

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

**Fiscal Year 2023**

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

**Japan International Cooperation Agency (JICA)**

## **Objection Procedures**

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 Guidelines, established the Examiners for the Guidelines (hereinafter referred to as the “Examiners”) in accordance with its *Objection Procedures based on The Guidelines*<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 environmental review (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 between the parties concerned 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. “The parties concerned” refers to the parties that have submitted requests to raise objections (hereinafter referred to as the “Requesters”) and “Project Proponents etc.” which include host country governments (including local governments) involved with the project, borrowers, and project proponents.

The Examiners are required to pursue these objectives while upholding basic principles i.e., 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 2023, in accordance with the Objection Procedures.

Please refer to JICA website for the Objection Procedures and other documents including previous reports of the Examiners 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 was 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 the Examiners' activities are to investigate whether or not JICA has complied with the JICA Guidelines and to facilitate consensual 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.

The Examiners conducted the preliminary investigations on three requests to raise objection (hereinafter referred to as the "Requests") during the Fiscal Year 2023.

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

November 2024

Examiners for the Guidelines

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(Listed in the order of the Japanese syllabary)

## **I. Outline of Activities During the Fiscal Year 2023**

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

Three Requests have been received by the Examiners during the fiscal year (FY) 2023 as follows:

(1) ‘Metro Manila Subway Project (Phase 1)’ in the Republic of the Philippines (ODA Loan)

i. Request accepted on 22 August 2023.

ii. Summary of the Request:

The project in question is Metro Manila Subway Project (Phase 1) (ODA Loan) being implemented in Metro Manila region in the Republic of the Philippines. The requesters claim that they suffer from the loss because the disclosure of the Resettlement Action Plan and the provision of compensation and assistance to the affected people have not been carried out in accordance with the clauses regarding involuntary resettlement in JICA’s Guidelines for Environmental and Social Considerations.

(2) ‘Phnom Penh City Transmission and Distribution System Expansion Project (Phase 2)’ in the Kingdom of Cambodia (ODA Loan)

i. Request accepted on 13 November 2023.

ii. Summary of the Request:

The project in question is Phnom Penh City Transmission and Distribution System Expansion Project (Phase 2) (ODA Loan) being implemented in Phnom Penh of the Kingdom of Cambodia. The requesters claim that they suffer from the loss because the acquisition of the land for the project has not been carried out in accordance with the JICA’s Guidelines for Environmental and Social Considerations.

(3) ‘Project for Improvement of Water Supply in Pokhara’ in Nepal (ODA Grant)

i. Request accepted on 20 February 2024.

ii. Summary of the Request:

The project in question is the Project for Improvement of Water Supply in Pokhara (ODA Grant) being implemented in Pokhara in Nepal. The requesters claim that they suffer from the loss because the activity related to the acquisition of the land for the project has not been carried out in accordance with the JICA’s Guidelines for Environmental and Social Considerations.

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

During the FY 2023, there were no cases in which the Examiners have decided to proceed with the procedures. The Examiners suspended the decision to commence the process on one Request regarding ‘Metro Manila Subway Project (Phase 1)’ and decided not to commence the process one Request regarding ‘Phnom Penh City Transmission and Distribution System Expansion Project (Phase 2)’. (Table 1.)

**Table 1. Results of Preliminary Investigation in FY 2023**

Project Names	Duration of Preliminary Investigation	Results
Metro Manila Subway Project (Phase 1) (Philippines)	23 August – 26 December	Suspended
Phnom Penh City Transmission and Distribution System Expansion Project (Phase 2)’ (Cambodia)	14 November – 26 December	Rejected
Project for Improvement of Water Supply in Pokhara (Nepal)	21 February 2024 -	Undecided in FY 2023*

(\* The Examiners made the decision to proceed with the procedures for the ‘Project for Improvement of Water Supply in Pokhara’ (Nepal) in May 2024.)

## 3. Causal analysis of cases that were suspended or rejected

(1) ‘Metro Manila Subway Project (Phase 1)’ in the Republic of the Philippines (suspended)

The main issue of the Request, i.e., contents of the compensation for the resettlement, has already been pending in the Expropriation Proceedings which are the resolution proceedings based on the laws of the Philippines. Therefore, we deemed it unnecessary to commence the process at this stage in the light of the objective of the Procedures, thus suspended the decision to commence the process.

(More information on the results of Preliminary Investigation:

[https://www.jica.go.jp/english/about/policy/environment/objection/philippines\\_02.html](https://www.jica.go.jp/english/about/policy/environment/objection/philippines_02.html))

(2) ‘Phnom Penh City Transmission and Distribution System Expansion Project (Phase 2)’ in the Kingdom of Cambodia (rejected)

The main reasons for the decision not to commence the process is the fact that the dialogues and negotiations between the Project Proponent and the project affected people are still in the early stage and will be continued. Therefore, we recommended the Requesters to continue dialogues with the Project Proponent and to utilize the Grievance Redress Mechanism of the project if necessary, and also strongly advised the Requesters to continue the negotiations with the Project Proponent in good faith so that both parties may reach consensus on the issue through their own efforts. Also, we requested JICA to

continue its monitoring and support so that the project will be implemented in accordance with the Guidelines.

(More information on the results of Preliminary Investigation:

[https://www.jica.go.jp/english/about/policy/environment/objection/present\\_condition\\_cam01.html](https://www.jica.go.jp/english/about/policy/environment/objection/present_condition_cam01.html) )

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

There were no investigation reports prepared by the Examiners during the FY 2023.

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

N/A

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

(1) ‘Metro Manila Subway Project (Phase 1)’ in the Republic of the Philippines

No opinion letters have been submitted by the Requesters regarding the Examiners’ decision of suspending the process.

(2) ‘Phnom Penh City Transmission and Distribution System Expansion Project (Phase 2)’ in the Kingdom of Cambodia

No opinion letters have been submitted by the Requesters regarding the Examiners’ decision of rejecting the process.

#### **7. Other issues**

It was found out that the Request in relation to ‘Metro Manila Subway Project (Phase 1)’ in the Republic of the Philippines was submitted to JICA Philippines Office in July 2021, but was not transferred to the Examiners. Regarding this matter, the Examiners requested JICA to promptly share information whenever Requests were sent to their overseas offices, and JICA agreed to implement the measures based on their document ‘*JICA’s Response to the failure to transfer Request to the Examiners*’<sup>3</sup> dated 18 January 2024.

## **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 international development agencies. The Examiners of JICA and the

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<sup>3</sup> [https://www.jica.go.jp/english/about/policy/environment/objection/\\_\\_icsFiles/afieldfile/2024/01/15/Response.pdf](https://www.jica.go.jp/english/about/policy/environment/objection/__icsFiles/afieldfile/2024/01/15/Response.pdf)

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

From 4 to 6 October 2023, Independent Project Accountability Mechanism of the European Bank for Reconstruction and Development hosted the IAMnet 20th Annual Meeting in London, the United Kingdom, which Examiners Ms. KAKEGAWA Michiyo, Mr. SAKUMOTO Naoyuki, and Mr. MURAYAMA Takehiko attended. In the meeting, the participants shared information and discussed the topics such as IAM’s relation with operational departments and office of general counsel, the measures against gender-based violence, the issues regarding the provision of remedy to project affected peoples, and the ways to prevent or respond to retaliation against the Requesters. On 5 October, IAMnet held a roundtable meeting with Civil Society Organizations. Through attending these meetings, the Examiners engaged in sharing information with, and strengthening the cooperation among, international financial institutions, overseas development assistance agencies, and CSOs.

## **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), of which mandates include developing the capacity of GRAMs of Direct Access Entities<sup>4</sup> and sharing lessons with accountability mechanisms of Accredited Entities including JICA. The Examiners of JICA participate in GRAM Partnership, and through attending its meetings and seminars<sup>5</sup>, seek to enhance collaboration and cooperation with grievance redress mechanisms and 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 states that JICA assigns two or three Examiners. On 1 September

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

<sup>5</sup> In FY 2023, following webinars were carried out: *Remedy in Development Finance, Worker Rights and Grievance Redress Mechanisms, The 2023 OECD Guidelines for Multinational Enterprises on Responsible Business Conduct*.

2021 Mr. MURAYAMA Takehiko (Professor, Department of Transdisciplinary Science and Engineering, School of Environment and Society, Tokyo Institute of Technology) was appointed as Examiner and on 1 July 2022 Ms. KAKEGAWA Michiyo (Professor, Faculty of Economics, SOKA University) and Mr. SAKUMOTO Naoyuki (Honorary Researcher, Institute of Developing Economics-Japan External Trade Organization) were appointed as Examiners.

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

A secretariat is set up by JICA to support the Examiners' duties and to process administrative works in relation to the Examiners.

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