

**Annual Report  
of  
The Examiners for the JICA Guidelines  
for  
Environmental and Social Considerations**

**Fiscal Year 2022**

**The Examiners for the JICA Guidelines for  
Environmental and Social Considerations**

**Japan International Cooperation Agency (JICA)**

## **Objection System**

Japan International Cooperation Agency (hereinafter referred to as “JICA”) published the *JICA Guidelines for Environmental and Social Considerations*<sup>1</sup> (hereinafter referred to as the “JICA Guidelines”) in April 2010, and in order to ensure its compliance with the JICA Guidelines, established the “Examiners for the Guidelines” (hereinafter referred to as the “Examiners”) in accordance with its *Objection Procedures based on the Guidelines for Environmental and Social Considerations*<sup>2</sup> (hereinafter referred to as the “Objection Procedures”) published in April 2010. The Examiners are independent from the departments of JICA that are responsible for project management or review based upon environmental and social considerations (hereinafter referred to as the “Operational Departments”).

The objectives of the Objection Procedures are (1) to investigate whether JICA has complied with the JICA Guidelines and report the results to the President of JICA (hereinafter referred to as the “President”) in order to ensure JICA’s compliance with the JICA Guidelines; and (2) to facilitate consensual dialogues, for the prompt resolution of disputes on any specific environmental and/or social issues that arose from JICA’s alleged or confirmed non-compliance with the JICA Guidelines, among the parties concerned; namely, the parties that have submitted requests to raise objections (hereinafter referred to as the “Requesters”), and host country governments(including local governments) involved with the project, borrowers, and project proponents.

The Examiners are expected to pursue these objectives while upholding basic principles; namely, independence, neutrality, efficiency, promptness, and transparency.

## **Annual Report of the Examiners**

This annual report was prepared to publicize the activities of the Examiners carried out in Fiscal Year 2022, in accordance with the Objection Procedures.

Please refer to JICA website for the Objection Procedures and activities of the Examiners in previous fiscal years at:

[https://www.jica.go.jp/english/our\\_work/social\\_environmental/objection/index.html](https://www.jica.go.jp/english/our_work/social_environmental/objection/index.html)

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<sup>1</sup> The JICA Guidelines were revised in January 2022. For more information, please refer to JICA website at: [https://www.jica.go.jp/english/our\\_work/social\\_environmental/guideline/index.html](https://www.jica.go.jp/english/our_work/social_environmental/guideline/index.html)

<sup>2</sup> The Objection Procedures were revised in January 2022. For more information, please refer to JICA website at: [https://www.jica.go.jp/english/our\\_work/social\\_environmental/objection/index.html](https://www.jica.go.jp/english/our_work/social_environmental/objection/index.html)

## **Acknowledgements**

This annual report has been prepared in accordance with the Objection Procedures.

As stipulated in the Objection Procedures, the objectives of activities of the Examiners are to investigate whether JICA has complied with the JICA Guidelines and to facilitate dialogues among the parties concerned for the prompt resolution of disputes concerning specific environmental and/or social issues that arose from JICA-assisted projects, and thereby ensuring JICA's compliance with the JICA Guidelines.

There were no requests to raise objection (hereinafter referred to as the "Requests") during the Fiscal Year 2022.

The Examiners would like to take this opportunity to thank all the persons concerned who cooperated in the activities relating to Objection Procedures.

May 2023

Examiners for the Guidelines

KAKEGAWA Michiyo

Associate Professor, Faculty of Economics, Soka University

SAKUMOTO Naoyuki

Honorary Researcher, Institute of Developing Economies-  
Japan External Trade Organization (IDE-JETRO)

MURAYAMA Takehiko

Professor, Department of Transdisciplinary Science and  
Engineering, School of Environment and Society, Tokyo  
Institute of Technology

(Listed in the order of the Japanese syllabary)

## **I. Outline of Activities During the Fiscal Year 2022**

### **1. Number of the Requests received**

No Requests were received by the Examiners in the Fiscal Year 2022.

### **2. Number of cases processed/suspended/rejected**

There were no cases in which the procedures were processed, suspended or rejected during the Fiscal Year 2022.

### **3. Analysis of causes of cases that were suspended or rejected**

Not applicable.

### **4. Investigation reports on the Requests prepared by the Examiners**

There were no investigation reports prepared by the Examiners during the Fiscal Year 2022.

### **5. Analysis on the alleged non-compliance with the JICA Guidelines**

N/A

### **6. Opinion from the Requesters**

N/A

### **7. Confirmation of the status of execution of instructions issued by the President**

In accordance with the first sentence of Paragraph 2 of Article 13 of the Objection Procedures, when necessary, the Examiners will confirm execution of instructions issued by the President based on recommendations made in the Examiners' report in order to report related information to the President in the annual report of activities.

With regard to the "Thilawa Special Economic Zone Development Project" in the Republic of the Union of Myanmar, the Examiners made recommendations in the Examiners' report in the Fiscal Year 2014, and subsequently reported to the President on execution of instructions issued by the President based on such recommendations in the annual reports of activities.

In the Fiscal Year 2022, the Examiners were informed by the Operational Departments on execution of instructions issued by the President regarding this project that the Project Proponents continue to confirm and make efforts to implement the follow-up activities of the environmental and social considerations, but, since the coup d'état on February 1, 2021, there was no significant change in the status reported in the Examiners' annual report of activities in the Fiscal Year 2021.

The Examiners will continue to pay close attention to the follow-up activities of this project, promptly respond to the issues, and report to the President if it is determined that JICA needs to confirm the compliance with the JICA Guidelines.

### **8. Reports and/or information apart from Requests**

(1) On 4 October 2022, a group of NGOs submitted a letter under joint signatures addressed to the President of JICA regarding the project "Development of New Tunnels Alignments in Payakumbuh-Pangkalan Toll Road" in Indonesia entitled "Request for the suspension of study and other assistance in five *nagaris* in West Sumatra Province for the construction of

the Payakumbuh-Pangkalan Toll Road Tunnels, Indonesia” and the NGOs also shared the said letter and related documents with the Examiners. The Operational Departments have looked into the case and are consulting with the NGOs, and as of now, the Examiners have not received the Request regarding the case.

(2) On 15 February 2023, the Examiners received a report stating that the planned development in Maltıya Province, Turkey, might have environmental and social impacts on G npınar Valley. The Examiners inquired the Operational Departments of JICA, and were informed that the Operational Departments had also received the same report and had confirmed that the said project was not a JICA project, and that JICA had already notified the reporter on the findings.

## **II. Collaboration and Cooperation with Other Institutions**

### **1. IAMnet**

The Independent Accountability Mechanisms Network (IAMnet) is a network for regular information sharing among the practitioners involved in strengthening accountability and compliance regarding environmental and social considerations of international financial institutions and development assistance agencies.

The Examiners and the secretariat for the Examiners have been attending the IAMnet’s annual meetings as observers since 2016, and officially joined IAMnet in June 2019.

From 24 to 27 October 2022, the Social and Environmental Compliance Unit (SECU) of the United Nations Development Programme hosted the IAMnet’s Annual Meeting in New York, USA. The Examiners, Ms. KAKEGAWA Michiyo, Mr. SAKUMOTO Naoyuki and Mr. MURAYAMA Takehiko, attended the meeting, in where participants shared the information and discussed topics such as IAM’s role in providing remedies to project-affected people, and prevention of, or response to, retaliation against the people who requested to raise objection among others. On 26 October, IAMnet held a roundtable meeting with civil society organizations (CSOs).

As described above, the Examiners have been engaged with the various people in international financial institutions, international development assistance agencies and CSOs to share the related information, and further strengthening cooperation.

### **2. GRAM Partnership**

The Grievance Redress and Accountability Mechanisms Partnership (GRAM Partnership) is a network established by the Independent Redress Mechanism (IRM) of the Green Climate Fund (GCF). IRM’s mandates include strengthening grievance redress mechanisms and independent accountability mechanisms of Direct Access Entities<sup>3</sup>, which GCF designates as project execution entities, through a process of accreditation, in countries which receive development assistance support, and sharing knowledge acquired from their activities with Accredited Entities, including JICA.

The Examiners and the secretariat for the Examiners participate in GRAM Partnership, and through

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<sup>3</sup> Green Climate Fund (2022), *Providing Leadership to the Rising Grievance Redress and Accountability Mechanisms (GRAMs) Community of Practice: Concept Note*, p. 4.

attending its meetings and seminars<sup>4</sup>, seek to enhance collaboration and strengthen cooperation with grievance redress mechanisms and independent accountability mechanisms of GCF and other institutions.

### **III. Management Structures**

#### **1. Examiners**

Pursuant to the Objection Procedures, the Examiners are selected by the selection committee that consists of members from the realms of academia, the business community, the government of Japan, the government of developing countries, NGOs, etc., and are appointed by the President of JICA.

The Objection Procedures state that JICA assigns two or three Examiners. In Fiscal Year 2022, terms of Examiners, Ms. KANEKO Yuka and Mr. HAYASE Takashi, expired on 30 June. The selection committee was convened in accordance with the Objection Procedures and on 1 July 2022, Ms. KAKEGAWA Michiyo (Associate Professor, Faculty of Economics, Soka University) and Mr. SAKUMOTO Naoyuki (Honorary Researcher, Institute of Developing Economies-Japan External Trade Organization) were appointed as their successors.

#### **2. Secretariat of the Examiner**

JICA established the secretariat for the Examiners to support the Examiners' duties and to process administrative works in relation to the Examiners in accordance with the Objection Procedures.

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<sup>4</sup> In the Fiscal Year 2022, following webinars were carried out: *Practical Examples of Informed Consultation and Participation (ICP) and Free, Prior, and Informed Consent of Indigenous Peoples (FPIC) and Broad Community Support* (21 June 2022), *Human Rights Principles in Safeguard Policies* (5 October 2022), *Flexible Sequencing for Dispute Resolution and Compliance Review: Exploring Different Models* (31 March 2023).