**ADB’s Fake “Consultations” on CSR, CSS and PLN**

According to the ADB Safeguard Policy Statement, the definition of Meaningful Consultation required by the ADB is: *“A process that*

*(i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle;*

*(ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people;*

*(iii) is undertaken in an atmosphere free of intimidation or coercion;*

*(iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and*

*(v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.*

Note that the words above in red reflect routine violations of the ADB’s requirements for meaningful consultation under Indonesia’s Country System, including at PLN, many of which also occurred throughout the CSS and CSR assessment processes undertaken by the ADB in 2017 and 2018:

Below is information on every so-called “consultation” listed in ADB’s extraordinarily misleading “Summary of Consultations”, dated 31 August 2018 which was posted online[[1]](#footnote-1) at that time in English only. It was only in November 2018, after NGO’s visited ADB Headquarters in Manila in October and raised complaints, that a Bahasa Indonesia version was produced. The quality of the Bahasa translation has not yet been assessed.

The meetings described in the ADB “Summary of Consultation” do not meet ADB’s mandatory requirements for “meaningful public consultation.”

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|  | **2013 to March 2017** | No public meetings or consultations whatsoever during these years of CSS preparation since TA began |  |
|  | **March 2017: Fake consultations on Draft ADB CSR** which was developed over years with GOI 250+ pages of documents provided 3 days prior to Makassar meeting & 6 days prior to Jakarta meeting;  |
|  | Additional crucial 100 pages of all case studies of agencies, projects were not disclosed prior to meeting (Appendices 8 – 11) |
|  | These Appendices contained proof of the lack of implementation of the most basic safeguard requirements: consultation, failure to assess  |
|  | impacts on project-affected people, the vulnerable, and women, who make up 50% of those impacted.  |  |
|  | Agenda consisted of 7.5 hours of seminar lectures by ADB & GOI with approximately two 15 minute periods for "public comment". |
|  | Majority of attendees were GOI and ADB/MDB staff. Obviously, these were not meaningful public consultations. |  |
|  | No transcript, minutes, or summary of these seminar meetings was ever shared with participants or posted on line. |
|  | Date of fake "consultation" | Location |  |  |  |  |  |  |
| **Seminars**  | 27/03/17 | Makassar | 72% | Attendees GOI/ADB/MDB |  |  |  |
|  | 30/03/17 | Jakarta | 66% | Attendees GOI/ADB/MDB |  |  |  |
|  | 31/03/17 | Jakarta | 95% | Attendees GOI/ADB/MDB |  |  |  |
|  | NGOs submitted over 100 pages of analyses, detailed comparative matrices of CSS laws vs SPS; |  |  |
|  | Documented massive factual errors in CSR, demanded correction & rewrite of CSR as next step;  |  |  |
|  | ADB responded with written promise of CSR rewrite but instead merely released a PLN assessment based on the |  |  |
|  | error-riddled, flawed CSR assessment. No CSR re-write has ever been made public to date (Dec '18) |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  | ADB's 31 Aug '18 "Summary of Consultations" (English only) lists 3 November 2017 "consultations" but these are only with GOI/ADB and their  |
|  | own consultants; no public, Obviously, these are not meaningful public consultations.  |  |  |  |
|  | No transcripts, minutes, summaries have ever been made public |  |  |  |  |
| **Government meetings** | 22/11/17 | Manado | 100% | Attendees GOI/ADB/MDB |  |  |  |
|  | 27/11/17 | North Sumatra | 100% | Attendees GOI/ADB/MDB |  |  |  |
|  | 30/11/17 | Jakarta | 93% | Attendees GOI/ADB/MDB |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  | Palembang meeting No information on ADB website; invitation only; not a public consultation; No transcript, minutes or summary has ever been made public. |
|  | 08/12/17 | Palembang | 64% | Attendees GOI/ADB/MDB |  |  |  |

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| Jakarta 11/12/17: PLN CSS, invitation only, not posted on ADB website. Not a meaningful public consultation;  |  |
|  NGOs chosen by ADB received invitations containing link to 117 pages of documents 3.5 workdays before meeting;  |
| No disclosure (until now) of any of the 18 additional PLN case studies (desk & field) which supposedly form the basis of this assessment. |
| No transcript, draft minutes or summer ever shared with participants. Purported "summary" dated May 31 2018  |
| suddenly posted online with no input by NGO attendees. |  |  |  |  |
| 11/12/17 | Jakarta | 60% | Attendees GOI/ADB/MDB |  |  |  |
|  |  |  |  |  |  |  |  |
| Kupang: 15/12. Not posted on ADB website; invitation only, not public consultation. Some local NGOs reported approximately  |
| 2 day prior notice re invitation to meeting with link to 117 pages of documents, missing all 18 case studies. |  |  |
| 15/12/17 | Kupang | 55% | Attendees GOI/ADB/MDB |  |  |  |
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| **Jakarta 12/01/18** Announcement not posted on ADB website, invitation only, not public consultation.  |  |  |
| ADB planned to discuss "PLN Action Plan", not disclosed prior to meeting. NGOs blocked this discussion |  |
| and insisted that discussion focus on necessary corrections to error-riddled CSR, underscored that current meeting, |
| is not a meaningful consultation, failure to provide 18 desk and field studies forming the basis for "PLN CSS assessment".  |
| ADB claims 19 NGOs present but only 14 are NGOs which are not/have not been clients of/ funded by ADB); ADB counts 2 MAPPI |
|  attendees (land surveyers usually contracted to GOI) as NGOs, counts ADB clients/consultants LP3ES, Madani, KEMITRAAN  |
| 10 year ADB partner/fund recipient WWF; and Transformasi (corporate-funded think tank). |  |  |
| This is the only meeting that we know of for which draft minutes were actually provided to attendees for comment.  |
| **These draft minutes were riddled with errors, omitted key points repeatedly raised by participants. The majority (9 of 14)**  |
| **non-ADB-client NGOs wrote to protest the extremely inaccurate minutes and submitted requested changes to reflect the actual content of**  |
| the meeting as witnessed by those who participated in the meeting (9 Apr 18).  |  |  |  |
| ADB failed to incorporate most corrections, never provided participants with revised draft and, instead posted inaccurate and  |
| misleading "summary" of this meeting online; document created 30 May 2018, 1 day prior to creation of |  |
|  "summary" of earlier 11/12/17 meeting. |  |  |  |  |  |  |
| 12/01/18 | Jakarta | 56% | Attendees GOI/ADB/MDB |  |  |  |

**Jakarta: July 6 & 9 2018. 61% of attendees were GOI / ADB**

Invitation only, no notice posted on ADB website, not a public consultation. Two separate meetings, yet no transcripts or draft minutes or summary ever shared with NGO participants for comment. 6 July (Environmental safeguards) and 9 July (Resettlement).

For these meetings, the ADB divided NGOs into 2 separate groups (environment vs resettlement), without consultation with the NGOs to determine who wished to attend which group. However, ADB then invited ADB clients Kemitraan, SMERU, and LP3ES as well as Penabulu to attend both meetings but only invited others (especially co-signatories of detailed critical analyses of CSS) only to attend 1 of the 2 meetings, splitting these groups up.

These 2 separate meetings were then “summarized” by ADB together in one “summary” without providing draft minutes or the summary to NGO attendees for their review. ADB claims 15 NGOs attended "July 6 & 9 consultations" but includes as 7 NGO attendees: Women Research Institute which acted as ADB's Moderator; Transformasi - corporate-funded thinktank; LPM Equator: a CSR implementer on infrastructure projects; Penabulu -- a "civil society resource organization" which provides financial/accounting support for CSOs and also carries out CSR; ADB clients Kemitraan; LP3ES; and 10 year ADB client/partner: WWF; Thus according to ADB’s summary, only a total of 5 groups which were independent NGOs that are not ADB clients/partners corporate-funded thinktanks, CSR implementers , attended either of these meetings

The ADB’s combined summary of these 2 different meetings does not indicate what points were raised in which meeting by whom and was posted online with no review by NGO attendees; no draft minutes were ever provided for comment by non-ADB funded NGOs. The PDF was dated as created 1 Aug 18. Unclear when it was uploaded. No notice provided to attendees. Not available in Bahasa Indonesia; English only.

This is the entire list of meetings provided by the ADB in the document entitled “Summary of Consultations.” Not one of these meetings met the ADB requirements for meaningful consultation.

1. https://www.adb.org/projects/documents/ino-47287-001-dpta-10 [↑](#footnote-ref-1)