

Asian Development Bank (ADB) funded project committing labor violations

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September 2, 2019

MR. TAKEHIKO NAKAO
President
Asian Development Bank (ADB)

Dear Pres. Nakao,

We are writing to you regarding the Accelerating Infrastructure Investment Facility in Himachal Pradesh [1], India, with project number 47083-002 [2], approved on October 21, 2013. The project was implemented through the Asian Development Bank's (ADB) contractor **Infrastructure Leasing & Financial Services (IL&FS)**.

The project's goal was to alleviate poverty and provide an important infrastructure link between people and markets. Instead, the project has caused major problems to more than one hundred affected workers, leaving them with **months of unpaid back wages and other legal benefits**. As of February 2019, the project owes the affected workers a total of **22 million Indian rupees**.

The project has resulted in other labour violations, including

1. No employment contracts
2. Forced overtime without pay
3. Forced weekend work
4. No social security coverage for the workers and their families
5. Violation of the right to freedom of association and collective bargaining
6. No specific facilities for women workers
7. Gross negligence on occupational health and safety (OHS) and first-aid facilities

The project has also violated rules laid out in the ADB Social Protection Strategy, which guarantees compliance with **core labor standards and minimum legal protections**. The Social Protection Strategy also requires all ADB-funded projects to have a ground-level grievance mechanism, however, this project never had such a mechanism.

A complaint was also filed to the ADB Accountability Mechanism Office of the Special Project Facilitator last May 30, 2019, by the affected workers regarding this project.

We would like to request your office to look into this matter and address the issues most especially the unpaid back wages of the affected workers as the IL&FS is currently inaccessible.

We hope that you can fulfill ADB's vision of improving the quality of life of the people in Asia and the Pacific by addressing this problem.

We look forward to your response.

Respectfully,

NGO Forum on ADB

Building and Wood Workers' International (BWI) [3]

Supported by:

Aksi Ekologi dan Emansipasi Rakyat (AEER), Indonesia

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Asian Peoples Movement on Debt and Development

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Bangladesh Working Group on External Debt (BWGED)

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Indian National Rural Labour Federation (INRLF)

Indian Oil Petronas Contractor Shramik Union, India

Indian Social Action Forum (INSAF), India

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Pakistan Federation of Building and Wood Workers (PFBWW)

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Programme on Women's Economic, Social and Cultural Rights (PWESCR) International

Project Affected Peoples Association (PAPA), India

Public Interest Law Center - PILC - TCHAD, Chad
Rivers without Boundaries, Mongolia
SERBUK - Indonesian Federation of People Labour Unions
Shevaroy's General Employees Union (SGEU), India
Sri Lanka Nature Group
Struggle Forum for Informal Sector Workers, India
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Union of Forestry Employees of Sarawak, Malaysia
Urgewald, Germany
We Women Sri Lanka
WomanHealth Philippines
Working Group on International Financial Institutions, India
Youth Group on Protection of Environment, Tajikistan
Sent via electronic mail and hard copy to the following:
Pres. Takehiko Nakao - President, Asian Development Bank (ADB) ALL Executive Directors, ADB
ALL Alternate Directors, ADB
Board Compliance Review Committee (BCRC), ADB
Marvin Taylor-Dormond, Director-General, Independent Evaluation Department, ADB
Jennifer Francis, Principal Institutional Coordination Specialist, South Asia Operations Department, ADB
Preety M. Bandhari, Director, Climate Change and Disaster Risk Management Division, Sustainable Development and Climate Change Department, ADB
Nessim J. Ahmad, Deputy Director General, Sustainable Development and Climate Change Department, Concurrently Chief Compliance Officer
Dingding Tang, Chair, Compliance Review Panel, ADB
Dr. Bambang Susantono, Vice-President for Knowledge Management and Sustainable Development, ADB
Shixin Chen, Vice-President (Operations 1), ADB
Hun Kim, Director-General, South Asia Regional Department, ADB
Wendy Walker, Technical Advisor for the Social Development Thematic Group, ADB

P.S.

- NGO Forum on ADB. Updated: 12 September 2019:
<https://www.forum-adb.org/post/letter-to-the-adb-about-labour-violations>
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Footnotes

- [1] <https://www.adb.org/projects/47083-002/main>
- [2] <https://www.adb.org/projects/47083-002/main>
- [3] <https://www.bwint.org>