to ensure the highest protections. In addition, it is also critical for DFIs to put in place systems that would help in managing and monitoring projects throughout their lifecycle.

iii) Ensuring capacity building:

In order to achieve the benefits of socio-environmental safeguards policies, it is essential for DFIs to build capacity of relevant stakeholders, including their bank staff and the borrowing countries. Some DFIs have

provisions in their policies that are directed towards training and building capacities of country level systems and enhancing organisational capacity. The ADB's implementation and monitoring guidelines of the SPS policy directs it to draft action plans that support capacity development of borrowers for safeguards delivery, and ensure ADB's organizational capacity and resources for SPS implementation.⁴² At different levels, similar approaches are seen in policy frameworks of the WB, AfDB and IDB. This point holds particularly true if DFIs intend to rely increasingly on borrowers' own systems. Capacity building will also help ensure proper due diligence and enhanced accountability.

iv) Standalone policies under safeguards:

It can be seen from the matrix that most of the DFIs have individual policies for components under social and environmental safeguards such as policies for indigenous people, gender and development, etc. A report by Indigenous Peoples of Africa Coordinating Committee (IPACC) on the assessment of AfDB's social safeguards framework,⁴³ had also stressed on the importance of having a standalone policy for indigenous peoples who are often miscategorised and overlooked while developing assessment frameworks. The objective of having standalone policies for key issues is to ensure special attention specifically for issues like involuntary resettlement of indigenous peoples and FPIC, gender and women's rights, climate change among others.

37 WB, 1999, OP 4.01 – Environmental Assessment

38 WB, Social and environmental policies for projects and AfDB (2013) Safeguards and Sustainability Series, Vol.1 Issue 1. Pg 66.

39 ADB's, 2012, Handbook on Poverty and Social Analysis

40 World Bank Group and Agence Française de Développement (AFD), 2015

41 World Bank, 2005, OP 4.00- Piloting the Use of Borrower Systems to Address Environmental and Social Safeguard Issues in World Bank-Supported Projects

42 ADB, 2009, Section VI A of Safeguard Policy Statement

43 Indigenous Peoples of Africa Coordinating Committee (IPACC), June 2012

v) Participatory approach and transparency:

WB's new ESF recognizes the critical importance of participation and transparency as an "essential element of good international practice" by creating a stand-alone ESS on Stakeholder Engagement and Information Disclosure.⁴⁴ The ESS10 requires borrowers to engage with stakeholders from the beginning and through the project cycle in a timeframe that allows for meaningful consultations. It also requires borrowers to develop a Stakeholder Engagement Plan in consultation with stakeholders. The ADB, AfDB and IDB have similar requirements within their safeguards policies for borrowers to engage and facilitate consultations processes throughout the project cycle. For instance, in the manual for ADB-financed projects of the Indian Renewable Energy Development Agency (IREDA),⁴⁵ it states that "*at an early stage of project preparation, the borrower/client will identify potential direct, indirect, cumulative and induced environmental impacts on and risks to physical, biological, socioeconomic, and physical cultural resources and determine their significance and scope, in consultation with stakeholders, including affected people and concerned nongovernment organizations (NGOs)*".⁴⁶ In addition, the WB, ADB, AfDB and IDB also have policies and mechanisms that allow affected people and communities to raise their concerns on impacts arising due to Bank-financed projects as part of their commitment towards ensuring accountability.⁴⁷

An inclusive and participatory process is more effective when it begins early in the planning process of the project design and proposal, and continues throughout all stages of the projects cycle to allow for robust feedback, monitoring of project impacts and minimising potential social conflicts.

vi) Cumulative impact assessments:

It is essential to take a holistic approach towards impact assessment of DFI-financed projects, as some of the impacts may not be identifiable in isolation. Cumulative effects generally refer to impacts that are additive or interactive (synergistic) in nature and result from multiple activities in the same geographical region and/or over time, including the projects being considered for financial support by the DFIs. This is a sustainable approach to assess the projects' impacts, especially big infrastructure projects, as it helps evaluate effects of all past, present, and reasonably foreseeable future activities that may have or have had an impact on the environment, resources and communities in project areas. These assessments also stand to act as a due diligence tool that help in ensuring accountability and transparency. To address these cumulative impacts, the WB and ADB have requirements in their safeguards policies for borrowers to conduct cumulative impact assessment as part of their social and environment assessment guidelines/frameworks.

vii) Harmonising safeguards policies with other institutions:

Many DFIs co-fund projects making the implementation and compliance of different environmental and social standards a significant challenge for borrower countries that in turn undermine the achievement of the desired development outcomes. To overcome this challenge, the upward harmonisation of safeguards

policies across DFIs could help ease project implementation and enhance positive outcomes while minimizing negative impacts. Harmonisation could also help borrower countries and banks to simplify the process of implementation and monitoring as the indicators for monitoring would be harmonized and better defined. For instance, the AfDB states in its most recent 'Integrated Safeguards Statement' that it "*seeks to work toward greater harmonization of safeguard policies across multilateral finance institutions*".⁴⁸

Harmonisation of standards within DFI's lending instruments and lending structures is also critical. DFIs have different lending instruments to address policy, sector, programs and project financing; depending on the sector, these different instruments have the potential to cause unintended harm and negative impacts. ADB, IDB, and AfDB's safeguard policies cover their entire portfolio across instruments. On the other hand, in WB's case, its current OP/BPs and its new ESF only covers investment project financing leaving development policy finance and instruments like programs for results, outside of the scope of its safeguard policies. However, the WB's approach has the potential to undermine positive development outcomes by leaving unattended potential high risk and negative impacts. Therefore, it is important that all financial instruments are covered by safeguard policies. Similarly, the ADB, AfDB, and IDB apply their safeguards policies across their public and private lending project portfolio. Whereas WB applies its operational policies (OPs) and new ESF only to its public sector lending, and its Performance Standards to private sector-led projects.⁴⁹ Hence,

44 WB ESS10.

45 IREDA is a public limited government company of India established in 1987, under the administrative control of Ministry of New and Renewable Energy (MNRE)

46 Indian Renewable Energy Development Agency (IREDA), 2014.

47 Refer to section 2.5 of this paper titled 'Accountability Mechanism' for details

48 AfDB, 2013, Part 1 of AfDB's Safeguards and Sustainability Series Vol 1 – Issue 1

49 World Bank, 2015, Comparative Review of Multilateral Development Bank Safeguard Systems, Executive Summary

it could be argued that a single safeguards policy across public and private sector-led projects could be a more efficient and consistent approach.⁵⁰

2.1.3. Policy Shortcomings and Implementation Gaps of Environment and Social Safeguard Policy

It can be seen from the description above that, theoretically, most DFIs have relevant policies working towards minimising harmful project impacts. However, there are various implementation challenges.

It has been found that despite the safeguards policies, the involvement of local stakeholders has been wanting. For instance, as mentioned in the report by IDB on 'Approaches to the Assessment and Implementation of Sustainable Infrastructure Projects in Latin America and the Caribbean', the Bank, has stated that despite developing several tools and approaches on environmental and social policies to attain sustainability, it had faced critical challenges in order to plan, build and operate more sustainable infrastructure. These challenges include the need to integrate local people effectively, engage stakeholders successfully, collaborate across sectors and understand the economic and financial costs and benefits of the project. Not being able to integrate local people in decision-making resulted in externalities.⁵¹ In terms of achieving 'free, prior and informed consent' too, the DFIs seem to be lacking in attention. Only the WB's private sector arm, the International Finance Corporation (IFC), currently has such a requirement for certain situations. There have only been a handful of cases where this FPIC

policy was triggered, and in Oxfam's recent assessment of such a case in Kenya, it was found that FPIC has still not been successfully achieved.⁵² The WB's new ESF has also adopted the language of "consent" but defines consent problematically.⁵³ It will be important to learn lessons from how this new policy is implemented in practice.

Many cases have been reported across the DFIs where the local communities have faced challenges that had not been addressed despite their approaching the implementing agencies. Numerous cases have been brought to the DFI's accountability mechanisms where safeguards failures have been identified and in many instances, addressed. The NGO Forum on the ADB has reported that many of its projects have disregarded human rights and have adopted an authoritarian approach in dealing with the grievances being raised.⁵⁴ Similar reports have come for WB financed projects too, where the communities had faced reprisals from the governments and the private sector firms.⁵⁵ The AfDB's assessment of its involuntary resettlement policy also mentioned that low priority was given to livelihood restoration and resettlement programs for the projects financed by it.⁵⁶

Most of these challenges can be attributed to the lack of proper monitoring and evaluation mechanisms and the lack of capacity building at country level governments, private sector clients, bank staff and/or implementing agencies vis-à-vis the DFI's safeguards policies and its implementation.

The AfDB in its assessments of its involuntary resettlement policy, found the mentioned reason to be responsible for the lack of the policy effectiveness.⁵⁷ This has been a challenge for a national development bank like the BNDES. In its' Rio Madeira and Belo Monte dam projects it can be seen that the lack of supervision and enforcement of existing safeguards and incapacity to correct and remedy possible violations resulted in gross human rights violations.⁵⁸

Environmental and social safeguards being one of the key policies in the development finance domain needs extra attention and face multiple and sometimes project specific challenges during the course of its implementation.

2.1.4 Emerging Recommendations for the NDB

i) Clearly defined overarching policy: As can be seen from the narrative above, most DFIs have their own safeguards which help in undertaking both social and environmental impact analysis of their respective development projects. Having an umbrella policy for safeguards would help in ensuring that certain benchmarks are adhered to. The NDB currently has an interim Environmental and Social Framework, that has extended these these safeguards to all NDB financed projects. Therefore, it would be useful for the NDB to learn from the challenges faced by the DFIs on country-level applicability and clearly define the principles of country-level applicability of its safeguards.

52 Oxfam, November 2017

53 Brettonwoods Project, September, 2016

54 Eduardo C. Tadem, July 2017

55 Human Rights Watch, 2015

56 AfDB, 2015, The African Development Bank's involuntary resettlement policy: Review of implementation, 2015. Pg 29

57 The African Development Bank's involuntary resettlement policy: Review of implementation, 2015. Pg 29

58 Widmer,R (2012)

50 Ulu, Foundation, 2015

51 Watkins, G., December 2014

ii) Setting up of clear frameworks

for country systems: Most DFIs consider a country systems approach for its policies, including the NDB, which mentions that it relies on ‘country and corporate systems’ for the management of these safeguards.⁵⁹ Effective development relies on responsible country ownership that is accountable, transparent and empowering of all citizens. Country systems, or Borrower Frameworks, through the use and development of a government’s own domestic environmental and social safeguard mechanisms, should be a vehicle towards this end. However, the NDB should be clear to ensure that the objectives of country ownership do not inadvertently override the protection of people and the environment. As such there should be a clear and transparent methodology for assessing when country systems are adequate to use and when they are used, the NDB should ensure adequate supervision and accountability of environmental and social outcomes.⁶⁰

While the approach is useful as each country possess a unique political and economic background, it can be seen from the implementation gaps that the implementation of the safeguards tend to get weaker at the ground level. Setting up benchmarks would help in acting as monitoring tools and help in minimising the adverse impacts of NDB financed projects.

iii) Clearly defined monitoring

framework: One of the major responsibilities of any financial institution is to monitor the implementation of projects to ensure that necessary safeguards are being followed. Environmental and social impact assessments also act as inputs to the monitoring framework and the process of due-diligence. Currently, there are no standard methods to monitor and evaluate the safeguards policy

principles in DFI projects. It would be useful for the NDB to incorporate a consistent and sustainable monitoring and due diligence framework throughout the life-cycle of the project, including proper disclosure of the assessments, evaluations, enquiries, etc. Allocation of resources for building capacity as well as undertaking the process, would be a sustainable way forward.

iv) Participatory approach towards

communities: Moreover, from the constructs of the safeguards policies of DFIs, it could be learned that participation and support of community or consultations play a critical role in the beginning as well as during the project lifecycle. Therefore, the NDB could consider developing an inclusive approach of consulting potentially affected communities and building an environment of trust in order to achieve its development goals.

59 New Development Bank, 2017, Environment and Social Framework, Pg 6.

60 Oxfam 2015, Adapted from Oxfam’s comments on WB ESF draft March 2015 (sic)

2.2 APPROACH TO CIVIL SOCIETY ENGAGEMENT

Civil society organizations (CSOs) are considered to be associations of large groups of citizens that stand together to provide benefits and services to specific groups within society. It includes voluntary

collective activities undertaken by the public to advocate for a cause. The relevance of having CSOs or citizen engagement at the level of multilateral development banks is to have a better understanding of the implications of projects on wider society.

CSOs include nongovernment organizations (NGOs), professional associations, foundations, independent research institutes, community-based organizations (CBOs), faith-based organizations, peoples' organizations, social movements, and labour unions.⁶¹ Government organizations and related parties are usually excluded.

2.2.1. Matrix: DFIs and CSO engagement – Rationale and Overview.

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin-American Development Bank	BNDES
I. List of the Policies, Strategies and Frameworks for Civil Society Engagement					
<p>WB has a Strategic Framework for Mainstreaming Citizen Engagement.⁶²</p> <p>This Framework intends to support a two-way interaction between citizens and governments or private sector within the scope of WB interventions.⁶³</p> <p>The new ESF also includes a standard requiring stakeholder consultations during the course of bank financed projects.</p>	<p>AfDB has a Framework for Enhanced Engagement (FEE) with CSOs.⁶⁴</p> <p>The framework aims to improve its interface and collaboration with CSOs by strengthening participation and partnership mechanisms.⁶⁵</p> <p>Inputs received directly from AfDB mention that since 2016 AfDB is reinvigorating its effort to engage civil society and to update the CSO Framework with the High 5 priorities – Light-up and Power Africa; Feed Africa; Integrate Africa; Industrialize Africa; and Improve the Quality of Life for the People of Africa.</p> <p>They further state that the updates to the CSO Framework and AfDB Civil Society Engagement Action Plan have been developed and will be adopted by end of 2017.</p>	<p>ADB has a Policy on Cooperation between ADB and Nongovernment Organizations.⁶⁶</p> <p>ADB also has a CSO Sourcebook: A Staff Guide to Cooperation with Civil Society Organizations.⁶⁷</p> <p>Numerous other ADB policies require engagement with civil society in ADB funded activities.⁶⁸</p> <p>ADB has a 'public communication policy' that provides information to facilitate greater engagement of affected people in the early stages of project planning and preparation.⁶⁹</p>	<p>IDB has a Strategy for promoting citizen participation in Bank Activities which is being updated in 2017.⁷⁰</p> <p>IDB has a CSO network known as Civil Society Consultative Groups (ConSoC) in each of 26 member countries.⁷¹</p> <p>IDB has its own program namely, "Civil Society -Institutional Capacity" to add human capital and train CSOs.</p>	<p>CAF has a management framework for its GEF projects.</p> <p>Any policy or framework for its non-GEF projects is not available in the public domain.</p> <p>The GEF framework takes up the Guidelines for CAF's 'public participation policy' as a basis for its application.⁷²</p>	<p>BNDES does not have any dedicated policy for civil society engagement.</p> <p>However, it has a BNDES-Civil Society Dialogue Forum that was set up to discuss issues of concern with civil society organizations.⁷³</p>

61 ADB (2009). Civil Society Organization Sourcebook. Pg.81

62 World Bank, 2013, Strategic Framework for Mainstreaming Citizen Engagement in World Bank Group Operations

63 World Bank, Citizen Engagement.

64 AfDB, (July 2012). Framework for Enhanced Engagement with Civil Society Organizations. Pg. 33

65 AfDB, March 2012, The Civil Society Engagement Framework

66 ADB, 2004, Cooperation Between ASIAN DEVELOPMENT BANK and NONGOVERNMENT ORGANIZATIONS

67 ADB 2008, CSO Source Book

68 For example, ADB's Governance Policy (1995) states that improving governance includes expansion of cooperation with NGOs. Promoting participation by public, private, community, and NGO stakeholders is a key element of ADB's Water Policy (2001). ADB's Environment Policy (2002) requires, in the case of Category A and B projects, that the borrower consult with groups affected by the proposed project as well as local NGOs. Finally, ADB's Country Partnership Strategy (CPS) Guidelines (2006) state that CSOs are to be consulted at various stages of CPS preparation.

69 ADB.org. Civil Society Participation

70 IDB 2004, Strategy Strategy For Promoting Citizen Participation In Bank Activities

71 IDB.org. Civil Society

72 CAF.com, CAF-GEF projects

73 Borges, C. (2014). Pg. 110

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin-American Development Bank	BNDES
II. Overview of the Approach					
<p>WB's civil society engagement approach is based on the principles of engagement and information sharing during the project lifecycle.</p> <p>CSOs are engaged on policies, country strategies and at the operations level.⁷⁴</p> <p>WB is implementing a new commitment to obtain beneficiary feedback on all WBG projects that have clearly identified beneficiaries.⁷⁵</p> <p>WB country offices have Civil Society Focal Points responsible for engaging CSOs and there is also a civil society team at the headquarters level.</p> <p>WB includes CSOs in some of its advisory councils and also has a few facilities to fund CSOs, including the Global Partnership for Social Accountability (GPSA) created in 2012 to fund CSOs on issues related to transparency and accountability.⁷⁶</p>	<p>AfDB's FEE is meant to achieve a triple focus of outreach, dialogue and partnerships with the CSOs.</p> <p>The FEE has provisions to build staff capacity and provide operational guidance to interact with the CSOs, including at the policy, country and operations levels.</p>	<p>ADB's policy promotes the participation of CSOs at project level, directly through ADB's loan, grant and technical assistance in respective areas and sectors CSOs throughout ADB's project cycle.⁷⁷ It also promotes engagement with CSOs at the policy level and country strategy levels.</p> <p>As per ADB's Strategy 2020, its partnership with CSOs would become more central to the planning, financing and implementation of ADB operations.⁷⁸</p> <p>ADB has a NGO Civil Society Centre and Inter-departmental network of NGOs/CSOs⁷⁹ with the aim to keep the civil society engaged in bank procedures and projects.</p>	<p>IDB's strategy includes citizen participation in the development of policies, country strategies and operations.</p> <p>It uses the platform on ConSoc to implement these consultations.⁸⁰</p> <p>IDB started working with CSOs in 1994, and incorporated CSOs in main-stream of its lending to governments in 1995-96. It further held series of consultation meetings with CSOs on national development agendas.⁸¹</p> <p>Additionally, the program "Civil Society Building Knowledge" is aimed at achieving shared value through webinars and thematic approach addressed to civil society that encourages different organizations to contribute to IDB's work.</p>	<p>There is no well-defined policy document available for CAF's strategy in citizen or CSO engagement in the public domain.</p> <p>CAF mostly adopts the GEF guidelines for CSO engagement for its CAF-GEF projects.</p> <p>These guidelines repeatedly mention the need for CAF to define consultation for the stakeholders throughout the project lifecycle.</p> <p>However, there are several programmes and initiatives being undertaken to build capacity of governments and civil society leaders in participating in financial, economic, political and social decisions vis-à-vis policies.⁸²</p>	<p>BNDES does not have a clearly defined policy for public and civil society engagement.</p> <p>However, it has been seen that BNDES does provide updates to CSOs on its activities through channels like press releases, when the information is sought.⁸³ This could largely be due to the Brazilian National Law on the Access to Information.⁸⁴</p> <p>There is also a mention of civil society with respect to public governance practices and the involvement of civil society as part of the advisory board to approve, examine and counsel in BNDES' operations.</p>

74 World Bank- Civil Society Engagement: Review of Fiscal Years 2002-2004

75 World Bank, Strategic Framework For Mainstreaming Citizen Engagement In World Bank Group Operations

76 Ibid.

77 ADB. Civil Society Organization Sourcebook. Pg 81.

78 Ibid.

79 ADB.org. Overview

80 IDB.org, ConSoc, Civil Society Consultative Groups

81 United Nations Research Institute for Social Development , 2000, 194 p

82 ICRIER – Oxfam Report, 2014

83 BNDES.gov.br, Corporate Governance

84 Details in the Access to Information Chapter of this paper

The matrix has listed the different policies, programs, or guidelines of different DFIs that include civil society engagement as an important operational approach. It is worth noting that many of these institutions follow a comprehensive strategy that mainstreams citizen engagement in their operations (for example WB and AfDB) and also have specific policies requiring consultation. On the other hand, BNDES and CAF have no exclusive policy for CSO engagement, though its importance may be referenced in other documents.

2.2.2. Emerging Key Principles for DFIs Policies on Civil Society Engagement

DFIs can adopt a consultative and collaborative approach with CSOs can help improve development outcomes and prevent negative impacts of projects financed by them. This can be done in many ways, such as by sharing timely and relevant information about projects with the public (i.e. by promoting transparency), by having operational collaboration and institutional partnerships, strategy consultation, policy dialogues etc.

i) Transparency: Disclosure of information is essential for DFIs to ensure that communities have the necessary information they need to engage effectively. The WB, ADB, IDB and AfDB all have policies to share information with relevant stakeholders beginning from the initial stages of the project itself. As BNDES follows the Brazilian national law, it has also started sharing project information with the passing of the new access to information law, including for projects funded abroad.⁸⁵

The CAF, on the other hand, does not have a dedicated policy. Guidelines

⁸⁵ BNDES.gov.br, Consultation on project financing

EXAMPLE OF PROVIDING TIMELY AND RELEVANT INFORMATION TO STAKEHOLDERS⁸⁸

The World Bank piloted an external implementation status report (E-ISR+) in 8 countries in Africa (Burkina Faso, the Republic of the Congo, the Democratic Republic of the Congo, Ghana, Kenya, Nigeria, Sierra Leone, and Zambia) in Africa to obtain feedback from stakeholders on project progress and results, and systematically incorporate the feedback into implementation reporting.

- Stakeholders expressed awareness and understanding of project objectives, although in some cases awareness of project objectives was low. Levels of satisfaction among stakeholders on the quality of consultations before and during project implementation varied.
- Stakeholders identified obstacles to project implementation, such as delays in fund disbursement; lack of clear communication among project managers, government, and beneficiaries; and lack of understanding by community leaders of the potential negative impacts of projects.
- CSOs build capacity in finding and analysing information as well as the technical aspects of monitoring and evaluation of projects. To scale up citizen-led monitoring approaches such as E-ISR+, the capacity of civil society and the pool of civil society players that have the technical capacity to carry out monitoring and evaluation of projects need to be increased.

are however available for CAF's GEF projects for sharing information with the external stakeholders including project progress, project assessments, etc. These guidelines repeatedly mention the need for the bank to maintain transparency in flow of information to be shared with internal as well as external stakeholders.

ii) Operational Collaborations and Institutional Partnerships: Over the years, operational collaboration with CSOs has become an increasingly important feature of DFI-financed activities.

This has come through research, project delivery, participation in advisory bodies, and capacity building among others. The WB, AfDB, ADB and IDB have all been working regularly in collaboration with CSOs and encourage institutional partnerships. This collaboration is majorly motivated by the policy commitment of these DFIs towards enhancing accountability and an understanding of the knowledge and access that CSOs can offer. One example of collaboration was in the aftermath of the December

2004 tsunami that hit 11 countries in Asia and Africa. In Indonesia, the WB joined forces with 15 donors to set up a \$525 million 'Multi-Donor Trust Fund' that was managed by two CSO representatives, donor agencies, and the Indonesian Government.⁸⁶

As part of its 'Project Management for Results' framework, the IDB has a training programme for CSOs to build their capacities in providing structured inputs for IDB-financed projects.⁸⁷ The bank also offers scholarships to CSOs to participate in this programme. The initiative aims to make CSOs more informed and build their capacities as watch-dogs to assess impacts of development projects.

iii) Policy Dialogue: All DFIs have institutional policies which guide their governance and operations. These include policies related to accountability, transparency, procurement, social and

⁸⁶ IBRD, World Bank (2006)

⁸⁷ The forum is known as Civil Society Consultative Group (ConSoc) of IDB (<http://www.iadb.org/en/civil-society-v3/con-soc,19505.html>)

⁸⁸ Excerpt taken from Accessibility And Effectiveness Of Donor Disclosure Policies When Disclosure Clouds Transparency, Working Paper 85, Brookings Institution, May 2015

environmental safeguards, etc. These policies are updated to reflect internal or external changes. DFIs have often engaged CSOs extensively in these policy reviews and updates. For example, the WB's new environmental and social framework (ESF) underwent a very extensive consultation (the most extensive considered by the WB) from various stakeholders including CSOs.⁸⁹ The revised Safeguard Policy Statement (2009) of the ADB was also developed through a similar comprehensive exercise of stakeholder consultations. As another example, the AfDB revised its' Disclosure and Access to Information Policy (2012) and (as mentioned in the policy) held broad-based consultations internally within the AfDB Bank Group and externally with key stakeholders, including the Regional Member Countries, the Regional Economic Communities, the private sector, development partners and civil society. While these consultations are rarely, if ever, perfect, they are predictable and transparent opportunities for CSOs to shape policies that impact them and the communities they are close to in a very real way.

iv) Strategy Consultation:

Engaging in strategy consultations with CSOs is a key component of an effective development process. Hearing from civil society at this "upstream" stage – before individual projects are identified – is absolutely critical not only for understanding the needs of the country and poor communities in particular, but also for helping in early prevention and adopting mitigating strategies for any social or environmental risks associated with the banks' operations. This is of particular importance in sectors or countries where social

tensions exist, and especially where land rights are concerned.

The WB, ADB, IDB and AfDB practice strategy consultations as one of the tools to engage with CSOs for better implementation of development projects.

v) Project-level consultation: Many of the DFIs have requirements for project-affected communities to be consulted, particularly in higher risk projects, where communities may be involuntarily resettled. This is done to ensure that projects are actually benefitting the intended communities and that risks are managed appropriately. While upstream consultation is ideal, consulting at the project level is crucial. In cases where indigenous communities are involved, some institutions, like the World Bank, go beyond consultation and require that the *free, prior and informed consent* of communities is obtained in certain circumstances, a right which is actually enshrined in international law.⁹⁰

2.2.3. Policy Shortcomings and Implementation Gaps of Engagement with CSOs

Despite the existence of relatively strong policies and norms on civil society participation, there are certain limitations to how this is implemented in practice. For instance, even though the WB made extensive efforts to consult with civil society on its ESF review over multiple years, there were still several limitations, such as short notice periods to provide inputs; lack of clarity on who was invited to participate in consultations; and a feeling that the process was for show rather than genuinely taking comments into account at times. This limits the involvement of an inclusive

CSO group that is well prepared with informed inputs.⁹¹

A recent study considered the ADB's process of identification of civil society actors and political opportunities provided to them to influence the Bank's policies and project decisions to be shallow (Uhlin, 2016). It further stated that there have been some concerns on the categorization of 'useful' civil society groups or NGOs, in that it limits participation to those who are less critical or relatively uninformed. It had been observed that though there was access to ADB's NGO Forums, the inclusion of NGOs and their suggestions in policy advocacy and review had been limited to select CSOs.

Additionally, it has been observed that even though such policies provide space and opportunity, they are lacking in political purpose as they are poorly institutionalized i.e. they are limited by staff and resource availability. The dependency on the government to identify and suggest NGOs also limit the depth of the engagement at times as the inherent biases between the State and certain civil society groups or NGOs are a popular phenomenon in regions like South Asia for example.⁹²

2.2.4. Emerging Recommendations for the NDB

i) Involving CSOs in consultations:

The NDB could strive to include CSOs in their consultation process in policies, strategies and throughout the project lifecycle. From the lessons learned by the WB in mainstreaming its citizen engagement, it has stressed that citizen engagement helps in bettering development

89 worldbank.org, World Bank Board Approves New Environmental and Social Framework, August 2016

90 ILO convention 169

91 Brettonwoods Project, 2016, World Bank Safeguard Review

92 Uhlin Anders, 2016

EXAMPLE OF FORMALIZED SPACES FOR CIVIL SOCIETY: WORLD BANK/IMF CIVIL SOCIETY POLICY FORUM⁹³

The World Bank and the IMF hold delegate meetings every Spring and Fall. Since at least 2005, the institutions have invited civil society organizations to participate in the events surrounding the formal meetings, and they host a parallel Civil Society Policy Forum where CSOs can dialogue and exchange views with one another, with World Bank Group and IMF staff, government delegations, and other stakeholders on a wide range of topics relevant to the work of the Bank and Fund. As an example, the October 2017 program included an orientation session on the World Bank Group; a roundtable discussion with World Bank Group Executive Directors; and about 40, mainly CSO-organized, policy dialogue sessions that reflect the diversity of CSO policy concerns.

As there is always room for improvement, there are regular discussions between the WB/IMF and CSOs on how to improve this Forum to make it an inclusive and useful space for civil society.

results and in bridging the gap⁹³ by ensuring transparency and social accountability.⁹⁴

The NDB could encourage CSO engagement platforms like the ADB and IDB - which has the ConSoc program acting as a platform for consultation and collaboration between the bank and CSOs⁹⁵ - to ensure structured and informed inputs. The ADB's policy for civil society engagement encompasses CSO consultations even while designing policies and country strategies, a framework the

NDB could also consider developing to involve CSOs in policy discourse. It could also consider developing open procedures and decision-making processes for direct participation of individuals, communities and CSOs from regions where the NDB is operating.

ii) Forming an inclusive network of CSOs: Additionally, it would be useful for the NDB to have an inclusive network of CSOs. The NDB should ensure it is reaching not just the well-known, big, internationally connected

NGOs, but importantly the grassroots NGOs with close ties to communities, NGOs representing women's rights, rights of persons with disabilities, indigenous peoples and other marginalized groups.

iii) Creating spaces for CSOs to engage with Bank officials: Many of the DFIs have annual forums through which CSOs have their own space to organize events, meet with delegates and bank officials and build their own capacity to engage the DFIs and their governments effectively. The BNDES has a 'Civil Society Dialogue Forum' that was set up to discuss issues of concern with CSOs. Such policy dialogue forums among members of different sectors helps in facilitating the exchange of experiences, innovative practices, and lessons learned. Meanwhile, the WB has the civil society policy forum which runs parallel to the WB and International Monetary Fund (IMF) Annual and Spring meetings. The NDB could also provide a dedicated space for civil society to participate in its annual meetings.

93 worldbank.org, Civil Society Policy Forum, 2017

94 World Bank, Strategic Framework For Mainstreaming Citizen Engagement In World Bank Group Operations

95 IDB.org, ConSoc, IDB

2.3 GENDER MAINSTREAMING

Gender mainstreaming was established as a major global strategy

in 1995 when governments across the world signed the Beijing Platform for Action that committed to achieve ‘gender equality’ and empowerment of women. In order to achieve this

ambitious goal, all international financial institutions have provided a vast range of support to governments and civil societies.⁹⁶

2.3.1. Matrix: Gender Mainstreaming Policies in DFIs – Rationale and Overview.

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
I. Listed policies, Strategies and Frameworks for Gender Mainstreaming					
<p>World Bank has a gender strategy approved in 2015.</p> <p>World Bank has OP 4.20-Gender and Development policy last updated in 2015.⁹⁷</p> <p>Several Bank policies include reference to how WB staff are to integrate attention to gender issues, (or to specific groups of women or men) in their work: 1) OP/BP 4.20 on gender and development; 2) OP 2.30 on development cooperation and conflict; 3) OP/BP 4.10 on indigenous peoples; 4) OP/BP 4.12 on involuntary resettlement; and 5) OP/BP 4.36 on forest.</p>	<p>AfDB has a Gender Policy, 2001.</p> <p>AfDB has a Gender Strategy for 2014–2018.⁹⁸</p>	<p>ADB has a Policy on Gender and Development, 2003.⁹⁹</p> <p>ADB also has a Gender Equality and Women’s Empowerment Operational Plan, 2013 - 2020.¹⁰⁰</p> <p>For the purpose of categorising gender in their projects, ADB has Guidelines for Gender Mainstreaming Categories of ADB Projects.¹⁰¹</p>	<p>IDB has an Operational Policy on Gender Equality in Development (2010) which replaced Operating Policy on Women in Development (WID).</p> <p>IDB has also translated the policy into Gender Action Plan for Operations (GAP) every three years (2011-2013, and 2014-2016, and 2017-2019 is forthcoming).</p> <p>The IDB approved its first Gender and Diversity Sector Framework Document (SFD) in 2015.¹⁰²</p> <p>IDB also has its Public Consultation Plan¹⁰³ that mentions the need for gender mainstreaming in its consultations.</p>	<p>CAF does not have a dedicated policy on Gender equality.</p> <p>However, under its CAF-GEF projects, it has guidelines on Gender Equity.¹⁰⁴</p>	<p>BNDES has a Gender Equity and Valorization of Diversity Policy.¹⁰⁵</p>

96 Moser, A & Moser C. (2005).

97 World Bank 2012, OP 4.20

98 AfDB, 2014, Investing in Gender Equality for Africa’s Transformation

99 ADB 2003, Policy on Gender and Development

100 ADB 2013, Gender Equality and Women’s Empowerment Operational Plan, 2013–2020

101 ADB 2012, Guidelines for Gender Mainstreaming Categories of ADB

102 IDB 2015, Gender And Diversity Sector Framework Document

103 IDB (November 2010). Operational Policy on Gender Equality in Development, Pg. 12

104 CAF.com, Access to Information

105 BNDES, Gender Equity and Valorization of Diversity Policy of

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
II. Overview of the Approach					
<p>Gender Strategy of WB 2015, represents its modernized approach to supporting the reduction of gender inequalities. It focuses on three areas: human endowments; economic opportunities, and voice and agency.</p> <p>The strategy highlights the importance of gender analysis, disaggregated data and country-level planning.¹⁰⁶</p> <p>The Gender and development policy aims to create country level, strategic approach to mainstreaming gender issues in WB operations that requires the WB to prepare Country Gender Assessments (CGA) for all borrowers and to reflect CGA findings in Country Partnership Frameworks (country strategies). Where gender responsive interventions have been identified , those considerations should be translated into relevant operations.</p>	<p>AfDB's Gender Strategy is considered as a milestone for AfDB.</p> <p>Strategy seeks to revitalise the policy principles set out in AfDB's Gender Policy (2001), by realigning the AfDB's approach to gender equality to the specific needs of regional member countries, to best support Africa's transformation agenda.</p> <p>It envisages that with time, the strategy will set the framework for a comprehensive gender inclusive plan and work programme for AfDB.</p> <p>The policy is rooted in the rationale that there is a need to mainstream gender through gender sensitive and gender responsive programming and interventions to sustain its growth and meeting development goals.</p>	<p>ADB's gender policy promotes the need for gender sensitivity, analysis, planning, mainstreaming and agenda setting.¹⁰⁷</p> <p>The ADB aims to mainstream gender considerations in its macroeconomic and sector work, including policy dialogue, lending, and technical assistance operations.</p> <p>ADB's gender policy aims to instil gender mainstreaming at the country level as well by including mainstreaming in Country Partnership Strategies.¹⁰⁸</p> <p>ADB's Regional and Sustainable Development Department is responsible to assist, monitor and implement the gender policy in ADB's activities.</p>	<p>The objective of IDB's gender policy is to strengthen IDB's response to the goals and commitments of its member countries to promote gender equality and the empowerment of women.¹⁰⁹</p> <p>The idea is to emphasize on gender mainstreaming and direct investment in strategic areas for gender equality and women empowerment in all of IDB's operations.</p>	<p>CAF-GEF guidelines promote the inclusion of gender equity in CAF-GEF projects as this forms the part of its CAF-GEF project management approach.¹¹⁰</p> <p>However, there is no clearly defined policy of CAF for gender, available in the public domain.</p> <p>It is unclear that these guidelines mandate CAF to include gender equality parameters in all its projects, except those under the CAF-GEF category.</p>	<p>BNDES policy on Gender Equity and Valorization of diversity incorporates chapters on provisions, principles, guidelines and the Governance.¹¹¹</p> <p>The principles consist of various components like Commitment for understanding socio-cultural factors, Transparency and accountability towards society, Communication through channels for complaints, Alignment with public policy, Encouraging projects to contribute to gender equality and Promoting training and development of staff on gender related issues.¹¹²</p>

106 World Bank Group, Gender Strategy

107 ADB 2003, Gender and Development Policy

108 *ibid*, Pg 16, Point 24

109 IDB, Operational Policy on Gender Equality in Development

110 CAF-GEF safeguards guideline 2015, Chapter XIII

111 BNDES.gov.br, Gender Equity and Valorization of Diversity Policy

112 *ibid*

2.3.2. Emerging Key Principles from DFIs' policies on Gender Mainstreaming

The policies and strategies mentioned in the matrix above, demonstrates the re-aligned focus of the DFIs towards gender mainstreaming. The below key principles could be derived:

i) Gender Mainstreaming Operational Framework/Strategy:

While the DFIs have gender mainstreaming policies, they also have subsequent operational plans that help in implementing and thereby upholding the tenets of their policy. The WB and ADB have operational policies on gender equality and development. These policies are aimed at strengthening the banks' response towards the goals and commitments of their member countries. The IDB's Gender and Diversity Sector Framework Document (2015),¹¹³ is meant to establish the operational and analytical priorities based on a diagnostic of existing development challenges in the Latin American region and the current evidence on how to best address these challenges. The BNDES also follows a formal policy on gender with the aim of reducing inequalities at the regional level. The AfDB has a Gender Strategy (2014-2018)¹¹⁴ that recognizes the reduction of gender inequalities and acknowledges the criticality of realising its bank group strategy for 2013–2022.

Many of these operational strategy/plans are updated on a periodic basis, with the aim of keeping the gender policy relevant and in line with the current evidence. One of

the key features of these operational frameworks/strategies/plans is the inclusion of gender mainstreaming at the country level plans and the respective projects. This aspect forms the first point of focus of AfDB's gender strategy for 2014-2018. The WB's gender strategy too proposes elevating gender equality throughout its development agenda including country level engagements.

ii) Incorporating Gender Mainstreaming as a safeguard:

Gender policies require robust mandates to implement their initiatives. An ideal gender policy mandate would be the one that applies to all DFI lending operations without exception and include an enforceable gender safeguard that holds DFI projects accountable for their potentially negative gender impacts. Most of the DFIs' policy statements and strategies have striven to integrate gender across their operations. IDB's gender policy also includes gender in its environmental and social safeguards.¹¹⁵ The IDB's, WB and ADB too have the goal of gender mainstreaming across their banking operations. In its SPS Policy, the ADB recognised that "gender considerations need to be reflected also in the safeguard policies where these are specifically related to safeguard aspects".¹¹⁶ BNDES does not directly refer to including gender in its safeguards, but its gender policy does mention the gender policy operational plan to be "submitted for consideration of the social and environmental sustainability and, regarding personnel management, the Human Resources Management Committee".¹¹⁷

Most of the DFIs apart from IDB, include gender equality as one of the goals to be achieved in DFI-financed projects, rather than a specific safeguard consideration to ensure no harm. The specific and deliberate inclusion of 'gender' as a social safeguard would act as an effective instrument to promote gender-equal economic empowerment, and address existing gender gaps.

iii) Gender Analysis: Understanding the constraints to gender equality in a particular country or sector is just one side of the issue. Another side to this, is understanding the gender-related impacts of bank operations. As mentioned in CEE Bankwatch Network's report on Gender and IFIs: A guide for civil society,¹¹⁸ the aim of having gender analyses is to formulate development interventions that are meant to meet both women's and men's needs and constraints. The WB and IDB conducts gender analysis at the country strategy level. Meanwhile, the ADB and AfDB also undertake gender analysis as a tool to address gender issues in its projects. This would also help in gathering relevant data pertaining to the indicators and would help in developing result-based solutions towards mainstreaming gender.

iv) Monitoring and Evaluation

Indicators: Monitoring and Evaluation are broadly viewed as a function of project management that is useful for validating ex-ante analysis or for influencing adjustments to project implementation. To effectively mainstream gender, a robust monitoring framework is required to ensure gender goals are clearly realised by DFIs. The 'Guidelines for Gender Mainstreaming Categories of ADB Projects' provides some guidelines for designing gender inclusive projects. Further, it

113 An updated version of the SFD will be approved by the IDB Board of Executive Directors on October 12, 2017 (As reported by IDB's communications team in the review of this paper)

114 AfDB 2014, Gender Strategy (2014-2018), Pg. 5

115 IDB, 2010 Operational Policy on Gender Equality In Development, Pg. 7 Point 5.4

116 ADB 2009, Safeguards Policy Statements, Pg. 9, Point 29

117 BNDES.gov.br, Gender Equity and Valorization of Diversity Policy

118 Ibid Kochladze, M & Gallop, P (July, 2011)

also defines a a four-tier gender mainstreaming category system for ADB projects, with matching criteria in which every ADB project is categorized for gender mainstreaming. The system is meant to measure the extent to which gender designs are integrated into projects.¹¹⁹ The AfDB's gender strategy mentions that the project implementation would be monitored through its sex – disaggregated indicators through AfDB's regular Results Monitoring Framework.¹²⁰ Similar approach has been listed in IDB's gender mainstreaming policies and strategies. IDB's gender action plan 2014-2016 included a results matrix with specific indicators and targets associated with gender mainstreaming in lending operations and country strategies, direct investments in gender equality, among others. The progress of these measures are reported in a three year progress report; the most recent report for the 2014-2016 period was approved by the IDB Board of Executive Directors in May 2017.¹²¹ The IDB is currently in the process of approval of the new GAP, (2017-2019) that also includes indicators.

v) Capacity building of Staff:

Since most gender concerns would manifest themselves in DFI operations or project implementation, it is essential for the project staff to be well equipped to handle them. Additionally, it is essential to build the capacity of bank personnel vis-à-vis gender mainstreaming to ensure that gender principles are incorporated from the initial stages of strategies and operations. The WB, AfDB, ADB, IDB and BNDES have gender action plans that are aimed to implement the gender mainstreaming strategy of the

respective banks. These action plans contain staff training as an essential part of the strategic integration of gender issues into operations. A 2013 report by Gender Action titled 'How Do IFI Gender Policies Stack Up?' states that "The IDB's Operational Gender Policy uniquely incorporates broad initiatives that proactively encourage gender integration and capacity building across sectors. The IDB incentivizes staff gender capacity building by integrating staff contributions to gender equality into annual performance reviews."¹²²

In extension to building of capacity of the staff, the DFIs could build capacity by getting on board gender experts to develop their in-house expertise. This would ensure that the gender analyses are robust and takes into account the development goals of the banks and the projects, respectively. The WB's previous Gender Mainstreaming Strategy (2001) states that "regions will provide in-house technical expertise in gender and development to assist staff in gender analysis and strategic operational mainstreaming, especially during the initial years of implementation"¹²³. A similar approach is taken by the ADB, AfDB and IDB.

2.3.3. Policy Shortcomings and Implementation gaps towards achieving Gender Mainstreaming

While multiple banks have policies regarding gender mainstreaming, they are subject to limitations and challenges during implementation. Among the shortcoming of DFIs' gender policies is the absence of monitoring the progress made. A study on development evaluation, states that the presence of gender action plans or strategies in the DFIs

do not ensure gender mainstreaming as the project performance reports that track the implementation, have no specific section for gender-specific indicators.¹²⁴ This also aggravates the issue of lack of available data vis-à-vis gender indicators, where the data availability is already sporadic. This suggests that special attention should be paid to sex-disaggregated data collection.

Further there is also a lack of integration of gender mainstreaming issues with results-based management frameworks of the DFIs, as gender action plans are parallel documents to project-based result management systems¹²⁵. For instance the WB adopts a results framework approach for monitoring and evaluating its projects that is also applicable to its gender policy and projects. However, it has been reported that, despite the presence of these frameworks, the Bank had been unable to achieve its gender-related objectives due to the inadequacies in implementation and not developing clear statements of expected results (including targets and indicators) at output and outcome levels.¹²⁶ Similar reasons were found for inadequacies in AfDB's implementation of gender mainstreaming.¹²⁷

DFIs have also been found wanting to effectively include gender as one of the safeguards. The WB, for example, recently approved a new Environmental and Social Framework, which outlines ten Environmental and Social Standards (safeguards). Even though the framework's vision emphasises on the WB's approach to uphold human rights, gender and/or women's issues are referenced in just five of the standards. Of these,

119 ADB Flyer, ADB is Committed to Gender Equality and Women's Empowerment

120 AfDB's Gender Strategy (2014-2018) Pg. 4

121 IDB 2015, Annual Progress Report on the Implementation of the Gender Action Plan 2014-2016

122 Gender Action, 2013

123 WB's Gender Strategy, 2002. Executive Summary

124 Michael Bamberger, Jos Vaessen, Estelle Raimondo, 2015

125 *ibid*

126 Henrich Boll Stiftung, 2013

127 AfDB, 2014, eVALUatiON Matters-Gender Inequality and You. Pg 16

the strongest protections for women appear in ESS5, Land Acquisition, Restrictions on Land Use and Involuntary Resettlement. Across the other four standards, however, attention to “women” is for the most part a subset within a category of “vulnerable groups,” often appearing in a footnote.¹²⁸ The ADB too has just acknowledged the need for gender to be a safeguard, but has not included it in the SPS.¹²⁹ Issues not explicitly raised through safeguards policies are not assured the same level of attention and due diligence.¹³⁰ Similar acknowledgement can be seen in the case of the AfDB, as it’s Operational Safeguards require clients to consider gender and vulnerability issues as part of the process of identifying, assessing, and managing potential environmental and social risks.¹³¹ But these acknowledgements do not ensure the incorporation of gender in the DFIs’ results framework.

Additionally, there is a need for undertaking gender analysis and gender impact assessment for the DFI funded projects. There are no specific mandates for the DFIs to undertake gender impact assessments in line with environmental and social impact assessment, even though gender is a social issue. This becomes even more essential in case of big infrastructure projects that stand to have a huge impact on the local communities including women.

2.3.4. Emerging Recommendations for the NDB

Comprehensive gender policy including guidelines for inclusion of gender indicators in project implementation and monitoring:

Currently, the NDB does not have a gender policy. In its current understanding, the NDB associates gender mainstreaming as having more female personnel in the Bank staff.¹³² The NDB’s ‘Diversity Policy’ (2016)¹³³ further demonstrates that NDB has limited its focus on gender issues to the diversity in its work force. The policy states that through this policy NDB aims to follow diversity, at a more granular level with a yearly presentation on the diversity ratio within the Bank to the Board. It is to be noted, however, that this policy is specific to the NDB’s staff and not for the projects it finances..

It can be seen from the sections above that DFIs have policies that are directed towards mainstreaming gender. The NDB could draw from these policies and understand the extent of importance of gender mainstreaming in its development outcomes. It can begin by looking at the approach of IDB and include gender in its safeguards, while it considers developing its own gender mainstreaming policy.

Further steps towards ensuring gender mainstreaming could be the participation of gender sensitive groups or women rights organisations in the design and evaluation of country-level strategies and programs for NDB – financed projects to ensure a strong gender analysis.

Ensuring benefit and no harm to women and girls in infrastructure projects:

Infrastructure projects have the potential to have disproportionate impacts on women, whether as a result of having insecure land rights, being vulnerable to sexual assault with an influx of male labourers, or other vulnerabilities. Meanwhile, women could also benefit tremendously from infrastructure projects if projects are designed with them in mind. As such, having clear safeguard policies to protect and promote women in infrastructure projects is critical including effective due diligence to ensure no harm is occurring throughout the project; and participation and consultation of women throughout the project’s lifecycle is absolutely essential.

128 Oxfam 2017, Adapted from Position Paper on Gender Justice and the Extractive Industries, Pg 16

129 ADB 2009, Safeguard Policy Statement, Pg. 9, Pt. 29

130 Zuckerman Elaine, February 23, 2016, guardian.com

131 AfDB 2013, Integrated Safeguards System: Policy Statement and Operational Safeguards, Safeguards and Sustainability Series 1, no. 1

132 Based on discussions with the NDB staff during the 2nd Annual General Meeting of the NDB in march, 2017 in New Delhi, India

133 As per the policy document, the diversity policy is a unique feature of NDB as compared to other DFISDFISs, where it is followed more like a practice.

2.4 ACCESS TO INFORMATION AND TRANSPARENCY

Access to information is a critical piece of accountable development. This is not just a right for communities affected by projects, but also increases community involvement and buy in of projects, allows for proper consultation, and enhances

coordination of development finance among other benefits. As such, clearly laid out policies and frameworks for information disclosure are necessary to enhance transparency in the institutional operations of DFIs.

Sources of transparency include having a full information disclosure policy including the framework for implementation at various

organizational levels, need for translation of relevant information for better understanding of the information seeker, a one-stop repository to ensure easy access of documents, mechanism for appeals for the information seeker should the information not be available or denied etc.

2.4.1 Matrix: Information Disclosure Policies of DFIs.

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
I. Listed policies for Access to Information and Transparency					
Access to information (AI) policy (EXC4.01-POL.01,)developed in 2009, last updated 2015). ¹³⁴ and note that WB's translation framework ¹³⁵ is referenced in its AI Policy, allowing the information of policies and projects to be made available to the stakeholders with varied languages	Disclosure and Access to Information Policy (DAI) governs the disclosure of information in AfDB DAI Policy was revised (from the 2005 Policy) and approved by the Board on May 2, 2012. ¹³⁶	Public Communications Policy (PCP) (2011) states rules and guidelines for the sharing of information and disclosure of operational and project related information to external stakeholders.	Access to Information Policy established in effect January 1, 2011 (OP-102). ¹³⁷	CAF does not have a clearly defined policy on access to information. Under Access to Information, CAF has the following heads listed: <ul style="list-style-type: none"> • Prevention of Asset laundering. • Ethics Committee. • Transparency Committee. However, under its CAF-GEF projects, information disclosure and transparency is included as one of the guidelines.	BNDES, being a Brazilian institution, has to adhere to the Brazilian Law on Access to Information No. 12,527 /2011. ¹³⁸ and implementing regulations found in Decree No. 7.724 of 2012. ¹³⁹ BNDES's 'System Transparency Policy' provides guidance on information disclosure of its operations. ¹⁴⁰

134 World Bank 2015, Bank Policy on Access to Information

135 World Bank 2006, Translation Framework For The World Bank: Progress In Implementation

136 AfDB 2012, Disclosure and Access to Information Policy

137 Access to Information Policy of IDB. IDB Website.

138 IDB 2010, Access to Information Policy

139 Brazilian Decree No. 7,724 of May 16, 2012

140 BNDES.gov.br, BNDES System Transparency Policy

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
II. Overview of the policy					
<p>Over the years, WB AI policy has evolved with the latest policy approved in 2009 and various revisions made to it, last being July, 2015.</p> <p>The 2009 policy allowed step by step disclosure of project information throughout the project lifecycle and follows a “presumption of disclosure” system.</p> <p>The policy is based on the following principles¹⁴¹:</p> <ul style="list-style-type: none"> • Maximizing access to information. • Setting out a clear list of exceptions. • Safeguarding the deliberative process. • Providing clear procedures for making information available. • Recognizing requesters’ right to an appeals process. <p>This process is for the information seekers, in case they believe the information is inadequate and/or the access to information is unreasonably denied, causing the restriction of public dialogue.</p> <p>Broad classification of Bank documents: “Public,” “Official Use Only,” “Confidential,” or “Strictly Confidential.”</p>	<p>DAI policy aims to address the following issues:</p> <ul style="list-style-type: none"> • Maximize disclosure of information and limit list of exceptions; • Facilitate access and sharing of operational information with broad range of stakeholders to enhance AfDB’s consultative process for policies and bank financed projects. • Promote good governance, transparency, and accountability. • Improve implementation effectiveness and better co-ordinate information disclosure process, through Information Disclosure Handbook. This Handbook outlines the workflow arrangements for making operational information available to the public including classification and declassification information. • Harmonization with other Development Finance Institutions on disclosure of information. 	<p>The PCP (2011) was revised from its predecessor of 2005. There is an ongoing mandated review of the PCP 2011 that began in 2016.¹⁴²</p> <p>In addition to laying out the framework for the process of sharing information, PCP also acknowledges the right of people to appeal for requesting the information especially stakeholders affected by ADB-financed projects.</p> <p>As per the policy, project related documents, produced during project cycle, have to be present in the public domain.</p> <p>Specific disclosure requirements are detailed in the Operations Manual (L3) on Public Communications¹⁴³ which lists information classifications, procedures for country-level project disclosures, etc.</p> <p>The policy provides for a two-stage mechanism for denied requests for information:</p> <p>a) review by Public Disclosure Advisory Committee (PDAC) which serves as Management’s oversight body to interpret, monitor, and review the disclosure requirements of the policy. PDAC reports directly to ADB’s President and</p> <p>b) review by Independent Appeals Panel composed of three experts external of ADB.</p>	<p>Under this policy, a system of classification was introduced for the disclosure of information belonging to either a public or a non-public category.</p> <p>General principle – publicly disclose information unless one of the ten exceptions listed in policy is applicable.</p> <p>Information like Country Strategies, Loan Proposals Sector Strategies and Operational Policies have to be disclosed to the public at the same time as Board distribution.</p> <p>A two-step review mechanism is listed with a) an interdepartmental Access to Information Committee and b) in the event that the interdepartmental Committee were to deny the request, a three-member external panel, independent from the bank.</p>	<p>There is no clear information available for a policy/strategy/plan with regards to specific information disclosure of CAF’s operational and project related information. Infact the bank’s website mentions the components of accountability under access to information.</p> <p>However, information for public disclosure is available for its CAF-GEF projects, in CAF-GEF Public Participation Policy Guidelines.¹⁴⁴</p> <p>These guidelines intend to guarantee the design and development of projects considering:</p> <ul style="list-style-type: none"> • The procedure for the dissemination of information associated to the project. • The participation procedure of those interested in CAF-GEF management. • The consultation procedure for interested individuals and groups, or those affected by potential impacts of the projects. <p>These guidelines repeatedly mention the need for the bank to define information disclosure, consultation and participation process for the stakeholders through the project lifecycle.</p>	<p>Decree specifies certain information that must be published including, among other things, the agency’s organizational structure, applicable legislation, programs, projects, transfers of financial resources, detailed budgets, bidding procedures, pay and other financial information related to employees, answers to frequently asked questions, and contact information</p> <p>BNDES’s Transparency policy aims to comply with the decree and classifies its information in ‘active’ and ‘passive’ transparency categories, based on the nature of the information.</p> <p>In compliance with the Decree, BNDES has created a Citizen Information Service.</p> <p>Individuals may request information through the Citizen Information Service (SIC) at BNDES.¹⁴⁵</p> <p>The Decree also provides the right to appeal if BNDES or any other Government institution denies information to the requester.</p>

141 World Bank 2015, Bank Policy on Access to Information

142 ADB.org, Public Communications Policy Review

143 ADB.org, Operations Manual (L3) on Public Communications

144 CAF 2015, Environmental And Social Safeguards For CAF/GEF Projects Manual

145 Access to Information, BNDES (<http://www.bnades.gov.br/wps/portal/site/home/acesso-a-informacao/>)

2.4.2. Emerging Key Principles from DFIs' policies on Access to Information and Transparency

The matrix outlines the following principles that most of the banks are cognizant of while formulating their access to information (AI) policies:

i) Presumption in favour of

disclosure: The policy is based on the presumption in favour of disclosure of information and allows the banks to produce and disclose all documents that are related to the projects and the policies with limited exceptions. The information is generally uploaded on the respective Banks' websites, allowing information seekers to access them readily and easily.

The WB, AfDB, ADB and IDB have undergone revisions of their AI policies to increase information sharing and transparency, substantially. The successive policy revisions in all the four Banks led to the inclusion of key information like the country strategy papers and disclosure of documents throughout the lifecycle of the project. The IDB's latest policy of access to information has been the result of reviewing similar policies of contemporary DFIs and one can find many similarities across the institutions as a result. The IDB's new policy includes "early access of documents" as one of the mandates in its AI policy.¹⁴⁶

The CAF, however, has no specific disclosure policy but only follow the guidelines for its CAF-GEF projects that have similar principles as the WB, ADB, etc. BNDES too does not have any specific policy but complies with Brazilian legislation. The lack of clearly defined institution-

specific policies makes the access to information difficult and unpredictable and could undermine any organizational commitment to information-sharing.

ii) Clearly defined, limited

exceptions: Certain information like frank discussions with stakeholders (internal and external) on projects and policies is withheld to safeguard the informant's privacy. As per their AI policy, DFIs are responsible for facilitating all kinds of inputs and discussions, including those on exceptions in their disclosures list. While some documents are withheld as they are being deliberated by the Boards for example, the policies indicate that the banks strive to clearly define and reduce the number of exceptions so that all decisions are shared with stakeholders transparently.

The WB, AfDB, ADB and IDB have clearly defined exceptions in their respective AI Policy. Some of the common exceptions across the four banks include:

- Personal information
- Communications at high level like Bank Presidents, Governors, etc.
- Legal (Attorney-client privilege), disciplinary (privacy) and investigative matters
- Security and Safety Information
- Information provided in confidence by any internal or external stakeholders or third party
- Confidential Client/Third Party Information
- Corporate/administrative matters, including corporate expenses, real estate, etc.
- Deliberative information would be withheld by the banks while the decisions, agreements, etc. would be disclosed by the banks.
- Financial information like forecasts on future borrowings, transactions, etc.

The BNDES is also bound by similar terms under Brazilian law, but information sharing in general is found to be wanting for the Bank.

iii) Proactive and automatic

dissemination: In order to ensure proactive disclosure, the policies across most of the selected Banks provide a wide quantity of free information. This information includes organizational structure, operational policies, discussion on policy reviews and formulations, country-level and central strategies, project descriptions and financial value of Bank-financed projects, environmental and social assessments, monitoring and evaluation reports, and any other information that does not fall under the exceptions noted above.

DFIs like the WB, ADB, AfDB and IDB all have the mandate for sharing the information on a periodic basis. The WB and ADB have dedicated project-related webpages that allow for easy access to documents across a project's lifecycle. WB, AfDB and IDB also follow a process of classification and declassification that facilitates the ready sharing of information based on timelines and sensitivity. For example, at the WB, over a span of 5, 10 and 20 years, any restricted information is declassified, based on the categories that they fall under, as per the Bank's classification.¹⁴⁷

iv) Simple procedures to request

information: Most AI policies of the DFIs have defined processes for the user to request the necessary information that is not freely available in the public domain.

The WB, ADB, AfDB and IDB have operational guidelines or an information disclosure handbook that is made available to the staff and external stakeholders. The purpose is to list the classification of information,

146 IDB.org May, 2010, IDB approves new, far-reaching access to information policy to boost transparency

147 World Bank 2015, Bank Policy on Access to Information

highlight repositories of information, and to define the clear process of requesting information from the Banks.

The BNDES also has a procedure for requesting information through its e-SIC system (Electronic System of Information Service to the Citizen). However, the process of requesting this information is considered complicated, particularly for non-Brazilian citizens who are not used to the system and/or do not understand Portuguese.¹⁴⁸

v) Right to appeal and revision:

The policies allow the setting up of an administrative mechanism that should be put in place to allow the information seeker to appeal for information that is not available or is denied by the Banks. The policy also states the necessity to involve internal as well external stakeholders in the appeals process to minimise the partiality in the decision-making process.

This is an extremely important principle recognised by most of the selected DFIs. They have structured appeals panels and information disclosure committees that are meant to preside and review the appeals made for information-sharing. The IDB has a two-step process for reviewing such appeals. The first step is an interdepartmental Access to Information Committee that is responsible for reviewing the request and uphold and/or deny the appeals and decisions taken. In the event that the interdepartmental Committee were to deny the request, a three-member external panel presides over the request and passes a decision.

148 AAS, CDES, CEDLA, CIDOB, COICA, DAR, FOCO, Forum Solidaridad Perú, FARN, FUNDAR, FUNDEPS IBASE, INESC y RAMA. 52 pages

Similar processes are followed by the WB, ADB, AfDB and to some extent by the BNDES. The procedures for the CAF are not clearly defined and, therefore, does not allow for a formal approach for an assessment of its policy.

vi) Universal access of information and need for translations:

Although there are technology barriers to access (see section on implementation gaps below), the AI policies, in principle, allows the sharing of information for all stakeholders alike, without any discrimination of nationality, origin, sex, etc. The policies also emphasise the sharing of quality and symmetric information with anyone who seeks it. Keeping in line with universality, the policies have the clause of translation for all the information being shared to allow the easy and wider scope of consumption of information.¹⁴⁹

The WB, ADB, AfDB and IDB have a handbook that lists guidelines for the translation of the information being shared. The BNDES and CAF have limited documents that are translated in other languages.

2.4.3 Policy Shortcomings and Implementation Gaps for Access to Information and Implementation

While the banks have clearly stated policies and frameworks for information disclosure, they are subject to implementation challenges and translation loss.

For instance, the clause of exception for certain deliberative information restricts the inclusion of broader stakeholders in key aspects of certain decision-making processes. For

149 It is worth mentioning that in some institutions like the World Bank translation appears to be best practice rather than a mandatory requirement.

example, when the WB was reviewing its safeguard policies, even though civil society had been involved in multiple years of consultation, the WB's AI policy did not allow for the final revised draft to be shared in the public domain until the Board had approved it.¹⁵⁰

It can also be seen that while DFIs have similar principles for information disclosure, they vary tremendously with each other as critical details that could contribute to ensuring the quality of outcomes are either not disclosed or are difficult to access.

For example, in case of the Quito Metro Line One project in Ecuador that was co-financed by agencies including the WB and the IDB, had variable disclosure as cited in a working paper by Brookings Institution (Working Paper 85, 2015). As per the paper, the project had yet to proceed, and one WB document pointed to a high-risk rating. "Yet there is no discussion of what is happening or the basis for the ratings," the authors write, adding, "The IDB does not post any information on this project's progress or lack of it even though 2.5 years have passed since Board approval."¹⁵¹

Further advocacy campaigns by civil society groups have often stated the disclosure exceptions to be broad especially the ones for higher level internal communications within the Banks.¹⁵²

150 Huffingtonpost, World Bank Forgoes Transparency, Hides Behind Policy Loop-hole

151 Brookings Institution, May 2015, Working Paper 85, Brookings Institution

152 NGO Forum on ADB, Information Disclosure and (<https://www.forum-adb.org/information-disclosure>) and Bank Information Centre's work on World Bank (<http://www.bankinformationcenter.org/our-work/wbtransparency/>) have stated in their review of the respective information disclosure policy of the banks, that the policies are particularly opaque on issues of board exceptions and board communications.

Ambiguities can also be seen in the disclosure of country-specific documents, since these documents are routinely discussed between the banks and borrowing countries and fall under the exception of deliberative matters. Further, disclosure of country specific documents would also require the agreement of the borrowing country and, therefore, the level of opaqueness in information-sharing for such projects, increase.

It has also been found that DFIs list the information mostly on their websites that could restrict poor communities' access to relevant information. Since these communities are often the targeted beneficiaries, and/or the most vulnerable to project risks, the lack of access could hamper the realisation of the project's development objectives.¹⁵³

Therefore, the need for a robust implementation mechanism along with an independent monitoring and evaluation framework is strongly needed to ensure effective sharing of information.

2.4.4. Emerging Recommendations for the NDB

i) Harmonising the AI policy with other DFIs: The narrative above clearly lists the key principles that the NDB could be cognizant of while formulating its policies for information disclosure. These principles form the backbone of most of the well-written policies among DFIs. The NDB could follow the lead of AfDB's rationale of harmonising its AI policy with other development institutions. This would help in achieving consistency in availability of information.

ii) Independent complaints handling body: The NDB must also pay special attention to the formation of an independent committee or panel that is responsible for handling appeals and which is responsible for decisions vis-à-vis the disclosure of information. For instance, the ADB's disclosure policy does not provide its Public Disclosure Advisory Committee (PDAC) to be independent of the ADB management's influence¹⁵⁴

iii) Information sharing at all levels including in the project areas:

Considering that NDB would be adopting a country-level approach for designing and implementing projects, it would be important to ensure timely disclosure of information at the project/local level. This is to overcome the technology barrier that may prevent some communities from accessing information online, in addition to helping communities know the NDB is a financier of the project impacting them either positively or negatively. Further, it would be important to translate the policy documents, project-related information etc. in the local language of the project areas. This would help in actively engaging with local communities that would be most affected by NDB financed projects and ensure better access of information. This should be accompanied by clear capacity building of the employees and the partners to understand the framework for information sharing.

153 NGO Forum on ADB, Information Disclosure

154 NGO Forum on ADB's campaign on Public Communication Policy, 2011 of ADB

2.5. ACCOUNTABILITY MECHANISM

Most DFIs have the organizational goal of alleviating poverty and contributing to the goal of global development. This calls for a need to be accountable and engage with external stakeholders, especially those affected by bank financed projects.

There are several different aspects to accountability, including financial, fiduciary, etc. The subject of this section is accountability mechanisms

for communities to seek redress for adverse impacts (typically social or environmental) resulting from of DFI-financed projects.

Amongst the DFIs, the WB was the first to establish its Inspection Panel in 1993.¹⁵⁵ Since then, many others like the ADB, IDB and AfDB have followed suit. The WB's accountability mechanism itself has undergone revisions from its inception 20 years ago.

In principle, a good accountability mechanism should consist of an independent evaluation of

projects and activities, external stakeholder participation including affected communities and partner organizations and, most importantly, an independent complaints mechanism that aims to address the complaints made by project-affected stakeholders and other parties vis-à-vis potential violations of operational policies and bank-financed project activities.

2.5.1. Matrix: Accountability Mechanisms at DFIs – Overview, Constitution and Rationale.

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
I. Listed regulations and/or procedures for Accountability					
The Inspection Panel: officially created by two resolutions of the International Bank for Reconstruction and Development (IBRD) and the International Development Agency (IDA) on September 22, 1993 (Resolution IBRD 93-10 and Resolution IDA 93-6). Updated Operating Procedures were adopted in April 2014; ¹⁵⁶ Annex 2 was added in February 2016.	Independent Review Mechanism (IRM): Resolution B/BD/2015/03 – F/BD/2015/02. Amending Resolution B/BD/2010/10 – F/BD/2010/04. ¹⁵⁷ The Resolution is operationalized by formal Operating Rules and Procedure. ¹⁵⁸ The current resolution and operating rules expanded the IRM to provide advisory functions.	Accountability Mechanism Policy 2012. ¹⁵⁹ Operations Manual, Accountability Mechanism, May 2014. ¹⁶⁰	Independent Consultation and Investigation Mechanism (MICI) governed by MICI Policy (2014). ¹⁶¹	CAF does not have an organisational policy for an accountability mechanism. Under the access to information section, CAF has the description of systems for prevention of asset laundering, ethics committee and transparency committee.	BNDES instituted Ombudsman's Office in 2003 by Bylaws of the National Economic and Social Development Bank – (BNDES), approved by Decree No. 4,418, of October 11, 2002. ¹⁶² This decree was later amended in 2007 ¹⁶³ to include an organisational structure for Ombudsman Office and to make the office responsible for communication and mediation of conflicts.

155 The World Bank Inspection Panel, Resolution No. IBRD 93-10/IDA 93-6 (Sept. 22, 1993)

156 World Bank 2014, The Inspection Panel at the World Bank Operating Procedures APRIL 2014 (with Annex 2 added in February 2016)

157 AfDB 2015, Resolution concerning the Independent Review Mechanism of the AfDB

158 AfDB January 2015, IRM Operating Rules and Procedures

159 ADB 2012, Accountability Mechanism Policy

160 ADB 2012, Operations Manual for ADB's Accountability Mechanism

161 IDB 2014, Policy Of The Independent Consultation And Investigation Mechanism

162 Bylaws of the National Economic and Social Development Bank- BNDES, approved by Decree No. 4,418, of October 11, 2002

163 BNDES 2007, bylaws of the BNDES, DECREE No. 6.322, OF DECEMBER 21, 2007, Chapter VI-B

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
II. Constitution of Accountability Bodies					
<p>The Inspection Panel consists of three members and has a permanent secretariat that provides operational and administrative support.</p> <p>Independent experts may be hired by the Panel to ensure objective and professional assessment of the issues under review.</p>	<p>The IRM is administered by a Compliance Review and Mediation Unit (CRMU).</p> <p>The Independent Review Mechanism (IRM) consist of a Compliance Review and Mediation Unit (“CRMU”) and a roster of experts (the “Roster of Experts”).</p> <p>Roster of Experts is comprised of three (3) individuals. The Experts are nationals of the member states of the AfDB or State participants.</p>	<p>Responsible for two functions:</p> <p>i) Problem solving function led by special project facilitator (SPF)- One other international staff member and two administrative or national staff members.</p> <p>ii) Compliance review function led by Compliance Review Panel (CRP), supported by the Office of the Compliance Review Panel (OCRCP) has three members, one of whom will be the chair. The CRP chair will be full time and the two CRP members will be part time and called on when required.</p>	<p>MICI Director (overall responsible for MICI Office).</p> <p>Phase Coordinators responsible for consultation and compliance.</p> <p>Roster of Experts to support investigations headed by the Compliance Review Coordinator.</p> <p>Full-time Technical and administrative support.</p>	<p>The constitution of the ethics and transparency committee is not readily available in the public domain.</p> <p>However, for asset laundering prevention there is a Compliance Officer appointed by the bank's president and CEO¹⁶⁴.</p>	<p>Ombudsman is appointed for an indefinite period by BNDES' President, terminating at any time by decision of the President.</p> <p>The function of Ombudsman shall be performed by an employee who composes the permanent staff of the BNDES or its subsidiaries, with a compensation compatible with the duties of the Ombudsman's office, which shall exercise a term of office for a period of two years, allowing a single renewal, being appointed and dismissed, at any time, by the President of BNDES.</p>

164 caf.com, Prevention of asset laundering, CAF

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
III. Overview of the Accountability Mechanisms					
<p>The Panel can only undertake compliance reviews.</p> <p>Mandate of the Panel is to determine the eligibility of a request for inspection independently of any views expressed by Management.</p> <p>In cases of requests pertaining to WB's rights and obligations, the Panel is mandated to consult WB's legal department.</p> <p>Inspection Panel Process:</p> <ul style="list-style-type: none"> • Receipt of Request and decision on Registration: Panel notifies public and decides on registration within 15 business days. • Eligibility and Panel recommendation: Management responds (MR) within (21 days). Panel's field visit if needed. Panel's Report to the Board (21 days from MR). Board decision on Panel recommendation. 	<p>IRM through CRMU, has the following functions:</p> <p>Problem Solving: CRMU conducts this function. The objective of the problem solving is to encourage requestors, project promoters and AfDB to find agreeable solutions to problems at stake.</p> <p>Compliance review: Carried out by IRM Panel of Experts who investigate to determine whether or not the harm which is or likely to be caused on people, results from non-compliance with AfDB's applicable policies and procedures.</p> <p>Advisory function: It entails two instruments: (i) spot check advisory review of project compliance which is carried out by the IRM Experts (ii) provision of independent opinions to Management by CRMU.</p> <p>Outreach function: CRMU also carries outreach activities to raise awareness about IRM and its process among AfDB staff and other Project stakeholders including CSOs.</p> <p>The Director of the CRMU is selected by a panel composed of a Board member, a representative of Management and an independent external advisor.</p>	<p>SPF addresses problems of people affected by ADB-assisted projects through informal and flexible methods.</p> <p>SPF also provides generic support and advice to operations in their problem prevention and problem-solving activities, but not for specific cases under problem solving by operations departments.</p> <p>CRP investigates alleged noncompliance by ADB with its operational policies and procedures that has caused, or is likely to cause, direct and material harm to project affected people and the process is supported by OCP for the Compliance Review.</p> <p>Both offices share a Complaint Receiving Officer (CRO), who serves as the first point of contact to the AM. Complainants can choose which function they would like to use, or can request both functions.</p>	<p>MICI has no advisory role but can provide recommendations and generate lessons learned.</p> <p>MICI has two functions:</p> <p>The Consultation Phase led by the Consultation Phase Coordinator, who reports to the MICI Director. This phase provides an opportunity for the Parties to address the issues raised in the Request in a voluntary, flexible and collaborative manner.</p> <p>Even though the CP process itself does not envisage a remedial action plan, the CPs objective is to reach a consensus based resolution of the issues raised.</p> <p>The action plan can be monitored by MICI for up to 5 years.</p> <p>The Compliance Review Phase led by the Compliance Review Coordinator, who reports to the MICI Director. This phase offers an investigative process related to the issues raised in the Request to establish whether.</p>	<p>CAF's accountability mechanism has partial information available in the public domain and is categorised under access to information.</p> <p>The prevention of asset laundering mainly refers to the prevention and detection of money laundering and funding of terrorism. Hence it cannot be considered as an accountability mechanism, though it does refer to accountability of client for its project delivery in the same vein as the other DFIs have.</p>	<p>The BNDES Ombudsman acts as the main channel for denunciation, communication and intermediation between the companies that make up the BNDES System and society, as well as its internal audience, including for the mediation of conflicts. It is tasked with:¹⁷⁰</p> <ul style="list-style-type: none"> • providing the last instance for the complaints, requests and doubts of citizens and users of products and services of the BNDES System. • acting as a communication channel between BNDES System companies and their citizens and users of BNDES System products and services, including in the mediation of conflicts. • reporting to the Board of Directors on the activities of the Ombudsman's Office, proposing to the Board of Directors and to the Board of Executive Officers corrective measures or improvement of procedures and routines, as a result of the analysis of complaints received.

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
III. Overview of the Accountability Mechanism					
<p>Investigation: Panel submits its Investigation Report. Management reviews and submits its report with recommendations. Board discusses recommendations and remedial actions are approved.</p> <p>WB's Inspection Panel's operating procedures underscore that <i>"the Panel is independent from Bank Management and reports directly to the Board, and conducts its work impartially"</i>.</p> <p>Various reports during the cycle of the review process is mandated to be made available in the public domain beginning from registration of the request to the final decisions taken.</p>	<p>The members of the Roster are appointed by the AfDB Board of Directors on the recommendation of the AfDB President. In regard to the Chair of the Roster of Experts, the AfDB President, after consultation with the IRM Experts, makes a recommendation to the AfDB Board of Directors, who appoints one of the members of the Roster as Chair.</p> <p>The Board can veto a compliance review and hence this stands to have an impact on the independence of the mechanism.</p> <p>Time Bound Mediation Action Plans are formed as part of the remedial measure. These plans are to be signed by the requestors, the project promoter and the AfDB.</p> <p>IRM has the mandate to monitor the process including the various reports being produced, like the compliance reports, recommendation report, etc.</p> <p>IRM is mandated to share the progress of the process, reports etc., in the public domain.</p>	<p>SPF is appointed by the ADB President after consultation with the Board. CRP members are appointed by the Board upon recommendation of the Board Compliance Review Committee (BCRC) in consultation with the President.</p> <p>SPF reports to and its budget is approved by the ADB's President, who is also ultimately responsible for the activities that are subject of complaints.</p> <p>CRP reports to the ADB's Board and take legal advice from the General Counsel of ADB.</p> <p>Reporting structures of SPF and CRP, therefore undermine the independence of the mechanism.</p> <p>SPF monitors and reports to the President annually, until completion.</p> <p>Monitoring time frame is project specific, dependent on implementation of remedial actions but does not exceed 2 years.</p> <p>CRP monitors and reports to the Board annually for a maximum period of 3 years, as a general rule, on Management's remedial actions for Board information only.</p>	<p>IDB has failed to comply with any of its Relevant Operational Policies and whether that has caused harm to the Requestors.</p> <p>Based on the findings and recommendations highlighted in the Compliance Review Report, if deemed appropriate, the Board will instruct Management to develop, in consultation with the MICI, an action plan and present it for consideration.</p> <p>According to the policy, the MICI reports directly to the IDB's Board of Executive Directors and is functionally independent from the Management; and the MICI Director and Phase Coordinators "in general" will be chosen from outside IDB.</p> <p>Information disclosure for the complaints process is consistent with the IDB's information disclosure policy.</p>	<p>Ethics and transparency committees also have the purpose of upholding internal policies by the bank or its implementing agencies only.</p>	<p>As per article 32 (Chapter X) of BNDES Bylaws, the Ombudsman carries out the following activity:</p> <ul style="list-style-type: none"> • Register, attend, analyse and give adequate treatment to complaints. • Provide clarifications to the claimants about the progress of the claims, stating the deadline for response. • Forward a conclusive response to the demand within the proposed deadline. • Keep the Board of Directors informed about the issues found during complaint assessment including the remedial measures. • Report to the Internal Audit Department, the Audit Committee and the Board of Directors, at the end of each semester, the activities carried out by the Ombudsman's Office. • Ombudsman Office is responsible for the creation of adequate conditions for the sharing of information and progress with the relevant parties.

DFIs invest in activities intended to achieve socio-economic development. Since these activities are conducted in an ecosystem of communities, the projects have also the potential for negative impacts on the local communities beyond than the project objective of poverty alleviation. This situation makes it essential for these DFIs to have mechanisms in place that allow for a structured approach to gather feedback and complaints to address grievance caused if any and make the institutions more accountable to people.

The matrix above highlights the various accountability mechanisms that the selected DFIs have instituted to provide redress to people affected by bank financed projects.

2.5.2. Emerging Key Principles from DFIs' Accountability Mechanisms

The complaints or accountability mechanism, as most of the DFIs put it, is one of the most important spokes in the wheel of accountability and transparency. These mechanisms allow individuals, communities and other relevant parties to be heard and raise issues during instances when they believe that DFI-financed projects have adversely affected them. From the different mechanism in the matrix, it can be observed that the following basic principles form the part of the accountability mechanism:

i) Accessibility: The level of accessibility of the mechanisms depends largely on the ease of availability of the mechanism to potentially-affected communities. If communities and other relevant stakeholders are inadequately aware of the complaints mechanism, process of filing complaints and the related

operational procedure, the purpose of having the mechanism is defeated.

This means that the existence of the mechanism and capacity building for implementing the accountability mechanism, should be undertaken not only at the central level but in all areas of financing by the DFIs. It would entail that information is made available beyond the Banks' websites and in the member countries and with the implementing partners as well as communities in the area of influence of DFI financed projects.

For instance, according to IDB's MICI Policy, the MICI Office has a mandate to conduct public outreach throughout Latin America and the Caribbean and to ensure that information about the mechanism is integrated into Bank activities and publications. Management is required to support MICI's efforts to publicize its availability. The ADB's Accountability Mechanism Policy also requires its staff to engage with borrowers and inform stakeholders impacted by ADB-financed projects about the availability of the mechanism by distributing pamphlets in the national language and other audio-visual materials.

The WB, AfDB, ADB and IDB also have mandates to build capacity of the project staff and partner organisations vis-à-vis complaints handling and related processes as part of their accountability mechanism operation plans. Additionally, these Banks also have dedicated pages on their websites to register complaints. It is also mandated that all operational guidelines of the complaints process be translated in the local language as per the project location. On the contrary, the BNDES' e-SIC page for registering complaints is not accessible for non-Portuguese

complainants making it difficult to understand and use.

ii) User Friendly: Most DFIs have a model complaint form through which the complainants could file a complaint. However, they are flexible if the complaints are filed openly as long as they are written complaints. The WB's Inspection Panel has made its brochure available at all the project offices and in local languages to allow for better understanding of the local community.¹⁷¹ The WB's Inspection Panel also allows the filing of complaints in the complainant's native language. The ADB also has a complaints letter or form¹⁷² that helps in standardising the capturing of information for the complaint. However, to make things easier, the ADB also allows flexibility for the complainants to follow their own format while filing the complaint, though the Bank does provide a guideline to capture the relevant information in the complaint.

iii) Predictability: It is essential to establish timelines for the various steps for the accountability mechanism including the structure and components of the report expected. Each of the selected DFIs have their own timelines for the various responses. The ADB takes two working days to acknowledge that the complaint was received, and 21 days for the eligibility process to accept the complaint into the problem solving or compliance review functions. The AfDB's IRM Director should respond within 14 business days after conducting a preliminary review as to whether the complaint has legitimate claims for the harms being reported. In addition, if a compliance review is suggested by the CRMU, the recommendation must contain a Terms of Reference that

171 Glass half Full Report, Annex 15: The Inspection Panel of the World Bank

172 ADB.org, How to file a complaint

includes the scope and the timeline for the review.

After the compliance review report is made public, and the Bank approves a remediation plan. Predictability of the process is also ensured when there is clearly defined process for the implementation and monitoring of the remedial measures being suggested. The IDB's MICI has a mandate to monitor the implementation of the Bank's remediation plan, but the duration of monitoring is subject to the approval of the Bank and is limited to no more than five years.

iv) Transparency following

complaints: In order to ensure impartiality and transparency in the process, external stakeholders should have easy access to relevant documents related to specific cases such as project and complaint summaries, actions taken by the mechanism and if applicable, assessment, investigation and conclusion reports.

The IDB's MICI website maintains a case registry and also publishes annual reports with information and status of the cases. As a practice, the WB's Inspection Panel provides detailed reasons for recommendations and conclusions drawn in its Investigation reports which are available on the Bank's website.¹⁷³ The ADB too maintains case registry depending on the cases being handled by the compliance or the problem-solving function.¹⁷⁴ Related practices of the CAF and BNDES are not clear on these disclosures though they are bound by their respective Access to Information policies and/or guidelines.

173 Glass half Full Report, Annex 15: The Inspection Panel of the World Bank

174 Glass half Full Report, Annex 6: The Accountability Mechanism of the Asian Development Bank

v) Independence of the mechanism:

In order to avoid any kind of bias or conflict of interest, it is important for the mechanism to be independent. For instance, the ADB prohibits its Special Project Facilitator (SPF) to be a part of any of the ADB's operations department for a span of five years before their appointment as SPF. The WB's policy also states that the Inspection Panel members cannot be re-hired by the WB after the expiration of their term. In case of the AfDB, the CRMU Director, is hired only after a cooling off period of five years if the person is an AfDB staff. Also, the CRMU Director may not work with the AfDB after the completion of his or her term. Also critical for the independence of the mechanism, is to ensure that the mechanism staff members are hired through a transparent process that includes CSOs and other external stakeholders.¹⁷⁵

All the DFIs, chosen for this analysis, as per their policies, state that their accountability mechanism is free from their respective bank's management.

vi) Lessons learned: It is essential to identify to what extent the DFIs adopt the recommendations and the remedial measures suggested by the accountability mechanism. But it is also critical for the DFIs themselves to learn how to improve the implementation of their safeguards policies based on the accountability mechanism's cases. DFIs publish annual reports of their accountability function, highlighting the status of the cases and the lessons learned. The DFIs' accountability policies also state that the periodic review of the mechanism is essential for assessing the transparency and efficiency of the process. For instance, the MICI policy of IDB states that the review of the mechanism would take place

175 Glass Half Full? The State of Accountability in Development Finance, January 2016

five years from the inception of the new MICI Policy of 2014. The Policy also establishes that the annual MICI report may include lessons learned, trends and systemic issues, and provide recommendations on preventing non-compliance and other advice that stems directly from MICI cases. The WB's Inspection Panel also publishes its Annual Reports that identify systemic issues and lessons learned.

2.5.3. Policy Shortcomings and Implementation Gaps in the Accountability Mechanism

The objective of this report is to offer a compendium and overview of these policies, and identify some key principles as inputs to initiate an open dialogue with NDB. For deeper analysis of DFIs accountability mechanism, a study authored by eleven CSOs titled 'Glass Half Full? The State of Accountability in Development Finance'¹⁷⁶ offers a detailed assessment of the policies and practices of eleven DFIs including the ones selected in this report except CAF and BNDES. This report clearly identifies some important gaps in each of the Banks vis-a-vis their accountability mechanisms.

Transparency needs to be improved in the DFIs. For instance, according to the WB's Inspection Panel Resolution,¹⁷⁷ draft investigation reports are only made public and released to the complainants only after they were submitted to the board. Similarly, in case of the AfDB, the IRM has no defined rules to share the interim reports with the complainants at the same time when CRMU shares them with the Board and AfDB's President. Furthermore, there is little clarity on consultations

176 Ibid.

177 World Bank April 2014, The Inspection Panel-Operating Procedures

with requestors while developing the compliance review plan.¹⁷⁸ In the case of the BNDES, Ombudsman staff coordinates with senior management to suggest improvements and identify concerns based on complaints received. The scope on involvement of the complainants is unclear.

It is also possible to observe challenges vis-à-vis the independence and functions of the accountability mechanisms.

The WB Inspection Panel's Resolution, for instance, restricts the function of the Inspection Panel to undertake only compliance reviews, thus limiting it from performing mediation functions as well as monitoring of implementation of management action plans. In terms of independence, the WB Inspection Panel cannot undertake a compliance review if it is not submitted by a complainant, even if they have reasonable and legitimate reasons. In the AfDB process, the IRM experts and CRMU have to wait for the approval of the Board to undertake a compliance review, even if they feel a legitimate requirement. The CRMU or the IRM experts can only make a recommendation to AfDB's President to undertake the review. From the current framing of the policy it appears that if the proposal is vetoed by the Board, the compliance review would not be undertaken.

On many occasions, accessibility appears to be limited as the complaints are tied to the

disbursement of loans. For instance, in case of the WB, a complaint cannot be filed if 95 percent or more of loan amount has been disbursed, even if the impacts of the project maybe felt after full disbursement of funds or the completion of the projects, especially in the case of infrastructure projects. Only in the case of ADB, complaints can be filed prior to project approval to 24 months after project closure, setting a good example.

2.5.4. Emerging Recommendations for the NDB

The above-mentioned principles were drawn by analysing the accountability mechanism's policies of the selected DFIs. For any accountability mechanism to be effective, it is recommended to follow them. The NDB could draw from these principles and examples and make a more robust accountability mechanism that could help in enhancing its effectiveness in delivering development outcomes to its member countries. Following these principles would support an effective harmonisation of the NDB's policies with the DFIs, as the NDB is already co-financing projects with other DFIs such as the ADB.

i) Independent mechanism to allow neutrality:

Making the mechanism fully independent is a critical step. For instance currently at the AfDB, the Director of the CRMU cannot undertake a compliance review, even if it seems valid from initial assessments, without the approval of the President and/or the Board after making a recommendation. Therefore, if the review is vetoed, it would not go through.¹⁷⁹ Therefore, learning from AfDB could be taken to reduce the scope of vetoing of

approval of important steps like the compliance review. It would also be useful to consider establishing an advisory group composed of external stakeholders including CSOs.

ii) Making the mechanism accessible, especially project level stakeholders:

The mechanism would be most effective if it is accessible to, individuals and communities in NDB-financed project areas. The complaints should be easy to register with an option of submitting them in the native language. It is critical to raise awareness of DFI staff, member countries and other stakeholders to make the existence of the mechanism known, once established, including the ready availability of information on its website and other ways of local communication.

One of the most important practices, however, that can be learned from the ADB to enhance accessibility is the provision of filing complaints before and well after the completion of the project. The provision of filing complaints early on would help in adopting mitigating measures from the start of the project.

iii) Defining timelines and making the mechanism predictable:

The predictability of the mechanism could be taken care of by providing timelines for the various steps in the mechanism. The approach of providing regular updates for the status of the project could be adopted. Enabling provisions could be included to monitor the implementation of the recommendations and the remedial functions.

178 As per Para 64 of AfDB's Operating Rules and Procedures, 2015 for the IRM, "the Management is supposed to prepare a response to the Compliance Review Report and the Response and Action Plan shall be submitted to the President, the Boards of Directors, CRMU and the Requestors within 90 business days. In case of co-financed projects, the Compliance Review Panel can grant the Management an adjustment to this timeframe on a case by case basis." There is no clarity on preparing this plan in consultation with the requestors.

179 Glass Half Full Report, Annexe 5: The Independent Review Mechanism of the African Development Bank

iv) Timely disclosure of information to complainants: The inclusion of complainants at the same time as sharing the information internally within the Bank, would allow for a transparent approach. The remedial action plans would be more effective if the management would include the

complainants in the development of those plans.

v) Framework for periodic independent assessment of the accountability mechanism:

Provision for the periodic independent assessment for the

effectiveness of the accountability mechanism would also be beneficial to ensure transparency and accountability of the NDB procedures and the accountability mechanism per se.

2.6. ENERGY STRATEGY

There is a strong correlation between energy access and socio-economic development. Empirical literature has shown that modern energy use may enable the poor in developing countries to engage in improved or new income generating activities (often called ‘productive use of energy’, as opposed to ‘consumptive use’), thereby eventually leading to an improvement in their living conditions (Practical Action 2012, UNDP/WHO

2009, DFID 2002, UN 2002, UN Millennium Project 2005, Brew-Hammond and Kemausuor 2009). It further denotes that exclusion from modern energy might be a direct indicator of poverty based on definitions which refer to living standards – for instance, access to electricity is included in a recently published ‘Multidimensional Poverty Index’ by the UNDP (2010).¹⁸⁰

As stated out in UN Sustainable Development Goal (SDG) 7,¹⁸¹

energy forms a major contributor to climate change and, therefore, it is important to look for ways to generate affordable and clean energy. The DFIs have already begun to align their strategy to global initiatives like the SDGs and the Paris Climate Change agreement. A shift can already be seen in policies for institutions such as the WB that is refraining from funding ‘coal-based’ projects unless there are exceptional circumstances.

2.6.1. Matrix: Regulations and Energy Strategies across DFIs.

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
I. Listed regulations and/or strategy for Energy Sector					
<p>Directions Paper for the WB Group’s Energy Sector¹⁸². It mirrors the SE4All¹⁸³. The focus areas as highlighted in the paper are- focus on the poor (universal access), accelerate efficiency gains, expand renewable energy, create an enabling environment for sustainable energy and intensifying global advocacy for the agenda.</p> <p>WB has an Energy Sector Management Assistance Program (ESMAP) to provide global knowledge and technical assistance.</p> <p>WB joined with UN’s SE4All initiative in 2012.</p>	<p>Energy Sector Policy, 2012¹⁸⁴ provides a general framework of AfDB’s operation in the energy sector. The policy is still under preparation and replaces 1994 Policy of the same name.</p> <p>AfDB Group’s 2016-2025 Strategy for the New Deal on Energy for Africa¹⁸⁵, approved in 2016, sets out the priorities of AfDB in the energy sector. The strategy also lists out AfDB’s alignment to SDGs and the Paris Agreement on Climate Change.</p>	<p>The Energy Policy 2009¹⁸⁶ aligns ADB’s energy operations to meet energy security needs, facilitate a transition to a low-carbon economy, and achieve ADB’s vision of a region free of poverty.</p> <p>Making Money Work: Financing a Sustainable Future in Asia and the Pacific¹⁸⁷ does not clearly refer to SDG 7 but have clean energy as part of many Green Climate Fund initiatives.</p> <p>UN’s SE4All Asia Pacific hub is led by ADB.</p>	<p>The Energy Sector Framework Document (SFD)¹⁸⁸ provides guidance to IDB’s work in the energy sector.</p> <p>Integrated Strategy for Climate Change Adaptation and Mitigation, and Sustainable and Renewable Energy (CCS)¹⁸⁹ also informs IDB’s work in the climate change and renewable energy space.</p> <p>The IDB is one of the three regional SE for All Hubs in Latin America and the Caribbean. The IDB supports the pillars for SE4All and promotes its sustainable energy work.</p>	<p>CAF does not have a clearly defined policy or strategy for energy sector.</p> <p>Strategic Climate Change Mitigation Program (SCCMP), 2015 – 2017¹⁹⁰ has extensive elements of energy strategy that CAF follows.</p> <p>CAF also has a Regional Energy Efficiency Program (PREE).¹⁹¹</p>	<p>BNDES does not have any energy policy or guidelines available in the public domain.</p> <p>Sustainable Energy Fund¹⁹² approved in Nov, 2016.</p>

180 Attigah, B. and Mayer-Tasch, L., 2013 (sic)

181 UN Sustainable Development Goal (SDG) 7

182 World Bank, Toward a Sustainable Energy Future for All: Directions for the World Bank Group’s Energy Sector

183 SE4All objectives of achieving universal access, accelerating improvements in energy efficiency, and doubling the global share of renewable energy by 2030

184 AfDB 2012, AfDB Group’s Energy Sector Policy

185 AfDB Group’s 2016-2025 Strategy for the New Deal on Energy for Africa

186 ADB 2009, Energy Policy

187 ADB 2015, Making Money Work: Financing a Sustainable Future in Asia and the Pacific

188 IDB 2015, Energy Sector Framework Document

189 IDB 2011, Integrated Strategy for Climate Change Adaptation and Mitigation, and Sustainable and Renewable Energy

190 CAF Regional Energy Efficiency Program (PREE), Pg. 14

191 CAF Regional Energy Efficiency Program (PREE), Pg. 14

192 BNDES.gov.br, BNDES approves creation of Sustainable Energy Fund

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
II. Overview of the regulations and/or strategy for Energy Sector					
<p>WB's engagement in the energy sector is designed to help client countries secure the affordable, reliable, and sustainable energy supply needed to end extreme poverty and promote shared prosperity.</p> <p>WB has a four-point approach:</p> <ul style="list-style-type: none"> • Increasing focus on low access countries that have prioritized energy issues in their country strategies. • Helping to mainstream sector-wide approaches for universal energy access in more than 18 countries, including WB's support to natural gas as transition fuel. • Supporting mobilization of sector-level financing, working with other development partners and private sector stakeholders. 	<p>AfDB's Energy Sector Policy recognizes that adequate access to energy is critical for social and economic development of the continent.</p> <p>The strategy states that AfDB would develop medium-term strategies focused on two pillars: (i) increasing access to modern energy services and (ii) fostering clean energy investments. In addition, the strategy has identified three key areas for action: (i) fostering regional integration, (ii) leveraging resources and (iii) enabling public-private partnerships.</p> <p>The preparation of the Energy Strategies would draw as needed on relevant existing frameworks, including the Clean Energy Investment Framework (CEIF) and the Climate Risk Management and Adaptation Strategy (CRMA).</p>	<p>Objective of ADB's Energy Policy is to provide reliable, adequate, and affordable energy for inclusive growth in a socially, economically, and environmentally sustainable way.</p> <p>The Policy would emphasize on energy efficiency and renewable energy; access to energy for all; and energy sector reforms, capacity building, and governance</p> <p>Energy policy impresses on the three pillars for policy implementation:</p> <p>(i) Promoting energy efficiency and renewable energy; (ii) Maximizing access to energy for all; and (iii) Promoting energy sector reform, capacity building, and governance.</p> <p>To ensure policy implementation, ADB assists the borrowing countries in developing an implementation plan for its energy sector and regional cooperation based on policy dialogue.</p>	<p>Objectives of IDB's work in the energy sector are to:</p> <ul style="list-style-type: none"> • Efficiently meet the energy requirements of its member countries derived by the process of socioeconomic development; • Accelerate growth and diversification of the energy supply; • Foster energy conservation. <p>IDB considers the energy SFD to be "indicative rather than normative".</p> <p>Energy SFD sets forth IDB's goal and provides guidance for its work in knowledge generation, country dialogue, and the design and implementation of operations including loans and technical cooperation in the energy sector.</p>	<p>CAF mentions its energy approach to¹⁹⁴:</p> <ul style="list-style-type: none"> • Encourage public and private initiatives that promote energy efficiency, the development of renewable energies and innovate technology in the energy sector. • Promoting regional cooperation in energy matters by involving institutional networks to encourage physical integration of the region's energy infrastructure. • Promote development of clean energy matrices in Latin America, by financing programs, studies, and projects related to renewable energies and energy efficiency. <p>Through SCMMP, CAF intends to reinforce its focus on energy efficiency by actions such as:</p> <ul style="list-style-type: none"> • Design and implementation of an innovative guarantee vehicle to facilitate financial energy efficiency deals. • Enhancement of cooperation activities in the field of energy efficiency. • Strategic equity investments in new renewable energy projects through funds and technical assistance. 	<p>In its Socio-environmental Policy BNDES commits to promoting eco-efficiency, the adoption of sustainable, social and environmental processes and products, and the reduction of greenhouse gas (GHG) emission.¹⁹⁵</p> <p>The BNDES offers special lines of credit to clean energy operations, including Hydro, Wind, Solar and Bioenergy.</p>

193 CAF.com, Energy

194 BNDES.gov.br, BNDES Socioenvironmental Policy

World Bank	African Development Bank	Asian Development Bank	Inter-American Development Bank	Latin American Development Bank	BNDES
II. Overview of the regulations and/or strategy for Energy Sector					
<ul style="list-style-type: none"> Working to build global knowledge through initiatives such as GTF (Global Tracking Framework); MTF (Multi-Tier Framework); RISE (Regulatory Indicators in Sustainable Energy Report); SEAR (State of Energy Access Report). <p>It is mentioned that WB is conducting long-term system planning to identify and accelerate the implementation of the most economic low-carbon options in client countries, and support with lending and assistance as appropriate, to help client countries deliver affordable and reliable energy services in a manner that is consistent with their NDCs, the global climate goals, and the WBG's Energy Sector Directions Paper.¹⁹⁵</p>	<p>The New Deal aims to achieve four focussed targets:</p> <ul style="list-style-type: none"> Increase on-grid generation to add 160 GW of new capacity by 2025. Increase on-grid transmission and grid connections that will create 130 million new connections by 2025, 160 per cent more than existing. Increase off-grid generation to add 75 million connections by 2025, 20 times more than existing. Increase access to clean cooking energy for around 130 million. 	<p>The Financing Framework also have similar objectives with a more decentralized approach and emphasis on achieving sustainable development.</p> <p>It lays emphasis on bringing together public and private sector investments; engaging in policy dialogue with nations to bring systemic changes; bottom up approach to sustainable solutions for energy and climate change; build the knowledge capacity of relevant stakeholders to build meaningful influencers in the region; improve the support from other DFIs for common areas of sustainable intervention</p>	<p>SFD considers energy to be a crosscutting and promotes the informing of the energy initiatives with knowledge from other sectors like agriculture, trade, transportation, water and sanitation, etc.</p> <p>IDB's sustainable infrastructure approach views infrastructure as a means to provide quality services that fosters inclusive growth and helps in mitigating climate change. Energy SFD is also consistent with</p> <p>IDB's sustainable infrastructure approach IDB's CCS calls for the introduction of policies and incentives to promote sustainable energy and emphasizes the importance of both public and private sector investments.</p> <p>Energy SFD is in line with the CCS strategy too.</p>	<p>There is lack of availability of information on CAF's Regional Energy Efficiency Program (PREE). Accessory documents on other networks state that CAF provides loans through PREE, to strengthen regional energy efficiency both on the supply side, through projects financing the rehabilitation and adaptation of systems of generation, transmission and distribution, and on the demand side by financing companies directly or through intermediaries.¹⁹⁶</p>	<p>This shift on clean energy has enhanced recently in 2016 with the launch of the green bond funds.</p> <p>The Sustainable Energy Fund aims to invest in infrastructure projects related to low carbon emissions.</p>

195 Worldbank.org, Energy Overview

196 CAF Regional Energy Efficiency Program (PREE), Pg. 14

The matrix clearly highlights the linkages between the energy policy and strategy and the overall investment planning of the DFIs. There are clear indications as well that an approach to sustainable infrastructure like energy, transportation, et al, help the DFIs in achieving their development objectives as well as align them to the global initiatives like the SDGs.

2.6.2. Emerging Key Principles from DFIs' Energy Strategy

The NDB thus far has undertaken financing for clean energy projects and has the potential to be an initiator in paving the way for clean energy investments in the DFI space. While each DFI has its own agenda for the energy sector, the following principles can be derived in this direction:

i) Ensuring energy efficiency:

Aiming to achieve energy efficiency is not only helpful in finding cost-effective ways to meeting energy demands but will help in addressing global warming issues. Energy efficient projects and initiatives would help in achieving more value for each unit produced and thus help in reducing the use of fossil fuels. All the DFIs selected in this paper have energy efficiency as part of their energy policy or strategy. The ADB considers improving energy security as part of energy efficiency. Achieving energy efficiency also forms the part of key principles of the IDB, CAF and AfDB. The CAF also focuses on enhancing cooperation amongst its development partners and itself and the borrowing countries.

ii) Ensuring universal access:

Energy forms the key driver for achieving socio-economic growth. Most of the DFIs align with the SE4All goals and identify the need for making energy available at the

household level. SE4All calls for universal access to modern energy by 2030, to address the needs of the 1.2 billion people worldwide who lack access to electricity, and the 2.8 billion people who do not have safe cooking facilities (United Nations General Assembly, 2013). All DFIs have their energy policy or framework, aligned to ensuring energy access to all. From the respective banks' strategy, it can be seen that the priorities are shifting to providing affordable and reliable energy. Grid, mini-grid, and off-grid solutions are critical for providing access to electricity especially in the rural areas.

iii) Enhanced focus on renewables:

After the introduction of the SDGs and the Paris Agreement in Climate Change, the DFIs have strived to move away from financing coal based projects. Due to technical advances, the bankability of new and renewable energy sources has increased, with the option of off – grid connectivity through community collaborations. An increased focus of the DFIs can be seen in achieving both on-grid and off-grid connectivity in their policies and strategies. The WB started limiting its funding for coal projects in developing and least developed countries and mentioned in its Energy Direction Policy that “WBG will provide financial support for greenfield coal power generation projects only in rare circumstances”.¹⁹⁷ The IDB's Energy SFD states that it would only support coal fired plants that are designed to use high-efficiency and low-emissions technologies. In 2016, BNDES too declared that it would substantially reduce its funding of power plants using coal or oil for generating electricity.¹⁹⁸

197 World Bank's Energy Sector Directions Paper

198 Clean Technica 2016, Brazil's Largest Bank, Will Stop Financing Coal- & Oil-Fired Power Plants

iv) Enhancing private sector

investments in clean energy: From the objectives of the DFIs strategy in the energy and the sustainable infrastructure space, it can be seen that these institutions are striving to enhance private sector participation and financing in the sector. The DFIs are aiming to build the policy and technical capacity of the borrowing countries to siphon more private sector funds in the sector to meet the global targets chalked out in SDGs and Paris Agreement on Climate Change. In ADB's paper titled “Making Money Work-Financing A Sustainable Future In Asia And The Pacific”, there is clear discussion on upscaling private sector potential to achieve sustainability goals especially in the case of sustainable infrastructure. In AfDB's New Deal, the bank has aimed to enhance private sector investments to achieve its goal of providing universal access of energy to all. Ultimately, the aspiration is for the private sector to play a central role. It states that “If government spending levels were to remain constant, but governments were to effectively put in place the right enablers, private sector funding would need to increase 17 times from the current USD 2.5 billion to USD 43 billion.”

v) Country specific capacity building and governance:

Drawing from their experiences and partnerships with the borrowing countries, the DFIs feel the need to engage in policy dialogue and capacity building at the country level. This helps in providing the platform for cross learning and building the frontrunners for the development agenda. IDB, through its Regional Policy Dialogue initiative, convenes high-level policy makers to regional and sub-regional meetings to discuss and deliberate on key analytical and technical topics and sharing the good practices. Its Dialogue's

Climate Change and Disaster Risk Management Network engages national climate change leaders around planned sessions addressing technological challenges of low-carbon growth, policy instruments and public and private finance climate actions. CAF has also recently begun such dialogues in the Latin American countries to enhance the solution-oriented capacities of the policy makers and the relevant stakeholders in maximising the interventions on energy efficiency.¹⁹⁹ ADB's Energy Policy clearly states that "ADB will align its energy operations on reforms, capacity building, and governance by continuing to help DMCs restructure and reform their energy sectors through technical assistance and project support for regulating natural monopolies and introducing competition where feasible." Some of the listed interventions to achieve this is through helping countries to adopt tariff structures that promote energy conservation and penalize peak-hour and peak-season consumption, and consumption with poor power factor and load factor, etc.

vi) Stakeholder involvement: It can be seen from the discussion thus far that the DFIs energy sector policies are focussed on engaging with the country governments, private sector and any relevant stakeholders that are responsible for the inception, development and implementation of the projects. There is a need for adopting an inclusive approach for especially involving the local communities from the beginning of the projects. This is true especially for projects that are aimed at off – grid connectivity in the local areas, as the success of the project is dependent on community involvement. In AfDB's New Deal, it has described its focus on bottom of pyramid projects and

199 caf.com, Press release of one of CAF's mentioned interventions in Chile

financing in enhancing access of energy to all. AfDB would do so by funding programmes that will increase the availability of financing for small scale on-grid and off-grid access solutions and the adoption of clean cooking solutions. It will also support the implementation of innovative and affordable payment mechanisms. WB policy also states a similar approach from the experience gained from financing rural electrification projects. It states that "Experience with rural electrification efforts suggests that local community participation brings many benefits in terms of improving design, mobilizing contributions in cash or in kind, and increasing local ownership and operational sustainability." Similar approaches can be seen in ADB and IDB's policies.

vii) Alignment to global

development initiatives: With important global initiatives like the SDGs, the Paris Agreement on Climate Change and SE4All, the alignment in the policies of the DFIs can be clearly seen. The major change can be seen in the reduction in financing of coal or oil-fired projects by the DFIs unless in exceptionally rare circumstances. In AfDB's new deal it is stated that "The country-level engagement should build on current efforts, in particular the SE4All Action Agendas, developed as the umbrella energy sector document, and national implementation framework for SDG 7, in many countries." The WB has also aligned its energy sector strategy with the global goals. The WB clearly states that its energy strategy 'mirrors' the objectives of the SE4All SDGs on energy (specifically SDG 7) for achieving universal access, accelerating improvements in energy efficiency, and doubling the global share of renewable energy by 2030. The ADB and the IDB are the hubs for SE4All's work in their respective

regions and have their policies aligned to the global goals.

2.6.3. Policy Shortcomings and Implementation Gaps in the Energy Strategy

It is clear from the above discussion that most of the policies are well aligned in principle with the global development and sustainable infrastructure goals.

The DFIs have to be careful in their approach of financing projects in the realm of fossil fuels even if they fall under the bracket of clean coal. The policies and approaches of DFIs in many aspects seem contradictory. The AfDB policy states that "*The New Deal is anchored on the premise that the countries should decide which energy source they wish to pursue and that the Bank will assist them, in line with its applicable policies and guidelines*". With this open ended approach of deciding any energy source for country level projects, the ambition to stay in the clean energy space seem a difficult task. Further, as per a report by Bank Information Centre on WB's Development Policy Finance²⁰⁰ the planned/pending PPP projects being funded by WB in the countries of assessment in the report, were fossil fuel projects, including coal projects in Indonesia and Mozambique. This is further aggravated with the DFIs, opting for lending through financial intermediaries (commercial banks or equity funds), that have limited information available in the public domain. For instance, the WB's private sector arm had directed more than half of its lending in 2015 through financial intermediaries.²⁰¹ Studies have shown that these intermediaries

200 Bank Information Centre (BIC), 2017

201 Oxfam 2016, *Owning the Outcomes: Time to make the World Bank Group's financial intermediary investments more accountable*

support fossil fuel projects that are not only contrary to the Bank's energy policy but have also led to unrest among local residents.²⁰²

While most DFIs are willing to adopt the bottom of pyramid approach for ensuring energy access, there is a need for creating an enabling environment for affordable infrastructure. With DFIs like the WB continuing their subsidies on coal,²⁰³ renewable energy seems less lucrative and the private funds are restricted to fossil fuel infrastructure projects. Additionally, issues can be seen in DFIs approach on the emphasis on extending centralised power and main grids rather than promoting investments in the decentralised solutions.²⁰⁴ A 2016 study comparing multiple DFIs' energy portfolios, concluded that all the DFIs need to significantly increase their funding for energy access and off-grid clean energy.²⁰⁵ There is a need, therefore, for DFIs to build an enabling environment to improve fuel economy and invest in shifting to low-carbon solutions.

In order to meet the global goals, DFIs can play a role in steering private sector investments towards the energy efficiency and renewable energy space. The DFIs also have a role to play in promoting a responsible private sector and building government capacity to ensure private sector actors can

202 Inclusive Development International, October 2016

203 The above-mentioned BIC report states that "In Egypt, the WB provided incentives/subsidies provided in the new Investment Law – not a PPP-specified framework – apply to all electricity generation. Thus, such subsidies apply to the government's planned 12.5 GW of new coal power plants. Egypt currently has no coal power plants. These new coal investments are slated to take place during the current DPF operation timeframe (December 2015 to June 2017).

204 Oxfam 2017, The AIIB's Energy Opportunity, Pg 6

205 Sierra Club and Oil Change International, April 2016

operate effectively and transparently. A holistic approach is currently wanting in the DFIs implementation frameworks.

2.6.4. Emerging recommendations for the NDB

The NDB, thus far, has a good track record of financing clean energy projects. A more careful approach is needed to this effect, considering that the Bank would evolve and take on bigger projects. With the NDB evaluating the prospects of financing a high-speed railway line and road construction project in Russia,²⁰⁶ there is all the more need for the NDB to be mindful of its stand in favour of clean energy financing.

i) Strategy for clean energy projects, including the framework for its implementation:

It would therefore, be useful for the NDB to consider developing a strategy on financing clean energy projects as well as climate change mitigation projects. The NDB's General Strategy: 2017 – 2021, states that "sustainable infrastructure development will be the primary focus of NDB's operational strategy in the period 2017-2021, accounting for about two-thirds of total project commitments."²⁰⁷

The strategy with a clearly defined portfolio targets, as well as a framework for implementation and monitoring would help in keeping the Bank focused on its agenda.

ii) Setting minimum benchmarks for project countries:

Since the NDB adopts the approach of financing based on the country-specific needs, it would be useful if it incorporates certain minimum benchmarks for the countries to adhere to in order

206 New Development Bank, September 2016, BRICS Bank Plans To Invest In Construction Of Roads In Russia

207 New Development Bank, 2017, NDB's General Strategy: 2017 – 2021, Pg 12

to dissuade the financing of energy-inefficient projects. The General Strategy of NDB states that the Bank wants to stay focussed on 'a group of sectors that is more limited in scope, while still broad enough to provide ample room for finding and implementing viable projects.'²⁰⁸, rather than emulate the other DFIs and cover a huge variety of sectors and activities. However, the strategy further states that the Bank would retain the flexibility to provide funding to other areas, in line with the demand and requirement of the borrowing countries and invest in traditional infrastructure projects. In both the former and latter scenario, there would be a string need for defining the minimum benchmarks to dissuade the financing of projects that are not efficient and sustainable.

iii) Careful approach towards financing projects ensuring low emissions:

Like most DFIs, including the WB, the NDB could look at financing projects that strive to ensure low emissions and conform to climate resilient development. While, other DFIs have to strive to align their goals and policies to global issues like the SDGs as well as effective implementation of the Paris Agreement, the NDB has the advantage of being formed in the current times. In its General Strategy, the Bank has emphasised to focus on projects that incorporate sustainability from their inception.

However there is a need for it to define the sustainability criteria to ensure that the Bank achieves this goal²⁰⁹. One of the ways of achieving this could be to offer the borrowers, financial incentive options, such as special credit lines (with longer repayment terms and lower rates) and insurance against

208 ibid

209 ibid

project risks.²¹⁰ Projects with higher sustainability – which could be determined either via indicators and a sliding scale of sustainability – would achieve higher incentives.²¹¹ Thus, there is ample opportunity for the NDB to showcase itself as a “Leader of Development Finance Institutions” in facilitating and helping to fund developing countries to embark on a pathway that ensures compliance of the SDGs as well as the Paris Agreement, which endeavours to bring down the greenhouse gas emissions globally to “net zero levels” by the second half of this century.

210 CALACAS-JGU, India and Conectas Human Rights, Brazil, 2017

211 *ibid*

Conclusion

In conclusion, the research findings demonstrate the important need for the NDB to develop robust policies, strategies and frameworks, as well as an internal structure that allows for effective operationalization and implementation of its policy framework for a number of issues such as gender equality, transparency, and accountability among others. Additionally there is also a need for the NDB to strengthen some of its existing policies such as the 'Environment and Social Safeguards Framework' and the 'Information Disclosure Policy'. The biggest learning for the NDB could be to gain from the implementation gaps and challenges that other DFIs face and strive to improve on them in the implementation standards that it sets for itself.

Further, the research also highlights the fact that the NDB has a huge opportunity to showcase itself as a leader on issues such as 'clean energy'. In terms of gender mainstreaming, as it has the advantage of learning from the challenges faced by the DFIs, it must develop a robust gender mainstreaming policy that is cross-cutting in its development agenda.

It is hoped that some of the key recommendations are translated into a concrete policy framework for the NDB.

References

- AAS, CDES, CEDLA, CIDOB, COICA, DAR, FOCO, Forum Solidaridad Perú, FARN, FUNDAR, FUNDEPS IBASE, INESC y RAMA. 52 pages, GUIDELINES FOR DISCUSSION. Implementation of an Information Access Policy for the Brazilian Development Bank (BNDES), Retrieved on 16.06.2017 (http://www.dar.org.pe/archivos/publicacion/135_Lineamientos_de_Politica_ingles.pdf)
- ADB (2009). Civil Society Organization Sourcebook, Retrieved on 2.06.2017 from <https://www.adb.org/sites/default/files/institutional-document/32629/files/cso-staff-guide.pdf>
- ADB (2009). Safeguard Policy Statement. Pg. 97. Retrieved on 5.06.2017 from <https://www.adb.org/sites/default/files/institutional-document/32056/safeguard-policy-statement-june2009.pdf>
- ADB (2015). How does ADB engage civil society organization in its operations? Philippines. Retrieved on 3.06.2017 (<https://www.adb.org/sites/default/files/publication/177631/how-does-adb-engage-cso.pdf>)
- ADB 2003, policy on Gender and Development Retrieved on 8.06.2017 (<https://www.adb.org/sites/default/files/institutional-document/32035/gender-policy.pdf>)
- ADB 2009, Energy Policy, Retrieved on 24.06.2017 (<https://www.adb.org/sites/default/files/institutional-document/32032/energy-policy-2009.pdf>)
- ADB 2009, Public Communications Policy Review Retrieved on 10.06.2017 (<https://www.adb.org/site/disclosure/pcp-review>)
- ADB 2012, Handbook on Poverty and Social Analysis (<https://www.adb.org/sites/default/files/institutional-document/33763/files/handbook-poverty-social-analysis.pdf>)
- ADB 2012, Operations Manual for ADB's Accountability Mechanism, Retrieved 06.06.2017 (<https://www.adb.org/documents/operations-manual>)
- ADB Flyer, ADB is Committed to Gender Equality and Women's Empowerment, Retrieved 17.08.2017 (<https://www.adb.org/sites/default/files/publication/180795/adb-gender-mainstreaming-performance.pdf>)
- ADB, (2010). Gender Equality Results, Case Studies : Nepal.Philippines. Pg.50. Retrieved on 25.08.2017 (<https://www.adb.org/sites/default/files/publication/28745/gender-case-study-nep.pdf>)
- ADB, 2009, Energy Policy (<https://www.adb.org/sites/default/files/institutional-document/32032/energy-policy-2009.pdf>)
- ADB, 2015, Making Money Work: Financing a Sustainable Future in Asia and the Pacific, a report by ADB (<https://www.adb.org/sites/default/files/publication/158432/making-money-work-main-report.pdf>)
- ADB.org, Civil Society Participation. Retrieved on 04.05.2017 (<https://www.adb.org/site/ngos/civil-society-participation>)
- ADB.org, How to file a complaint in ADB Retrieved on 16.06.2017 (<https://www.adb.org/site/accountability-mechanism/how-file-complaint>)
- ADB.org, Operations Manual (L3) on Public Communications, Retrieved on 11.07.2017 (<https://www.adb.org/documents/operations-manual>)
- ADB.org, Safeguards Overview. Retrieved on 1.06.2017 (<https://www.adb.org/site/safeguards/main>)
- AfDB (2013). Safeguards and Sustainability Series, Vol.1 Issue 1. Pg 66. Retrieved on 10.08.2017 from https://www.afdb.org/fileadmin/uploads/afdb/Documents/Policy-Documents/December_2013_-_AfDB%E2%80%99S_Integrated_Safeguards_System_-_Policy_Statement_and_Operational_Safeguards.pdf
- AfDB 2012, AfDB Group Energy Sector Policy Retrieved from 11.06.2017 (<https://www.afdb.org/en/documents/document/afdb-group-energy-sector-policy-30043/>)
- AfDB 2014, Gender Strategy (2014 – 2018), Retrieved on 20.11.2017 (https://www.afdb.org/fileadmin/uploads/afdb/Documents/Policy-Documents/2014-2018_-_Bank_Group_Gender_Strategy.pdf)
- AfDB 2015, Operating Rules and Procedures for Independent Review Mechanism, January 2015, Retrieved on 12.06.2017 (https://www.afdb.org/fileadmin/uploads/afdb/Documents/Compliance-Review/Revised_IRM_Operating_Rules_and_Procedures_2015.pdf)
- AfDB 2015, Resolution concerning the Independent Review Mechanism of the AfDB, Retrieved on 07.06.2017 (https://www.afdb.org/fileadmin/uploads/afdb/Documents/Compliance-Review/Boards_Resolution_on_Establishment_of_IRM_2015.pdf)
- AfDB Group's 2016-2025 Strategy for the New Deal on Energy for Africa Retrieved on 16.06.2017 (https://www.afdb.org/fileadmin/uploads/afdb/Documents/Generic-Documents/Bank_s_strategy_for_New_Energy_on_Energy_for_Africa_EN.pdf)
- AfDB, (July 2012). Framework for Enhanced Engagement with Civil Society Organizations. Pg. 33 Retrieved on 13.06.2017 (<https://www.afdb.org/fileadmin/uploads/afdb/Documents/Policy-Documents/CSO%20Framework%20Web%20consultation%20EN.pdf>)
- AfDB, 2014, Evaluation Matters-Gender Inequality and You, Retrieved on 15.06.2017 from (https://www.afdb.org/fileadmin/uploads/opev/Documents/Evaluation_Matters_March_2014_-_Gender_Inequality_and_You.pdf)

- AfDB, 2014, Integrated Safeguards System: Policy Statement and Operational Safeguards, Safeguards and Sustainability Series 1, no. 1 (2013), Retrieved on 13.07.2017(https://www.afdb.org/fileadmin/uploads/afdb/Documents/Policy-Documents/December_2013_-_AfDB%E2%80%99S_Integrated_Safeguards_System_-_Policy_Statement_and_Operational_Safeguards.pdf)
- AfDB, 2015 Integrated Safeguards System of AfDB - Guidance Materials (Vol 1) https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/SSS_-_IESIA_Volume_1_-_En.pdf
- AfDB, 2015, AfDB launches revised version of its Environmental and Social Assessment Procedures for 2015, Retrieved on 12.06.2017 (<https://www.afdb.org/en/news-and-events/afdb-launches-revised-version-of-its-environmental-and-social-assessment-procedures-for-2015-15013/>)
- AfDB, 2015, The African Development Bank's involuntary resettlement policy: Review of implementation, 2015. Pg 29, Retrieved on 26.06.2017 (https://www.afdb.org/fileadmin/uploads/afdb/Documents/Generic-Documents/Safeguards_and_Sustainability_Series_-_Involuntary_Resettlement_-_En_web.pdf)
- AfDB.org, E-Consultation on Civil Society Engagement Framework-Have your say! Retrieved on 25.06.2017 (<https://www.afdb.org/en/consultations/closed-consultations/afdb-civil-society-engagement-framework/>)
- Anders Uhlin, 2016, Book on "Civil Society and Regional Governance, The Asian Development Bank and Associations of South-east Asian Nations" by Anders Uhlin published by Lexington Books, Retrieved on 21.03.2017 (<https://goo.gl/Mo1L7K>)
- Attigah, B. and Mayer-Tasch, L. (2013): The Impact of Electricity Access on Economic Development - A Literature Review. In: Mayer-Tasch, L. and Mukherjee, M. and Reiche, K. (eds.), Productive Use of Energy (PRODUSE): Measuring Impacts of Electrification on Micro-Enterprises in Sub-Saharan Africa. Eschborn, Retrieved on 20.11.2017 (http://www.produce.org/imglib/downloads/PRODUSE_study/PRODUSE%20Study_Literature%20Review.pdf)
- Bank Information Centre, Environmental and Social Assessment of WB, Retrieved on 28.08.2017 (<http://www.bankinformationcenter.org/our-work/safeguards/environmental-and-social-assessment/>)
- BNDES 2007, bylaws of the BNDES, DECREE No. 6.322, OF DECEMBER 21, 2007, Chapter VI-B, Retrieved on 02.08.2017 (http://www.planalto.gov.br/ccivil_03/_Ato2007-2010/2007/Decreto/D6322.htm#art2)
- BNDES 2011, Excerpt from BNDES Annual report, 2011 (http://www.bndes.gov.br/SiteBNDES/bndes/bndes_en/Hotsites/Annual_Report_2011/Capitulos/transparencia/ombudspersons_Office.html)
- BNDES approves creation of Sustainable Energy Fund, Accessed on June 19, 2017 (<http://bndes.gov.br/wps/portal/site/home/imprensa/noticias/conteudo/bndes-aprova-criacao-do-fundo-de-energia-sustentavel>)
- BNDES approves creation of Sustainable Energy Fund, Retrieved on 19.06.2017 (<http://bndes.gov.br/wps/portal/site/home/imprensa/noticias/conteudo/bndes-aprova-criacao-do-fundo-de-energia-sustentavel>)
- BNDES Socioenvironmental Policy Retrieved on 2.07.2017 (http://www.bndes.gov.br/SiteBNDES/bndes/bndes_en/Institucional/Social_and_Environmental_Responsibility/socioenvironmental_policy/)
- BNDES System Transparency Policy Retrieved on 6.07.2017 (<http://www.bndes.gov.br/wps/portal/site/home/transparencia/politica-de-transparencia>)
- BNDES, Decree No. 7.724 of May 16, 2012, Retrieved on 23.05.2017 (http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2012/decreto/d7724.htm)
- bndes.gov.br, BNDES Bylaws, By-laws of Banco Nacional de Desenvolvimento Econômico e Social – bndes, Retrieved on 20.11.2017 (https://www.bndes.gov.br/SiteBNDES/bndes/bndes_en/Institucional/The_BNDES/BNDES_bylaws.html)
- BNDES.gov.br, Corporate Governance, Retrieved 23.06.2017 (http://www.bndes.gov.br/SiteBNDES/bndes/bndes_en/Institucional/Corporate_Governance/)
- BNDES.gov.br, Gender Equity and Valorization of Diversity Policy Retrieved on 18.07.2017 (http://www.bndes.gov.br/SiteBNDES/bndes/bndes_en/Institucional/Social_and_Environmental_Responsibility/gender_equity_and_valorization_of_diversity_policy.html)
- Borges, C. (2014). Development for People? The BNDES Financing and human rights. Conectas. Sao Paulo. Brazil Pg. 110. Retrieved on 15.06.2017 from http://www.conectas.org/arquivos/editor/files/Conectas_BNDES%20e%20Direitos%20Humanos%20Ingles_SITE.pdf
- Brettonwoods Project, 2016, World Bank safeguards review: "human rights-free zone", Retrieved on 15.07.2017 <http://www.brettonwoodsproject.org/2016/02/world-bank-lack-of-human-rights-problematic-for-safeguards/>
- Brettonwoods Project, September, 2016, World Bank approves new "diluted" safeguards, [brettonwoodsproject.org](http://www.brettonwoodsproject.org/2016/09/world-bank-approves-new-diluted-safeguards/), September, 2016, Retrieved on 15.07.2017 (<http://www.brettonwoodsproject.org/2016/09/world-bank-approves-new-diluted-safeguards/>)
- Brookings Institution May 2015, Working Paper 85, Excerpt taken from Accessibility And Effectiveness Of Donor Disclosure Policies When Disclosure Clouds Transparency, Retrieved on 03.07.2017 (<https://www.brookings.edu/wp-content/uploads/2016/07/donor-disclosure-policies-gutman.pdf>)
- CAF (2010). CAF's Environmental Strategy Retrieved on 21.06.2017 from http://publicaciones.caf.com/media/1407/estrategia_ambiental_eng.pdf
- CAF 2015, Environmental And Social Safeguards For CAF/GEF Projects Manual Retrieved on 25.08.2017 (https://www.caf.com/media/2759391/d0-7_s_e_safeguards_manual_to_caf-gef_projects_may_2015_28.pdf)
- CAF 2015, Strategic Climate Change Mitigation Program 2015 – 2107 (http://publicaciones.caf.com/media/42457/climate_change_strategy_caf.pdf)

- CAF Development Bank of Latin America, May 2015. Guidelines and Procedures on Environmental and Social Safeguards for CAF/GEF projects Manual: Version 1. Pg. 216. Retrieved on 21.06.2017 from <https://www.caf.com/media/2757918/Environmental%20And%20Social%20Safeguards%20For%20CAFGEF%20Projects%20Manual.pdf>
- CAF Regional Energy Efficiency Program (PREE), Pg. 14 Retrieved from 28.09.2017 (http://www.summit-americas.org/jswg/2016_en.pdf)
- CAF-GEF Projects Accountability Mechanism. Retrieved from 17.07.2017 (https://www.caf.com/media/2763495/caf-gef_accountabilitymechanism_29.pdf)
- CAF-GEF safeguards guideline. Chapter XIII Retrieved on 6.09.2017 from (https://www.caf.com/media/2759391/d0-7_s_e_safeguards_manual_to_caf-gef_projects_may_2015_28.pdf)
- caf.org 2016, Press release of one of CAF's mentioned interventions in Chile, as accessed on 19.06.2017 (<https://www.caf.com/en/currently/news/2016/09/six-measures-to-improve-energy-efficiency-in-chile/?parent=16103>)
- CAF.org, Energy, Retrieved on 19.06.2017 (<https://www.caf.com/en/topics/e/energy/>)
- CALACAS-JGU, India and Conectas Human Rights, Brazil, 2017, Building Infrastructure for 21st Century Sustainable Development: Lessons and Opportunities for the BRICS-led New Development Bank, Retrieved on 09.11.2017 (<http://www.jgu.edu.in/research-centre/Centre-For-African-Latin-American-and-Caribbean-Studies/pdf/Building-Infrastructure-21st-Century.pdf>)
- CEE Bankwatch Network, Retrieved on 17.06.2017 from (<https://bankwatch.org/sites/default/files/gendertoolkit.pdf>)
- Clean Technica 2016, BNDES, Brazil's Largest Bank, Will Stop Financing Coal- & Oil-Fired Power Plants, Retrieved on 16.06.2017 (<https://cleantechnica.com/2016/10/10/bndes-brazils-largest-bank-will-cut-financing-coal-oil-fired-power-plants/>)
- ConSoc, IADB Retrieved on 13.09.2017 from (<http://www.iadb.org/en/civil-society-v3/consoc,19505.html>)
- Consultation on project financing, BNDES Retrieved on 15.08.2017 from (<https://goo.gl/jdT8WM>)
- Disclosure and Access to Information Policy of AfDB Retrieved on 11.09.2017 (https://www.afdb.org/fileadmin/uploads/afdb/Documents/Policy-Documents/Bank_Group_Policy_on_Disclosure_and_Access_to_Information.pdf)
- Eduardo C. Tadem, July 2017, Challenging ADB's immunity, Retrieved on 19.06.2017 (<http://opinion.inquirer.net/105372/challenging-adbs-immunity>)
- Eurodad 2015, An assessment of transparency and accountability mechanisms at the European Investment Bank and the International Finance Corporation, September 2015, Retrieved on 19.04.2017 (<http://eurodad.org/files/pdf/1546480-an-assessment-of-transparency-and-accountability-mechanisms-at-the-european-investment-bank-and-the-international-finance-corporation.pdf>)
- Evaluation Cooperation Group, Retrieved on 25.07.2017 (https://wpqr4.adb.org/LotusQuickr/ecg/Main.nsf/h_Toc/c4d2972a55a9514948257bbe0023aa84/?OpenDocument)
- Food and Agriculture Organization, Social Safeguards, International Learning Platform, Retrieved on 06.03.2017 (<http://www.fao.org/investment-learning-platform/themes-and-tasks/environmental-social-safeguards/social-safeguards/en/>)
- Goa Declaration at 8th BRICS Summit, Ministry of External Affairs, GOI, Oct 16, 2016, Retrieved on 21.03.2017 (<http://pib.nic.in/newsite/PrintRelease.aspx?relid=151706>)
- Henrich Boll Stiftung, 2013, Implementing Gender Equality at the World Bank, Retrieved on 07.08.2017 (https://us.boell.org/sites/default/files/schalatek_implementing_gender_equality_at_the_world_bank.pdf)
- Huffington Post, 2016, World Bank Forgoes Transparency, Hides Behind Policy Loophole, Retrieved on 08.05.2017 (http://www.huffingtonpost.com/nezir-sinani/world-bank-forgoes-transp_b_10592088.html)
- Human Rights Watch, 2015, At Your Own Risk, Reprisals against critics of World Bank Group Projects, Human Rights Watch Retrieved on 14.06.2017 from (<https://www.hrw.org/report/2015/06/22/your-own-risk/reprisals-against-critics-world-bank-group-projects#page>)
- IADB.org 2010, IDB approves new, far-reaching access to information policy to boost transparency Retrieved on 18.06.2017 (<http://www.iadb.org/en/news/news-releases/2010-05-12/new-inter-american-development-bank-access-to-information-policy-idb,7133.html>)
- IADB.org, Civil Society website Retrieved on 23.06.2017 (<http://www.iadb.org/en/civil-society-v3/home,19183.html>)
- IBRD, World Bank (2006). World Bank-Civil Society Engagement: Review of Fiscal Years 2005 and 2006. USA. Pg 124. Retrieved on 16.07.2017 <http://siteresources.worldbank.org/CSO/Materials/21063337/CSEngagement06Final.pdf>
- ICRIER-Oxfam 2014, Articulating A Vision For A Progressive BRICS Development Bank, Annexure B, Retrieved 19.06.2017 (http://icrier.org/pdf/report_brics_bank.pdf)
- IDB 2016, Policy Of The Independent Consultation And Investigation Mechanism, Retrieved from 30.07.2017 (<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=40153237>)
- IDB (2006). Environment and Safeguards (Compliance Policy). Washington DC, Retrieved on 22.07.2017 (<https://www.cbd.int/financial/idb2015/iadb-safeguards.pdf>)
- IDB (November 2010), Policy on Gender Equality in Development, Retrieved on 23.07.2017 (<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=35428399>)
- IDB 2011, Integrated Strategy for Climate Change Adaptation and Mitigation, and Sustainable and Renewable Energy Retrieved from 23.06.2017 (<https://www.cbd.int/financial/mainstream/idb-climateintegration.pdf>)
- IDB 2014, Learning from failure, Retrieved on 08.07.2017 (<http://deo.iadb.org/2014/en/lessons/learning-from-failure/>)

- IDB 2015, Gender And Diversity Sector Framework Document, Retrieved on 14.08.2017 (<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39435256>)
- IDB 2015, Update to the Institutional Strategy 2010 – 2020, Retrieved on 20.11.2017 (<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39556684>)
- IDB, 2006, Draft Guidelines for the Environment and Safeguards Compliance Policy, Retrieved on 22.07.2017 (<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=665902>)
- IDB, 2006, Operational Policy on Indigenous Peoples and Strategy for Indigenous Development, Retrieved on 13.06.2017 (<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=2032081>)
- IDB, 2007, Disaster risk management policy. Revised version, Retrieved on 22.07.2017 (<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=35004515>)
- IDB, 2010, Operational Policy On Gender Equality In Development, Retrieved on 06.07.2017 (<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=35428399>)
- IDB, 2015, Energy Sector Framework Document, Retrieved on (<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=40018070>)
- IDB, Involuntary Resettlement, Retived on 21.07.2017 (<http://www.iadb.org/en/about-us/involuntary-resettlement,6660.html>)
- IDB's Access to Information Policy, Retrieved on from 17.06.2017 (<http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=35167427>)
- IDB's Office of Evaluation and Oversight website, Retrieved from 14.06.2017 (<http://www.iadb.org/en/office-of-evaluation-and-oversight/ove,19686.html>)
- IEG Independent Evaluation Group Revised Mandate of the Director-General, Evaluation Retrieved on 21.06.2017 (http://ieg.worldbankgroup.org/Data/dge_mandate_tor.pdf)
- IEG world Bank (2002-08).Gender and Development. Retrieved on 23.06.2017 (<https://www.oecd.org/derec/worldbankgroup/46993392.pdf>)
- ILO convention 169 Retrieved on 23.06.2017 (http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169)
- Indigenous Peoples of Africa Coordinating Committee (IPACC), June 2012, report titled 'Why A Stand-Alone Indigenous Peoples Policy Within The African Development Bank's Integrated Safeguards System', Retrieved on 20.03.2017 (<http://www.forestpeoples.org/sites/fpp/files/publication/2012/11/why-standalone-ip-policy-afdb-s-iss.pdf>)
- IREDA, 2014, Manual prepared to harmonise IREDA's Social and Environment Safeguards with projects financed by ADB (http://www.ireda.gov.in/writereaddata/20140523%20ESMS%20IREDA_final_clean.pdf)
- Kochladze, M & Gallop, P (July, 2011). Gender and international financial institutions; A guide for civil society. CEE Bankwatch Network. pg. 34, Retrieved on 07.08.2017 (<https://bankwatch.org/sites/default/files/gendertoolkit.pdf>)
- Michael Bamberger, Jos Vaessen, Estelle Raimondo, 2015, Dealing with complexity in development evaluation: a practical approach (Section 3.2) Retrieved on 24.08.2017
- Moser, A & Moser C. (2005). Gender & Development, 13,2. Retrieved on 20.08.2017 <http://www.tandfonline.com/doi/abs/10.1080/13552070512331332283?journalCode=cgde20>
- NDB 2016, BRICS Bank Plans To Invest In Construction Of Roads In Russia, Retrieved on 10.06.2017 (<http://www.ndb.int/media/brics-bank-plans-invest-construction-roads-russia/>)
- ndb.int, List of projects, Retrieved on 09.11.2017 (<https://www.ndb.int/projects/list-of-all-projects/>)
- New Development Bank, 2016, Policy on Loans with Sovereign Guarantee, Retrieved on 19.03.2017 (<http://www.ndb.int/wp-content/uploads/2017/02/ndb-policy-on-loans-with-sovereign-guarantee-20160121.pdf>)
- New Development Bank, 2017 Environment and Social Framework, Pg 6. Retrieved on 14.06.2017 (<http://www.ndb.int/wp-content/uploads/2017/02/ndb-environment-social-framework-20160330.pdf>)
- New Development Bank, 2017, NDB's General Strategy: 2017 – 2021. Retrieved on 09.11.2017 (<https://www.ndb.int/wp-content/uploads/2017/07/NDB-Strategy-Final.pdf>)
- NGO Forum on ADB ,Retrieved on 25.06.2017 (<https://www.forum-adb.org/information-disclosure>)
- OUTSOURCING DEVELOPMENT: Lifting the Veil on the World Bank Group's Lending Through Financial Intermediaries (<http://www.inclusivedevelopment.net/wp-content/uploads/2016/09/Outsourcing-Developmnet-Introduction.pdf>)
- Oxfam 2015, Adapted from Oxfam's comments on WB ESF draft March 2015, Retrieved on 20.11.2017 (https://consultations.worldbank.org/Data/hub/files/oxfam_comments_on_second_draft_wb_environmental_and_social_framework.pdf)
- Oxfam 2017, Testing Community Consent, Retrieved on 20.11.2017 (https://kenya.oxfam.org/sites/kenya.oxfam.org/files/file_attachments/FPIC%20Report-November%202017.pdf)
- Oxfam 2017, The AIB's Energy Opportunity, Pg 6. (<http://www.oxfam.org.cn/uploads/soft/20170616/1497586191.pdf>)
- Oxfam 2017, The AIB's Energy Opportunity, Retrieved on 22.06.2017 (<http://www.oxfam.org.cn/uploads/soft/20170616/1497586191.pdf>)
- Oxfam, 2016, Owning the Outcomes: Time to make the World Bank Group's financial intermediary investments more accountable, Retrieved on 17.07.2017 (https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/bn-ifc-owning-outcomes-031016-en_0.pdf)

- pib.nic.in, September 2017, BRICS Leaders Xiamen Declaration (<http://pibphoto.nic.in/documents/rlink/2017/sep/p20179401.pdf>)
- Roychoudhury, S. and Vazquez, K. C. (2016), What is new about the BRICS-led New Development Bank? Devex, Retrieved on 13.08.2017 (<https://www.devex.com/news/what-is-new-about-the-brics-led-new-development-bank-88126>)
- Scroll.in Oct 16, 2016. Brics' New Development Bank may be new only in name – it's yet to lay the ground for sweeping change, Retrieved on 18.08.2017 (<https://scroll.in/article/819119/brics-new-development-bank-may-be-new-only-in-name-its-yet-to-lay-the-ground-for-sweeping-change>)
- SE4All objectives of achieving universal access, accelerating improvements in energy efficiency, and doubling the global share of renewable energy by 2030 Retrieved from 1.07.2017
- Shelepov Andrey, 2017, Article titled Infrastructure Financing: The New Development Bank (NDB) and Asian Infrastructure Investment Bank (AIIB), Retrieved on 21.03.2017 (http://www.ranepa.ru/images/media/articles/APNB_eng_2.pdf)
- Sierra Club and Oil Change International, April 2016, Still Failing To Solve Energy Poverty: International Public Finance for Distributed Clean Energy Access Gets another "F", Retrieved on 20.11.2017 (https://www.sierraclub.org/sites/www.sierraclub.org/files/uploads-wysiwig/1281%20Energy%20Scorecard_06_web.pdf)
- Social Clause as on BNDES's website, Retrieved on 26.07.2017 (http://www.bndes.gov.br/SiteBNDES/bndes/bndes_en/Institucional/Social_and_Environmental_Responsibility/social_clause.html)
- Strategic Climate Change Mitigation Program 2015 – 2107 for CAF, Retrieved on 28.06.2017 (http://publicaciones.caf.com/media/42457/climate_change_strategy_caf.pdf)
- Strategy for promoting citizen participation in bank activities, 2004, Retrieved on 14.07.2017 (<https://publications.iadb.org/bitstream/handle/11319/1261/Strategy%20for%20Promoting%20Citizen%20Participation%20in%20Bank%20Activities.pdf?sequence=1&isAllowed=y>)
- Sustainalytics 2017, Framework Overview of BNDES' Green Bond Fund And Second Opinion, Retrieved on 18.08.2017 (http://www.sustainalytics.com/wp-content/uploads/2017/04/Green-Bond-Framework-and-Opinion_BNDES.pdf)
- The World Bank Policy on Access to Information, Retrieved on 13.06.2017 (<http://pubdocs.worldbank.org/en/393051435850102801/World-Bank-Policy-on-Access-to-Information-V2.pdf>)
- The World Bank's, Strategic Framework For Mainstreaming Citizen Engagement In World Bank Group Operations (Consultations), Retrieved on 14.07.2017 (<https://consultations.worldbank.org/Data/hub/files/consultation-template/engaging-citizens-improved-resultsopenconsultationtemplate/materials/finalstrategicframeworkforce.pdf>)
- thehindubusinessline.com, April 2017, NDB invests \$1.5 billion in 7 projects in 2 years of operation: Kamath. Retrieved on 09.11.2017 (<http://www.thehindubusinessline.com/money-and-banking/ndb-invests-15-billion-in-7-projects-in-2-years-of-operation/article9611707.ece>)
- Ulu Foundation, 2015, Lessons Learned? The Implications of the ADB's Review of Safeguard Policy Implementation for the World Bank and the Asian Infrastructure Investment Bank, Retrieved on 26.07.2017 (<http://nebula.wsimg.com/3cdf701e03e4ed-f9255170ae39ffdee6?AccessKeyId=BBECBE2DB5DCCE90DECA&disposition=0&alloworigin=1>)
- UN Sustainable Development Goal (SDG), Retrieved on 26.03.2017 (<http://www.un.org/sustainabledevelopment/energy/>)
- UNDP 2015, World leaders adopt Sustainable Development Goals, Retrieved on 21.03.2017 (<http://www.undp.org/content/undp/en/home/presscenter/pressreleases/2015/09/24/undp-welcomes-adoption-of-sustainable-development-goals-by-world-leaders.html>)
- UNFCCC, October 2016, Paris Agreement - Status of Ratification, Retrieved on 21.03.2017 (http://unfccc.int/paris_agreement/items/9444.php)
- Watkins, G. (December 2014), Approaches to the Assessment and Implementation of Sustainable Infrastructure Projects in Latin America and the Caribbean', IDB, Felipe Herrera Library. Retrieved from 23.06.2017 http://www.seffrance.fr/images/documents/bidapproaches_to_the_assessment_and_implementation_of_sustainable_infrastructure_projects.pdf
- WB ESS10 retrieved on 18.07.2017 (<http://documents.worldbank.org/curated/en/383011492423734099/pdf/114278-REVISED-Environmental-and-Social-Framework-Web.pdf#page=111&zoom=80>)
- WB's Gender Strategy, 2002. Executive Summary, Retrieved on 19.06.2017 (<http://siteresources.worldbank.org/INTGENDER/Resources/strategypaper.pdf>)
- WB's OP 4.01 – Environmental Assessment, Retrieved from 16.08.2017 (<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=1565&ver=current>)
- Widmer,R (2012). The Brazilian Safeguard Regime, Its Application, and Recommendations for the Future. Pg. 48. Retrieved on 5.07.2017 https://www.internationalrivers.org/sites/default/files/attached-files/case_study_hydropower_development_in_brazil.pdf
- World Bank (2012). The World Bank's Safeguard Policies; Proposed revised and update. Pg. 20. Retrieved on 11.07.2017 <http://www.disabledpeoplesinternational.org/documents/SafeguardsReviewApproachPaper.pdf>
- World Bank (2014). The World Bank Operational Manual Operational Policies. Pg 9, Retrieved on 16.06.2017 http://siteresources.worldbank.org/OPSMANUAL/112526-1124459412562/23585578/OP10.00_July1_2014.pdf
- World Bank 1993, The World Bank Inspection Panel, Resolution No. IBRD 93-10/IDA 93-6 (Sept. 22, 1993) Retrieved on 27.06.2017 (<http://ewebapps.worldbank.org/apps/ip/PanelMandateDocuments/Resolution1993.pdf>)
- World Bank 2006, Translation Framework For The World Bank, Retrieved from 27.06.2017 (<http://siteresources.worldbank.org/EXTINFODISCLOSURE/Resources/Translationframework.pdf>)

- World Bank 2014, The Inspection Panel at the World Bank Operating Procedures, April 2014 (with Annex 2 added in February 2016), 21.06.2017 (<http://ewebapps.worldbank.org/apps/ip/PanelMandateDocuments/2014%20Updated%20Operating%20Procedures.pdf>)
- World Bank 2017, Strategic Environmental and Social Assessment-Environmental and Social Management Framework. Government of Andhra Pradesh, Retrieved on 16.06.2017 from <http://documents.worldbank.org/curated/en/650051486971245674/SFG3009-REVISED-EA-P159808-Box402910B-PUBLIC-Disclosed-5-22-2017.pdf>
- World Bank Energy Sector Directions Paper, World Bank Retrieved on 24.06.2017 (<http://documents.worldbank.org/curated/en/745601468160524040/pdf/795970SST0SecM00box377380B00PUBLIC0.pdf>)
- World Bank Group and Agence Francais de Development (AFD), 2015, Mainstreaming Climate Action within Financial Institutions :Emerging Practices. Retrieved on 16.07.2017 (http://www.ndf.fi/sites/ndf.fi/files/news_attach/emerging_practice_paper_web.pdf)
- World Bank, 2013, Toward a Sustainable Energy Future for All: Directions for the World Bank Group's Energy Sector, Retrieved on 20.04.2017 (<http://documents.worldbank.org/curated/en/745601468160524040/pdf/795970SST0SecM00box377380B00PUBLIC0.pdf>)
- World Bank, 2015, Comparative Review of Multilateral Development Bank Safeguard Systems, Executive Summary (https://consultations.worldbank.org/Data/hub/files/consultation-template/review-and-update-world-bank-safeguard-policies/en/phases/mdb_safeguard_comparison_main_report_and_annexes_may_2015.pdf)
- World Bank, 2016, Fact Sheet, The World Bank's New Environmental and Social Framework, Retrieved on 02.07.2017 (<http://pubdocs.worldbank.org/en/748391470327541124/SafeguardsFactSheetenglishAug42016.pdf>)
- World Bank, Gender and Development Policy Framework-A Guidance Note. Retrieved on 27.08.2017 (http://siteresources.worldbank.org/INTGENDER/Resources/GAD_PolicyFramework.pdf)
- World Bank's OP 4.00 - Piloting the Use of Borrower Systems to Address Environmental and Social Safeguard Issues in World Bank-Supported Projects. Retrieved from 19.08.2017 (<https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=1564&ver=current>)
- World Bank's OP 4.20 - Gender and Development Manual Retrieved on 14.08.2017 (<https://policies.worldbank.org/sites/ppf3/PPFDocuments/1680090224b08231c012.pdf>)
- World Bank's page on Social and environmental policies for projects, Retrieved on 19.07.2017 (<http://www.worldbank.org/en/programs/environmental-and-social-policies-for-projects>)
- Worldbank.org, Citizen Engagement, Retrieved on 15.07.2017 (<http://www.worldbank.org/en/about/what-we-do/brief/citizen-engagement-Society-Organizations>)
- Worldbank.org, Civil Society webpage, Retrieved on 26.06.2017 (<http://www.worldbank.org/en/about/partners/civil-society#2>)
- www.grievancemechanisms.org, 2016, Annexe 15 of Glass half Full Report, The Inspection Panel of the World Bank, Retrieved on 21.06.2017
- www.grievancemechanisms.org, 2016, Glass Half Full Report, Annexe 5: The Independent Review Mechanism of the African Development Bank, Retrieved on 23.06.2017
- Zuckerman Elaine, February 23, 2016, guardian.com, Why don't World Bank projects safeguard women's rights?, Retrieved on 20.11.2017 (<https://www.theguardian.com/global-development/2016/feb/23/world-bank-projects-safeguard-womens-rights-gender>)

Vasudha Foundation

CISRS House, 14 Jangpura B
Mathura Road, New Delhi-110 014

www.vasudha-foundation.org