

Building Country Safeguard Systems  
**Briefing Note No. 5**  
Strengthening Capacity to  
Apply Country Safeguard Systems



Country safeguard systems are composed of the policies, practices, legal frameworks, and institutions that a country puts in place in order to avoid, minimize, or mitigate potentially harmful environmental and social impacts of development activities. All developing member countries have safeguard systems which meet ADB requirements to some degree.

The 2009 Safeguard Policy Statement of the Asian Development Bank calls for strengthening country safeguard systems as an objective in itself, to ensure that such systems achieve the benchmarks set by international good practices.

Country safeguard systems (CSS), covering environmental assessment, involuntary resettlement, and Indigenous Peoples, are a cornerstone of socially inclusive and environmentally sustainable growth.

The Asian Development Bank (ADB) and other development partners have been working with developing countries in Asia and the Pacific to establish or improve their CSS for several decades. This has been done through project support, policy dialogue, and technical assistance. Most countries have made tremendous progress on environmental laws and regulations and are also advancing on involuntary resettlement and Indigenous Peoples' issues. Capacity to deliver on these safeguards is also developing, although it varies widely across countries and sectors. In the context of rapid economic growth, already fragile environmental and ecological conditions, and diverse social changes in Asia and the Pacific, the challenge now is to further strengthen these CSS to incorporate regional and international good practices for more positive development outcomes.



Against this backdrop, ADB's Safeguard Policy Statement (SPS), adopted in 2009, emphasizes ADB's commitment to help borrowers strengthen their CSS to manage environmental and social risks. In line with the SPS, ADB has embarked on a major technical assistance (TA) program for strengthening and use of CSS, to seek convergence of CSS with international good practices, through diagnostic studies, enhancement of legal frameworks, and building implementation capacity.

## Developing In-Country Safeguard Capacity

ADB TA program support for strengthening CSS follows a structured approach: a capacity needs assessment, a capacity development plan, and capacity development activities. This approach addresses DMC capacity in regard to existing policy, laws, and regulations, to help identify and close gaps that are likely to demand extra capacity; organizational arrangements; administrative procedures, processes (including enforcement), and management information systems; guidelines; human resources; and budgets, facilities, and support systems.

Since the approval of the SPS in 2009, ADB has initiated TA projects in 36 DMCs<sup>1</sup> totaling more than \$36 million, to support their efforts in strengthening CSS (table).

The TA projects have helped improve DMC legal frameworks for involuntary resettlement and environmental assessment, strengthen institutional capacity to implement national laws and/or regulations, increase public participation, and promote knowledge management and South-South cooperation on CSS.

One of the TA projects that aims to enhance CSS capacity is the regional and designated corporate priority TA project titled Strengthening and Use of Country Safeguard Systems.<sup>2</sup> It supports activities that help align CSS with international good practices through a series of country-driven subprojects. The TA is ongoing and 29 subprojects involving 25 DMCs have been approved as of January 2016.<sup>3</sup> Aside from supporting the implementation of subprojects, the project also includes a regional CSS mapping exercise to undertake initial diagnostic assessments of all DMCs. As of January 2016, 40 assessments had been completed for environment, 17 for involuntary resettlement, and 5 for Indigenous Peoples.

Implementation of this TA illustrated a strong demand from DMCs for CSS strengthening. The approved subprojects focused on improved laws for environmental assessment and involuntary resettlement, and/or on capacity development for effective implementation of such laws, including South-South cooperation (twinning programs) and training. There has likewise been a high frequency of diagnostic studies of gaps between international good practices and country systems. Notably, demand for assistance on laws and capacity development with regard to Indigenous Peoples still lags behind involuntary resettlement and environment.

<sup>1</sup> Afghanistan, Armenia, Azerbaijan, Bangladesh, Bhutan, Cambodia, The People's Republic of China (PRC), Cook Islands, Fiji, Georgia, India, Indonesia, Kazakhstan, Kiribati, Kyrgyz Republic, Lao People's Democratic Republic (Lao PDR), Maldives, Marshall Islands, Federated States of Micronesia, Mongolia, Myanmar, Nepal, Pakistan, Palau, Papua New Guinea, the Philippines, Samoa, Solomon Islands, Sri Lanka, Tajikistan, Timor-Leste, Tonga, Turkmenistan, Uzbekistan, Vanuatu, and Viet Nam.

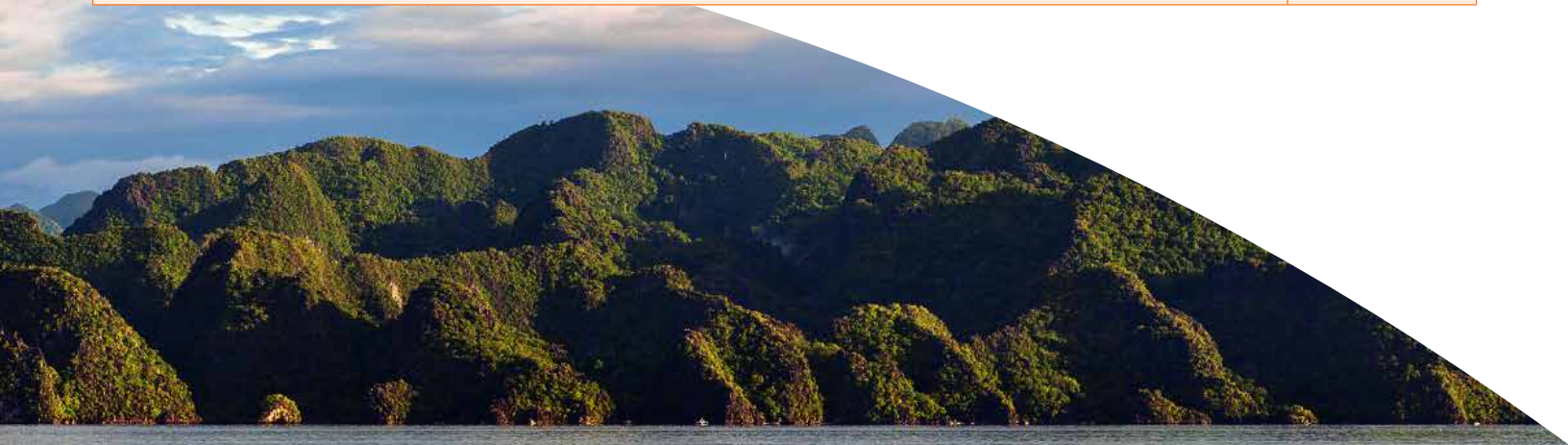
<sup>2</sup> ADB. 2010. *Technical Assistance for Strengthening and Use of Country Safeguard Systems*. Manila. <http://www.adb.org/projects/44140-012/main>

<sup>3</sup> Information on subprojects can be found at [www.adb.org/projects/44140-012/main?page-2=1#tabs-0-0](http://www.adb.org/projects/44140-012/main?page-2=1#tabs-0-0)



## Technical Assistance Projects to Strengthen Country Safeguard Systems, 2009–2015

Developing Member Country		Technical Assistance Project	Amount (\$)
<b>2009</b>			
1	People's Republic of China	Strengthening Enforcement of Environmental Laws and Regulations	300,000
2	Indonesia	Enhancing the Legal and Administrative Framework for Land Project	800,000
3	Regional	Mainstreaming Land Acquisition and Resettlement Safeguards in the Central and West Asia Region	5,000,000
4	Regional	Strengthening of Judicial Capacity to Adjudicate upon Environmental Laws and Regulations	225,000
<b>Subtotal</b>			6,325,000
<b>2010</b>			
5	Regional	Building Capacity for Environmental Prosecution, Adjudication, Dispute Resolution, Compliance, and Enforcement in Asia	2,705,000
6	Regional	Improving the Implementation of Environmental Safeguards in Central and West Asia	1,550,000
7	Regional	Strengthening and Use of Country Safeguard Systems	10,000,000
<b>Subtotal</b>			14,255,000
<b>2012</b>			
8	Mongolia	Preparation of Regulations and Capacity Development Plan for Involuntary Resettlement	200,000
9	Pakistan	Capacity Building for Enhanced Safeguards Management in Pakistan	550,000
10	Regional	Improving the Implementation of Safeguard Policy Applications in Selected South Asia Developing Member Countries	225,000
11	Solomon Islands	Strengthening Country Safeguard Systems in the Transport Sector	600,000
<b>Subtotal</b>			1,575,000
<b>2013</b>			
12	People's Republic of China	Study on the National Control of the Important Air Pollutant—Volatile Organic Compounds	400,000
13	Indonesia	Aligning Asian Development Bank and Country Systems for Improved Project Performance	1,500,000
14	Kiribati	Strengthening Safeguards Capacity in the Urban Sector in Kiribati	220,000
15	Regional	Improving Safeguard Policy Applications in South Asia Developing Member Countries	1,500,000
<b>Subtotal</b>			3,620,000



Developing Member Country		Technical Assistance Project	Amount (\$)
<b>2014</b>			
16	Cambodia	Capacity Development and Facilitation for Planning and Implementation of Resettlement Activities under the Greater Mekong Subregion: Rehabilitation of the Railway in Cambodia Project	225,000
17	Cambodia	Strengthening Resettlement and Income Restoration Implementation	1,400,000
18	People's Republic of China	Improving Energy Efficiency, Emission Control, and Compliance Management of the Manufacturing Industry	350,000
19	Myanmar	Environmental Safeguard Institutional Strengthening	1,000,000
20	Regional	Promoting Carbon Capture and Storage in the People's Republic of China and Indonesia	1,800,000
21	Regional	Sustainable Environmental Management of Projects in Central and West Asia	1,500,000
22	Solomon Islands	Technical Assistance for Supporting Good Governance through Safeguards in Ministries of Lands and Environment	300,000
23	Sri Lanka	Wastewater Management Improvement in Colombo Municipal Council	500,000
<b>Subtotal</b>			7,075,000
<b>2015</b>			
24	People's Republic of China	Construction and Demolition Waste Management and Recycling	400,000
25	People's Republic of China	Modeling an Urban Low-Carbon Development in Xiangtan	400,000
26	Regional	Capacity Development for Expansion of Trade Finance Program into the Pacific and Enhanced Safeguards and Integrity Measures for Trade Finance Program Banks	2,735,000
<b>Subtotal</b>			3,535,000
<b>TOTAL</b>			36,385,000

## Regional Workshops on Country Safeguard Systems

To promote effective knowledge sharing among DMCs, including South-South cooperation and partnership among multilateral and bilateral agencies for CSS strengthening, ADB organized the first Country Safeguard Systems Regional Workshop: Towards Common Approaches and Better Results, in April 2012. The workshop was well received and brought together more than 100 safeguard experts and practitioners from 15 DMCs,<sup>4</sup> including representatives from government, civil society, and the private sector, and from 10 multilateral and bilateral institutions.<sup>5</sup>


The main conclusions of the workshop were: (i) progress has been made with CSS, and DMCs are keen to strengthen their systems to achieve more positive development outcomes with continued support from multilateral and bilateral agencies; (ii) there is a general understanding that the safeguard policies of ADB and the World Bank Group are the appropriate benchmark for policy convergence; (iii) interest in developing a regionwide community of practice on safeguards is strong; and (iv) ADB, the World Bank, and bilateral partners such as Australia's Department of Foreign Affairs and Trade (DFAT) and Japan International Cooperation Agency (JICA) are ready to work together on these issues.

The Second Regional Workshop on Strengthening CSS was held in October 2014. The participants were 100 safeguard experts and practitioners from 23 DMCs,<sup>6</sup> including representatives from government, civil society, and the private sector, and from 5 multilateral and bilateral

<sup>4</sup> Bangladesh, Cambodia, PRC, Georgia, India, Indonesia, Lao PDR, Mongolia, Nepal, Pakistan, Papua New Guinea, the Philippines, Sri Lanka, Timor-Leste, and Viet Nam.

<sup>5</sup> ADB, Agence Française de Développement, Australian Agency for International Development, Department for International Development of the United Kingdom, Embassy of Finland in Bangkok, GIZ of Germany, Inter-American Development Bank, International Finance Corporation (IFC), JICA, and the World Bank.

<sup>6</sup> Afghanistan, Armenia, Bangladesh, Bhutan, PRC, Georgia, India, Indonesia, Kazakhstan, Republic of Korea, Kyrgyz Republic, Lao PDR, Maldives, Mongolia, Myanmar, Nepal, Pakistan, the Philippines, Sri Lanka, Tajikistan, Timor-Leste, Uzbekistan, and Viet Nam.



institutions.<sup>7</sup> The second workshop aimed to (i) celebrate achievements and sustain the momentum on CSS by way of continuous support; (ii) provide a platform for knowledge sharing between DMCs, regulators, development partners, private entities, practitioners, and members of civil society; and (iii) move forward with key CSS gains and identify future directions.

The second workshop resulted in (i) enhanced understanding about the priorities and needs of DMCs and development partners so that capacity development initiatives can be better targeted; (ii) identification of the main challenges to convergence and alignment, and discussion of ways to address them; and (iii) reiteration of the critical importance of partnerships in CSS, particularly through communities of practice, South-South cooperation, civil society organization engagement, and joint initiatives with the private sector.

## Country Safeguards Partnership

ADB has played a key role in promoting partnership on CSS in the region. In 2012, ADB established a Regional Joint

<sup>7</sup> ADB, DFAT, IFC, JICA, and the World Bank.

<sup>8</sup> ADB recognizes “China” as the People’s Republic of China and “Korea” as the Republic of Korea.

Landscape photo credit: Jay Laurito



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Safeguards Community of Practitioners with DFAT, JICA, and the World Bank. Much progress has been made since then, including joint training, studies, knowledge sharing, and work on the establishment of centers of excellence in the Philippines and Viet Nam.

The first Joint Safeguards Community of Practitioners workshop was held in Manila in May 2012. More than 100 staff from the four organizations participated. The second was held in Hanoi in June 2013 and the third in Yichang in June 2014. Representatives from ADB, DFAT, JICA, and the World Bank as well as the China Exim Bank, Korea Exim Bank, and the United States Agency for International Development attended these workshops.<sup>8</sup>

The members of the Joint Safeguards Community of Practitioners established the Development Partners Safeguard Coordination Committee and signed a Principles of Collaboration for CSS in May 2016 as part of their commitment to supporting the strengthening and effective application of CSS in Asia and the Pacific. The collaboration aims to improve the flow of information relating to CSS work among the partners, increase aid effectiveness by preventing the duplication of efforts and replication of previous work, and demonstrate the partners’ combined commitment to the use of CSS in the region. ADB, DFAT, JICA, and the World Bank envision that by working together, they will be able to leverage limited financial resources, avoid duplication of activities, and capitalize on each other’s comparative advantages.

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