

A Citizens' Guide to Environmental and Social Guidelines of Japanese Public Financial Institutions Involved in Projects Overseas



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Friends of the Earth Japan

Japan Center for a Sustainable Environment and Society

Mekong Watch



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Acronyms

EIA: Environment Impact Assessment
JBIC: Japan Bank for International Cooperation
JETRO: Japan External Trade Organization
JICA: Japan International Cooperation Agency
JOGMEC: Japan Oil, Gas and Metals National Cooperation
METI: Ministry of Economy, Trade and Industry
MoF: Ministry of Finance
MoFA: Ministry of Foreign Affairs
NEXI: Nippon Export and Investment Insurance
RAP: Resettlement Action Plan

Development projects such as dams, power plants, irrigation systems, roads, mining and pipelines serve a purpose, but sometimes inflict harm on the environment and communities. Japanese public finance institutions—including the Japan Bank for International Cooperation (JBIC), the Japan International Cooperation Agency (JICA), and Nippon Export and Investment Insurance (NEXI)—provide financing for many projects in developing countries¹.

Any person or organization concerned about problems related to a development project should raise those concerns with the governments, implementation agencies, project companies and contractors involved. If Japanese public finance is involved, it is also important to express your concerns directly to the relevant institution(s) if one or more of them is supporting or likely to support the project financially or technically, because these institutions normally have leverage over the projects they consider and support. When JBIC/NEXI/JICA provide finance or assistance, they must follow their own environmental and social guidelines (referred to here as “Guidelines”) and Objection Procedures². You can use these

mechanisms as part of your efforts to raise and address concerns.

The purpose of this Guide is to provide information about the environmental and social Guidelines of JBIC/NEXI/JICA, and a brief introduction to their Objection Procedures. These mechanisms are often difficult to understand, so we hope that this Guide will help provide an easy-to-understand overview. We also hope that the Guide will provide some ideas on how anyone can voice their concerns on social or environmental problems when Japanese public finance is involved in an overseas project.



Goro Nickel Project in New Caledonia

¹ In this Guide, we refer to them collectively as JBIC/NEXI/JICA. JBIC and NEXI share the same Guidelines so we generally group them together in the text below.

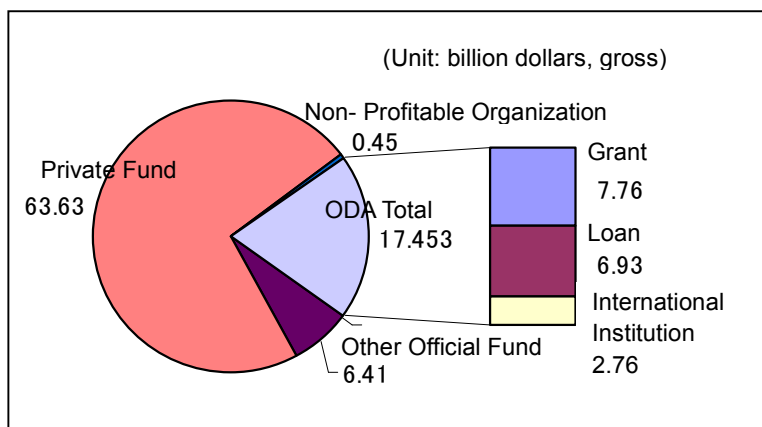
² Guidelines and Objection Procedures include (1) *Guidelines for Confirmation of Environmental and Social Considerations* (JBIC), (2) *Objection Procedures Based on Guidelines for Confirmation of Environmental and Social Considerations* (JBIC), (3) *Guidelines on Environmental and Social Considerations in Trade Insurance* (NEXI), (4) *Procedures for Submitting Objections on Guidelines of Environmental and Social Considerations in Trade Insurance* (NEXI), (5) *Guidelines for Environmental and Social Considerations* (JICA), and (6) *Objection Procedures Based on the Guidelines for Environmental and Social Considerations* (JICA).

In fiscal 2008³, financial flows from Japan to developing countries amounted to 87.952 billion dollars⁴. *Figure 1* shows four kinds of financial flows. First is Official Development Assistance (ODA), which is government-to-government development aid for developing countries. JICA is Japan's main implementing agency for ODA⁵.

Second are Other Official Flows (OOF), which include official credits, direct investment finance and concessional lending to multilateral institutions. JBIC and NEXI are the main implementing agencies for OOF. Third are private flows. Fourth are grants by non-profit organizations.

The figure shows that private finance accounts for the largest share of financial flows, but it is important to note that even these are often backed by public funds (JBIC, NEXI, etc.), especially if the financing is for large infrastructure or natural resources development projects. Without the security provided by JBIC or NEXI, the private sector often finds it difficult to undertake large-scale projects in developing countries.

Figure 1 Financial Flow from Japan to Developing Countries in 2008



Source: Adapted from the press release "Financial flows from Japan to developing countries in 2007 and 2008," by the Ministry of Finance (MoF), Japan, issued in November 2009.

This chapter focuses on the major Japanese public financial institutions that play a role as catalysts of the Japanese financial flows to developing countries. It outlines the different roles of several quasi-governmental agencies that support large development projects abroad.

Japan Bank for International Cooperation (JBIC)

JBIC is the international wing of the Japan Finance Corporation (JFC), the Japanese government's policy-based financial institution⁷. Its mission is to "contribute to the sustainable and sound development of international as well as Japanese economy."

³ The fiscal year of Japanese government-related organizations starts in April of the year indicated.

⁴ "Financial flows from Japan to developing countries in 2007 and 2008," press release, Ministry of Finance, Japan, November 2009.

⁵ ODA is also implemented by multiple government ministries.

⁶ JBIC previously conducted two types of operations: International Financial Operations (IFOs) and ODA yen loans. On October 1, 2008, JBIC's IFOs were merged with other quasi-governmental agencies to become the JFC, and the ODA yen loan operations were merged into JICA.

⁷ On October 1, 2008, the "new" JICA was established when it took over yen loans implemented by the former JBIC and certain types of grant aid conducted by the MoFA.

For this purpose, JBIC provides various kinds of financing support to Japanese and non-Japanese companies, international financial institutions, private banks, overseas governments and governmental agencies. This financing is used to support large development projects in agriculture, oil and gas, mining, marine ports, power generation, transportation and so on. In fiscal 2008, JBIC's investments, financing and guarantees totaled about 1.302 trillion yen (actually disbursed were about 872 billion yen). The MoF is JBIC's governing agency.

Nippon Export and Investment Insurance (NEXI)

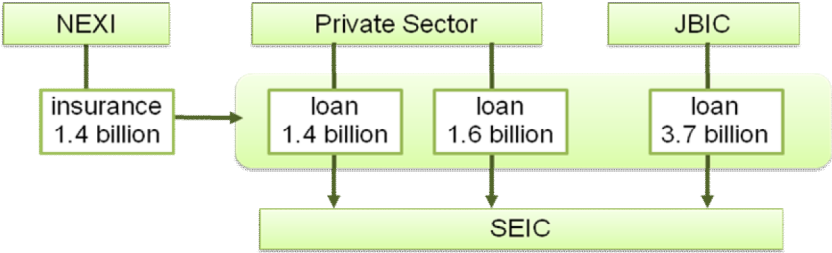
NEXI is Japan's export credit agency (ECA), and its mission is to contribute to the Japanese economy by covering risks arising from trade transactions and overseas investments that are not generally covered by conventional insurance. To ensure creditworthiness, the Japanese government "reinsures" the insurance accepted by NEXI. In fiscal 2008, the total insurance underwritten by NEXI amounted to about 9.729 trillion yen. The Ministry of Economy, Trade and Industry (METI) is NEXI's governing agency.

Box 1: Involvement of JBIC and NEXI in Sakhalin II Oil and Gas Development Project

The Sakhalin II Oil and Gas Development Project (Sakhalin II) is the largest offshore oil and gas development project in Russia. The project includes the development of two oil and gas fields off Sakhalin Island, involving the construction of marine platforms, onshore and offshore pipelines, a liquefied natural gas (LNG) plant, an oil export terminal, and more. The project proponent is



the Sakhalin Energy Investment Company (SEIC), an international consortium comprised of Russian state-owned company (Gazprom), Royal Dutch Shell, Mitsui & Co., Ltd., and Mitsubishi Corporation. Since a portion of the oil and gas produced is exported to Japan, this project is important for Japan's energy security, so JBIC and NEXI were able to justify their support for the project. In Phase 2 of Sakhalin II, JBIC provided loans amounting to about 3.7 billion US dollars in project finance to SEIC. The loan is co-financed with private banks that provided amount of up to 1.6 billion dollars. Meanwhile, NEXI provided of up to 1.4 billion dollars of insurance to Japanese private banks, which provided additional loans of 1.4 billion dollars to SEIC.



Japan International Cooperation Agency (JICA)

JICA is a quasi-governmental agency that implements the bilateral assistance component of Japanese ODA—in the form of technical cooperation, yen loans, and grant aid⁸. It aims to contribute to the promotion of international cooperation and the sound development of the Japanese and international economy and society by contributing to development or reconstruction of the economy and society of developing areas or stabilization of the economy of such areas. JICA provides support for master plans and feasibility studies in developing countries, referred to as technical cooperation. These “preparatory surveys” may be used to

promote large projects. After this technical cooperation, JICA may consider support to projects recommended by feasibility studies, which often involve large infrastructure development projects. Yen loans often support huge infrastructure projects, while grant aid is usually for smaller projects (though it sometimes may be used to support large infrastructure projects). Yen loan projects include various kinds of large infrastructure development projects such as the construction of roads, railways, ports, power plants, and so on. In 2008, out of about 1.821 trillion yen of total ODA performed, JICA accounted for about 61.3% (1.117 trillion yen). The Ministry of Foreign Affairs (MoFA) is JICA’s governing agency.



Empty main canal of the Bohor Irrigation Project, the Philippines



Meeting with villagers in Kelwa Omkareshwar Dam Project in India

Box 2: Other Japanese Bodies Supporting Projects Abroad

Japan Oil, Gas and Metals National Corporation (JOGMEC)

To contribute to a stable supply of oil, gas and metals for Japan, JOGMEC provides financial assistance to Japanese companies participating in natural resource exploration and production projects in the form of financing, equity capital and liability guarantees. It also conducts various surveys to provide information intended to generate and evaluate exploration and production projects. No comprehensive list of projects supported by JOGMEC is made public. The METI is the governing agency.



Caserones Mine in Chile

- JOGMEC Website: <http://www.jogmec.go.jp/english/index.html>
- Head Office Tel: +81-44-520-8600 Fax: +81-44-520-8710

Japan External Trade Organization (JETRO)

To contribute to the expansion of trade between Japan and other countries, JETRO works to support Japanese companies expanding overseas, attract foreign companies, support developing countries in overseas market development, and so on. It also conducts ODA-related feasibility surveys for infrastructure developments and human resources development, commissioned by the METI. No comprehensive list of JETRO's projects is made public. METI is the governing agency.

- Infrastructure development projects relating to global environment and utilizing Japanese technology (2008):
http://www.jetro.go.jp/jetro/activities/oda/model_study/earth_infra/list.html
- Director in charge of environmental and social considerations, the Administrative Affairs Department:
Tel: +81-3-3582-5337 Fax: +81-3-3587-0219 E-mail: ada-kankyo@jetro.go.jp

Below is the essential information about the environmental and social guidelines of JBIC and NEXI (the same for both institutions) and for JICA. You can obtain more detail by accessing the relevant webpages.

JBIC/NEXI Environmental Guidelines

- **Adopted:** July 21, 2009
- **Entry into force:** October 1, 2009
- **Target projects:** The new guidelines apply to projects for which an official request for support was essentially made after October 1, 2009. For requests prior to that date, the previous guidelines apply.
- **Actors required to meet the Guidelines:** It is basically JBIC/NEXI that are required to meet the Guidelines. However, the guidelines require project proponent, i.e. Japanese private companies in most cases, to undertake environmental and social consideration of the intended projects. Related requirements are often included in the contracts/agreements. In many cases of JBIC, a company signs the contract to borrow money directly from JBIC. The company could be the project proponent who implements and operates the project or a company involved in the project, working under the project owner as an exporter⁸. In case of NEXI, an exporter usually signs the contract to obtain insurance service for projects.
- **Relevant web pages:**
 - JBIC's environmental guidelines
<http://www.jbic.go.jp/en/about/environment/guideline/confirm/index.html>
 - NEXI's environmental guidelines
http://www.nexi.go.jp/e/env/index1_frame.html

JICA Environmental Guidelines

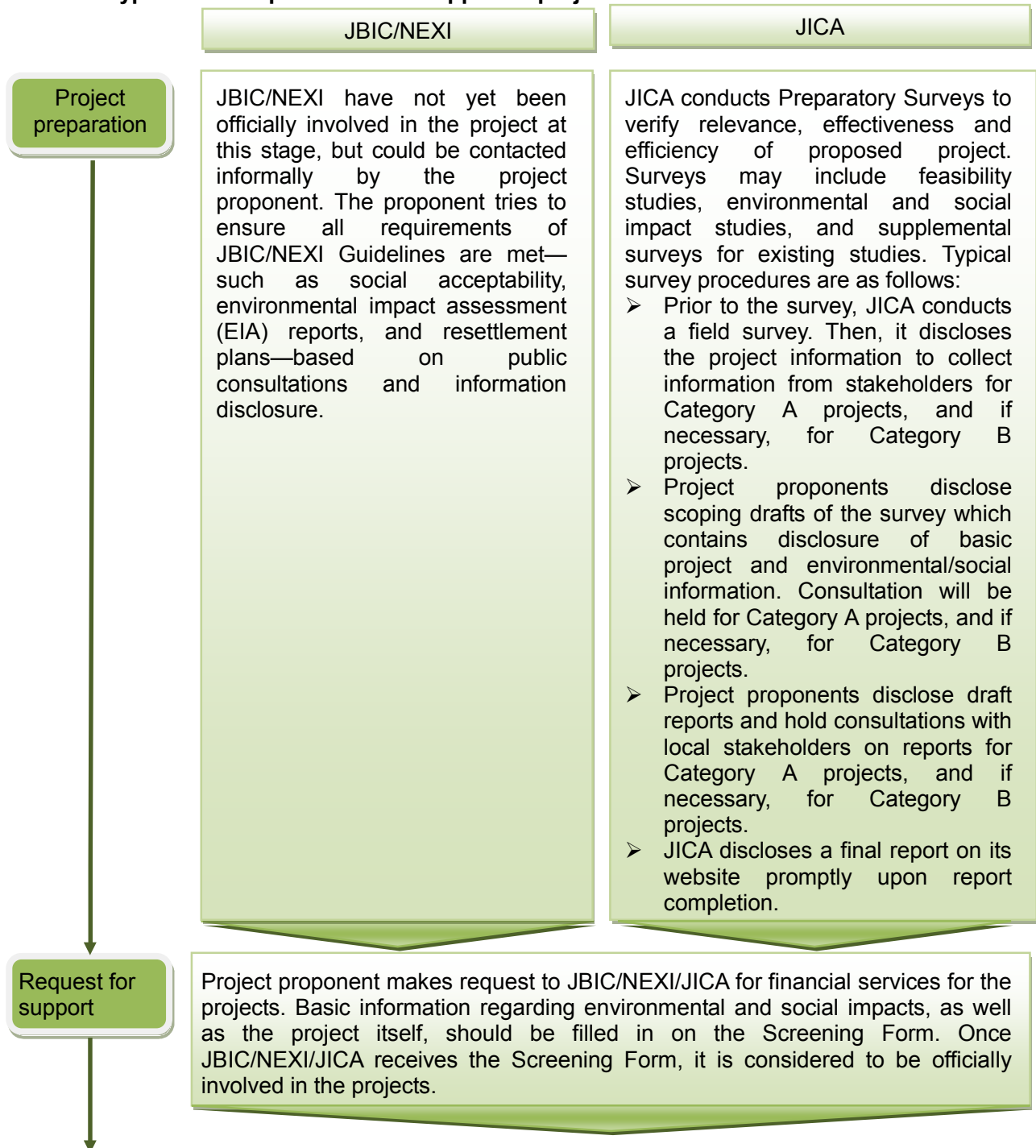
- **Adopted:** April 1, 2010
- **Entry into force:** July 1, 2010
- **Target projects:** The new guidelines apply to projects whose applications were made by project proponents, after July 1, 2010. For projects for which an official request for support was essentially made on or before June 30, 2010 the previous guidelines apply.
- **Actors required to meet the Guidelines:** It is basically JICA that is required to meet the Guidelines. However, the guidelines require project proponent, i.e. the government of a developing country in most cases, to undertake environmental and social consideration of the intended projects. Related requirements are often included in the contracts/agreements: JICA and the government of the developing country enter into a loan agreement or grant agreement. The Japanese MoFA also enters into an "exchange of notes" with the government of the developing country prior to JICA's agreement.
- **Relevant webpages:**
 - JICA's environmental guidelines
http://www.jica.go.jp/english/operations/social_environmental/guideline/
 - List of the Preparatory Surveys with significant impacts caused by recommended projects. JICA invites the public to offer their opinions and related information about proposed projects.
http://www.jica.go.jp/english/operations/social_environmental/archive/reviews/category_a.html
 - MoFA (rolling plans: project lists of all the Japanese ODA for each country)
http://www.mofa.go.jp/policy/oda/rolling_plans/re_gion.html

Chapter 4

What is the typical decision flow for a project?

Although JBIC, NEXI, and JICA are different entities, their guidelines have much in common. Table 1 outlines the typical flow or process for supported projects. Table 2 shows the main categories of projects based on impacts. (Note that various terms can describe the users of these institutions, but in this Guide we refer to them collectively as “project proponent.”)

Table 1. Typical flow of procedure for supported projects



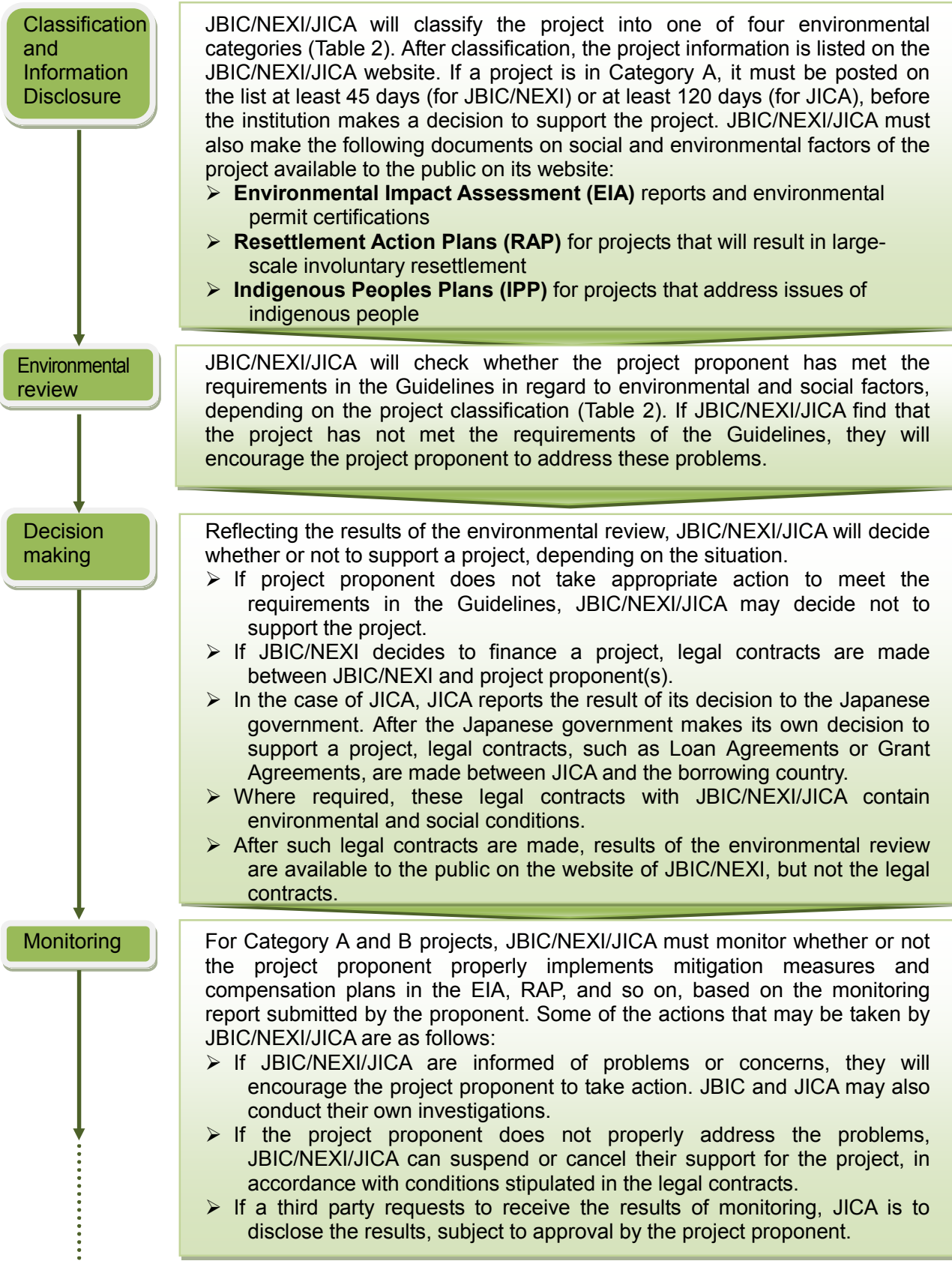


Table 2. Classification of projects based on potential impacts

	Definition	Environmental Review by JBIC/NEXI/JICA	Monitoring by JBIC/NEXI/JICA
Category A	Projects likely to have serious environmental and social impacts, such as large infrastructure projects. Included are projects in an illustrative list of sensitive sectors, characteristics, and areas, including relocation of many people and large area of deforestation, etc.	EIA is required. Environmental review is done based on EIA and other related documents, such as resettlement plans. An environmental appraisal mission is sent to the project site.	Required
Category B	Projects likely to have some environmental and social impacts, but less serious than Category A	EIA is not required. Environmental review is done, but not necessarily based on EIA.	Required
Category C	Projects not likely to have negative environmental or social impacts	No environmental review at all.	Not required
Category FI	JBIC/JICA provide assistance through a financial intermediary (FI, such as a government-owned bank, and the intermediary decides what kinds of projects to undertake after JBIC/JICA agree to provide funding.) Note that there is no FI category for NEXI-supported projects.	JBIC/JICA will communicate with the intermediary to ensure the Guidelines are being respected.	Not required

Note: *If you think that a project should be classified as Category A, but JBIC/NEXI/JICA have classified it as Category B or C, you are encouraged to contact them and explain your reasoning. They may change the category based on your information. See Chapter 9 for contact information.*

Chapter 5

Where and how can I obtain project information?

If you have any concern about a development project, you must first identify who is responsible and who is providing funding for the project. JBIC/NEXI/JICA guidelines require them to disclose project information on their respective websites. We

urge you to obtain essential information before making objections to a project. You may obtain some information by direct inquiry (in person, telephone, fax, e-mail, etc.). Also, below are some Internet sources for project information.

- Screening information, social and environmental documents, results of environmental reviews, and monitoring reports
 - ✓ JBIC: <http://www.jbic.go.jp/en/about/environment/guideline/index.html>
 - ✓ NEXI: http://nexi.go.jp/e/env/index1_frame.html
 - ✓ JICA: http://www.jica.go.jp/english/operations/social_environmental/
- Rolling Plans (documents outlining Japan's overall assistance) for each assisted country (most on-going ODA projects are listed and classified according to country-specific priority areas, development issues, and programs)
 - ✓ http://www.mofa.go.jp/policy/oda/rolling_plans/index.html
- JICA preparatory survey final reports (must be disclosed at the JICA library)
 - ✓ <http://lvzopac.jica.go.jp/library/indexeng.html>

Case Study 1 Southern Transport Development Project in Sri Lanka

The environmental guidelines of JICA, JBIC, and NEXI stipulate that the main documents addressing environmental and social consideration, such as EIAs and RAP, are supposed to be accessible to people in the project country. However, in practice it often occurs that these documents are not made easily available to the affected people. For instance, in the case of the Southern Transport Development Project co-financed by JICA and the Asian Development Bank, it was revealed that three whole years after the final resettlement was gazetted by the government of Sri Lanka, the RAP was available in the local government office and on its website. If you face a similar situation, visit the websites of JICA, JBIC, and NEXI to look for the documents.

Step 1 *Know what JBIC/NEXI/JICA are required to do*

JBIC/NEXI/JICA are required by their Guidelines to listen to local people and non-governmental organizations (NGOs) affected by the projects they support. If they understand your concerns, they can encourage the project proponent to address those concerns. If the project proponent does not take proper action to meet the requirements of the Guidelines, they can decide to suspend or deny support for the project. They may also conduct their own investigations.

Step 2 *Contact JBIC/NEXI/JICA and express your concerns!*

If you think a project supported by JBIC/NEXI/JICA will cause (or has already caused) negative impacts on your community or the environment, and if a project proponent fails to listen to or respond satisfactorily, we urge you to contact JBIC/NEXI/JICA and report your concerns.

This initial contact could be one of the ways you take action to achieve your goals, which may be to stop the project, to improve the project, or to demand for proper compensation, etc. JBIC/NEXI/JICA always obtain project information from project proponents before deciding to support a project, and may be inclined to believe proponents, even though the information

from a proponent may be one-sided and a different perspective from yours. Even if you are not sure about the involvement of JBIC/NEXI/JICA in a project, if there are signs that one of these institutions might support the project or Japanese companies might invest in or export goods for the project in the future, it may be wise to notify them of your concerns as an early warning of potential problems.

You can contact JBIC/NEXI/JICA by sending letters, e-mails and faxes to, or by telephoning their head offices in Tokyo or a representative office in your country. If you have the opportunity, you may wish to visit their representative office in person to meet with JBIC/NEXI/JICA personnel, so that you can directly tell them about your concerns. (See Chapter 9)

Language should be no barrier. Do not hesitate to make contact if you cannot read, write, speak or understand Japanese or English. JBIC/NEXI/JICA should make arrangements for interpreters and translators to facilitate communication. When possible, it is best to submit your correspondence in writing and request responses from JBIC/NEXI/JICA in writing. These written documents may be useful later, especially if you file a formal complaint using the Objection Procedures (See Chapter 7). JBIC/NEXI/JICA should reply in writing, although they may not always do so. When you write, please keep a copy of your

correspondence. You are also encouraged to send copies to the relevant Japanese ministries that supervise JBIC/NEXI/JICA, as well as to Japanese NGOs, as JBIC/NEXI/JICA will be more likely to take your concerns seriously. (See Chapter 9) Last but not least, it is also a good idea to prepare and submit visual documentation, such as photographs and video.

Step 3 *Know what to tell them*

Careful documentation makes it easier for JBIC/NEXI/JICA to understand your concerns. You will be more successful if you provide the following information, concisely and as accurately as possible.

a) Problems and reasons

It is very important to tell JBIC/NEXI/JICA in detail about the problems you foresee or that you have been experiencing, and why the project will cause, might cause, or has caused problems.

b) Violations of the Guidelines

If you believe the project does not meet the Guidelines, it will be effective and more convincing to document violations of the Guidelines. (See Chapter 3.)

Examples (Category A projects):

“The EIA has not been disclosed.” Or
“The EIA is not written in a language we can understand.”

c) Changes before and after the project

If the problem has already occurred, you may want to describe how the situation changed before and after the project.

Example 1: “Before the project, we were able to catch almost 50 kilograms per day of fish close to shore (within 30-minutes by boat). After the project, we must go further from shore (two hours) and can only catch 2 or 3 kilograms per day. The main factor seems to be construction of a bridge related to the project.”

Example 2: “Before the project, we could harvest 100 kilograms of corn per hectare without fertilizer. After the project, we must use fertilizer, but even so, can harvest only 40 kilograms per hectare. The difference seems to be due to air pollution from the power plant.”

It may also be useful to do your own fact-finding studies in order to document the negative impacts of a project. You could then include your findings with the documents you submit to JBIC/NEXI/JICA.

d) Your actions and the project proponent’s responses

If there have been local consultations, you may want to describe them and their results in detail. For example:

- Whether or not you or your community were able to participate those consultations (and if not, why not)
- Number of times, dates and times, and locations
- Who else participated

- Whether they were held BEFORE or AFTER construction started
- What was explained by the proponent(s)
- Whether or not you were able to convey your concerns/problems (and if not, why not)
- How the project proponent(s) responded to you (what they said about your opinions, how they tried to solve the problems)

You may also want to report all that you have already done with the project proponent, including letters, petitions, meetings, demonstrations, strikes, blockades, etc., and how they have responded to you.

We are aware that in some countries, it may be risky for you and your community to

voice concerns or to criticize the government or the project. It is important to tell JBIC/NEXI/JICA if you feel this is so, to make them aware of these risks.

e) Any precedent or experience with similar projects

If the problem has not yet occurred, but you know about or have experienced similar cases, you may want to describe them, too.

Example: "We are very concerned about the risk of shortages of irrigation water after the construction of the dam. We have already seen such problems as a result of the [name of dam] project just upstream on the same river."

Case Study 2 Pahang-Selangor Raw Water Transfer Project (Kelau Dam Project) in Malaysia

The Kelau Dam Project in peninsular Malaysia, financially supported by JICA (L/A was concluded in 2005 and the total amount of loan is up to 82.4 billion yen.), was to include the resettlement of two indigenous communities. However, there was concern that the affected communities were not appropriately informed or consulted regarding the project, and that they had been forced to agree to resettlement. This concern was repeatedly raised by Malaysian and Japanese NGOs, who contacted indigenous communities and then explained their concerns to the Malaysian government (project owner), the Japanese government, and JICA.

In the end, one of the indigenous communities on land that will never be inundated by the dam project and who clearly expressed that they did not want to resettle was allowed by the Malaysian government to stay on their land. In the other community, efforts were then made to reconfirm community members' intentions about resettlement.



f) Your clear request or demand for JBIC/NEXI/JICA

Most important of all, do not forget to explain what you want JBIC/NEXI/JICA to do. If you want the project cancelled, your demand could be: “Stop supporting this project.” If you want changes made to improve the project, your demand could be:

“Please suspend your support (or do not make a decision to support the project) until these actions are taken.” If JBIC/NEXI/JICA have not yet decided to support the project, your demand could also be: “Please include adequate environmental and social conditions in the legal contract for this project.”

Case Study 3 National Road No. 1 Improvement Project in Cambodia

The National Road No.1 Improvement Project was to upgrade 56 kilometers of National Road 1 from Phnom Penh to Neak Loeung. JICA conducted the feasibility study (F/S) and basic design study (B/D) for the project, while implementation was largely funded by a Japanese government grant. (The section of road from Neak Loeung to Bavet was already rehabilitated using a loan from the Asian Development Bank.)

The project affected 2,100 houses, and NGOs criticized the lack of information disclosure and the level of compensation for the project-affected people. JICA’s guidelines for environmental and social consideration (April 2004) were applied to the project. Though these stipulate that “sufficient” compensation should be paid “in a timely manner,” the amount paid to the people affected was not enough to cover resettlement costs. The NGOs continued to point out to JICA and the Japanese government that this violated the guidelines, eventually resulting in another compensation payment after resettlement. When answering the NGOs’ questions, JICA explained that the repayment was to cover “full replacement costs,” sufficient to replace lost assets and cover transaction costs. JICA also explained that the Cambodian government would apply the same type of “replacement cost” to the compensation policy of the Neak Loeung Bridge Construction Project, also supported by Japanese ODA. The rules governing compensation stipulated in JICA’s new guidelines, which came into effect in July 2010, are as follows:

People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported by the project proponent in a timely manner. Prior compensation, at full replacement cost, must be provided to the extent possible. Host countries must make efforts to enable people affected by projects and to improve their standard of living, income opportunities, and production levels, or at least to restore these to pre-project levels.

What are Objection Procedures?

JBIC/NEXI/JICA each have Objection Procedures that should make it more likely for you to resolve problems caused by any projects they support, or to request an investigation regarding violations of the Guidelines.

Who can file a request for investigation?

If you have suffered or expect to suffer directly from a JBIC/NEXI/JICA-supporting project, you can use these Objection Procedures. To request an investigation of a project using the Objection Procedures, at least two people must file together. In cases where it is impossible or dangerous for you to file by yourselves, you can authorize an agent to file a request on your behalf.

What is the process of the Objection Procedures?

Below is the general process followed for the Objection Procedures (while they differ somewhat for JBIC/NEXI/JICA they have much in common).

- **Request:** You send a request for investigation to the Office of the Examiner of the organization concerned (JBIC/NEXI/JICA). The Examiners must contact you within 5 business days to inform you that your request has been received.
- **Decision to investigate:** The Examiners will decide if an investigation should be carried out based on the information in the request. The Examiners will provide written notification of this decision to you, to the project proponent, and to the head of the organization (president of JBIC, chairman of NEXI, or Governor of JICA).
- **Investigation and encouragement of**

dialogue: The Examiners will interview various parties and collect information about the project and the problems you have raised. The Examiners must remain neutral in these discussions.

- **Report to head of organization:** The Examiners must write a report of the findings of the investigation and submit it to the president (JBIC), chairman (NEXI), or governor (JICA). In this report, the Examiners will declare an opinion on whether or not the Guidelines were violated. If the opinion is that the Guidelines have been violated, the Examiners can include recommendations to improve compliance with the Guidelines. Requesters and others who receive the report can send comments to the Examiners.
- **Follow-up:** The head of the organization will issue instructions that the operational department(s) concerned must follow. The operational department(s) will inform the Examiners about progress.

For more information about Objection Procedures, please visit these websites.

- ✓ JBIC: <http://www.jbic.go.jp/en/about/environment/guideline/disagree/index.html>
- ✓ NEXI: <http://nexi.go.jp/e/env/index2.html>
- ✓ JICA: <http://nexi.go.jp/e/env/index2.html>

It may be difficult to know exactly when and how to file a request. If you would like to use the Objection Procedures, we strongly recommend that you work together with a Japanese NGO listed in Chapter 9 at the end of this Guide.

Chapter 8

How can we work with a Japanese NGO for success?

It can be helpful to work with a Japanese NGO when you communicate with JBIC/NEXI/JICA, or campaign against a project funded by one of them. If a Japanese NGO persistently argues your concerns in Japan, you may have more success in having your concerns heard. Examples of what a Japanese NGO might be able to help with are:

- inform you how to access project documents or information about the project
- advise you and discuss how to use the environmental and social guidelines effectively, in order to address the problems or to stop the funding of the project
- meet with JBIC/NEXI/JICA to explain the problems of the project, in order to ensure that they understand and address your concerns
- invite someone from your community to Japan, where you can directly

discuss the problems with JBIC/NEXI/JICA personnel, officials of the related ministries, politicians, etc

- make an effort to attract media attention in Japan regarding the problems of the project

Feel free to contact us with any questions you may have (See Chapter 9 for contact information). We or other NGOs may not be able to solve all the problems of the projects, but it is our hope that we can have some positive effects in working constructively toward solutions of the environmental and social problems caused by projects funded by Japanese public financial institutions.

Our ultimate goal is not only to prevent negative environmental and social impacts of funds from Japanese taxpayers, but to go further than that, and ensure that these public funds help our world move toward a more equitable and sustainable society.



JBIC decided not to support the A Vuong Hydropower Project (Vietnam) due to violation of JBIC's guidelines. A major problem was the miserable conditions for local people who had been moved to a resettlement site.

Case Study 4 Joint activities of Japanese and local NGOs to address human rights violations in the Philippines

In some countries, it may be risky for an individual, a local community or an NGO to voice concerns and to criticize the government or any official project, due to the potential risk of harassment, threats, and even assassination. If these kinds of risks or human rights violations exist in connection with a project funded by a Japanese public financial institution, it may be difficult to secure the social acceptability of the project for the local community, the appropriate participation of local people, or appropriate consultation—which are requirements stated in JBIC/NEXI/JICA environmental and social Guidelines.



In the Philippines, there was no question that a series of politically-motivated killings increased especially during Arroyo Regime (2001-09) had silenced the voices of citizens concerned about negative impacts of Japanese-funded projects. With the cooperation of Japanese NGOs, a Philippine NGO network met with the Japanese Embassy and submitted a petition to the Japanese government requesting that it “investigate human rights violations and political killings in Japan-funded project areas in the Philippines.” After much effort by Philippine and Japanese NGOs, which also held public seminars and a series of meetings with politicians in Japan, the Japanese government officially requested the Philippine government to make more effort to deal with the political killings.



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FoE Japan is a member of an international NGO which deals with environmental problems at the global level. As a member of Friends of the Earth International, we have worked in Japan since 1980. Other than development finance to the developing countries, FoE Japan tackles problems such as global warming, deforestation, and waste. Our ultimate goal is the creation of a world in which all people may live peacefully and equitably.

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JACSES is an independent, non-profit research center promoting the realization of an environmentally sustainable and socially equitable society in Japan and throughout the world. Its aid reform program, Sustainable Development and Aid Program (SDAP), has a goal to eliminate environmentally and socially destructive projects, and to promote environmentally and socially sustainable development mainly in South Asia.

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Mekong Watch is a NGO based in Tokyo, combining research and advocacy to address and prevent the negative environmental and social impacts of development in the Mekong Region. Mekong Watch is especially concerned about the lack of consultation with affected communities in development planning and implementation and the role Japanese financing.

ABOUT THIS PUBLICATION

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