



October 23, 2015

Mr. Jin Liqun  
President-Designate  
Asian Infrastructure Investment Bank (AIIB)  
9 Financial Street, Xicheng District  
Beijing, China

Dear Mr. Jin Liqun:

We, the undersigned members of the Coalition for Human Rights in Development and allied organizations welcome the release of the Asian Infrastructure Investment Bank (AIIB)'s draft Environmental and Social Framework (ESF).

As a global coalition of social movements, civil society organizations, and community groups working to ensure that all development finance institutions respect, protect, and fulfill human rights, we urge the AIIB to adopt a robust ESF that can ensure that AIIB-financed activities meet the development needs of the region, and most importantly, the needs of poor or marginalized communities. Toward this end, the ESF must effectively ensure transparent, participative, and rights-respecting sustainable development; require strong due diligence on the part of the bank and its clients, including necessary measures to ensure compliance with national laws, international standards, and best practices; and live up to the commitments and obligations of the AIIB's shareholders.

Unfortunately, we are not able to comment on the contents of the draft ESF due to fundamental problems with the ESF consultation process which preclude meaningful participation by civil society, and especially those communities who will be most affected by AIIB's activities.

We wish to raise the following serious concerns and critical recommendations regarding the consultation process:

1. **Extend the consultation timeline.** The existing comment period is wholly inadequate for dissemination of the draft ESF, and for civil society groups to digest and analyze its technical contents and produce recommendations.

**The consultation process should last a minimum of 4 to 6 months, following release of the draft ESF and relevant documents in local and regional languages.**

2. **Hold in-person consultations.** The use of an on-line consultation medium, without provision for in-person meetings, restricts access to only those civil society members who have high digital literacy and internet connectivity, excluding much of the region.

**The consultation process should include face-to-face meetings at the regional, national, and local levels. The number, location, and format of these meetings should be adequate to enable meaningful participation by all groups, especially those who may be marginalized, excluded from development processes, or particularly vulnerable to project-related harms. Consultation meetings should ensure accessibility for persons with disabilities, be gender sensitive and culturally appropriate, and allow for anonymous contributions by civil society members who may fear repercussions for participation.**

3. **Utilize active disclosure.** The consultation process does not have an active outreach plan, but rather relies on those few stakeholders who may happen to learn of the consultation. This biases the consultation toward English-speaking entities that closely follow development finance.

**Disseminate documents in a form and format understandable to all, including those not familiar with development finance. Active dissemination should take place through means other than the internet. This may include distribution through national and local media, community gatherings, workshops, indigenous peoples' networks, etc.**

4. **Ensure access in regional and local languages.** Because the consultation process establishes English as the sole means of communication for the consultation, it excludes the majority of civil society in the region. The failure to translate the draft ESF into the representative languages of the region makes it inaccessible.

**Ensure consultation meetings take place in regional languages and provide for translations of all relevant documents into regional and local languages.**

5. **Hold at least two rounds of consultation.** Holding only one round of consultations does not allow for a means to ensure that outcomes of the consultation are incorporated within the revision process.

**The consultation process should consist of a minimum of two rounds of consultations, wherein a record of inputs received during the first round is made public along with a description of whether and how comments were addressed. This round should then be followed by a second round, allowing further input.**

6. **Provide information on the AIIB's structure and operations.** It is not possible to analyze the effectiveness of the draft ESF without a clearer understanding of the AIIB's structure, staffing, and budget for project implementation and social and environmental oversight.

**The consultation should include not only the draft ESF, but additionally the transparency, disclosure and accountability policies of the bank, including those outlining the role and functions of the Oversight Mechanism and the guidance for the operational-level grievance mechanisms. Consultations should also be held on the processes the bank will utilize for negotiation of country strategies and development priorities as well as sectoral strategies.**

The AIIB could be a global leader in sustainable development finance. However, to do so, it must be transparent and inclusive, and responsive to the needs and respectful of the rights of those communities it aims to benefit. This requires a strong and effective Social and Environmental Framework and an ongoing process of dialogue and partnership with civil society.

Unfortunately in this consultation on the draft ESF, we see a deeply flawed process that appears to privilege the input of well-positioned English-speaking business interests at the expense of the people of the region.

As a global coalition of social movements, civil society organizations and community groups, we are unable to effectively comment on the substance of the draft Environmental and Social Framework under these conditions. We will be happy to provide input on the draft at such time as there is an inclusive and meaningful consultation process.

We sincerely urge you to redesign the consultation process in demonstration of an honest commitment to transparent, participative, and rights-respecting development.

Sincerely,

Accountability Counsel, US

Alyansa Tigil Mina (Alliance Against Mining), Philippines

ARTICLE 19, Myanmar

Center for Bangladesh Studies, Bangladesh

Center for International Environmental Law, US

Community Policing Partners for Justice, Security and Democratic Reforms, Nigeria

Conseil Regional des Organisations non Gouvernementales de Developpement du Kasai Oriental,  
Democratic Republic of Congo

EcoLur Informational NGO, Armenia

Fundación para el Desarrollo de Políticas Sustentables, Argentina

Gender Action, USA

Human Rights Center for Citizens, Mongolia

International Accountability Project, US

Otros Mundos A.C., Chiapas, México

OT Watch, Mongolia

Rivers without Boundaries, Mongolia

Sahmakum Teang Tnaut, Cambodia

Steps Without Borders NGO, Mongolia

Publish What You Pay Mongolia

The Coalition for Human Rights in Development is a global coalition of social movements, civil society organizations, and grassroots groups working to ensure that all development finance institutions respect, protect, and fulfill human rights.

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