



OFFICE OF THE GENERAL COUNSEL

LAW AND POLICY REFORM PROGRAM

Enabling effective legal and judicial systems for a prosperous, inclusive,
resilient, and sustainable Asia and Pacific

*Special Evening with Graduate School of Public Policy
The University of Tokyo*

Challenges and Opportunities for 21st Century Policymakers

April 5, 2023

Asian Development Bank



- Founded in 1966; headquartered in Manila, Philippines with 45 field offices
- 68 members – 49 from Asia and the Pacific region
- Covers Central Asia, East Asia, Southeast Asia, South Asia and South Pacific
- Main instruments - *loans, equity investments, guarantees, grants, and technical assistance*
- Public and private sector operations, PPP transaction advisory services, treasury (capital markets), knowledge services
- Mobilizes financial resources through cofinancing operations that tap official, commercial and export credit sources and leverages partnerships

ADB'S STRATEGY 2030 SUPPORTS THE 2030 AGENDA
AND ALL ITS PROJECTS ARE LINKED TO THE 17 SUSTAINABLE DEVELOPMENT GOALS.

Learn more

<https://www.adb.org/what-we-do/sdg/main>

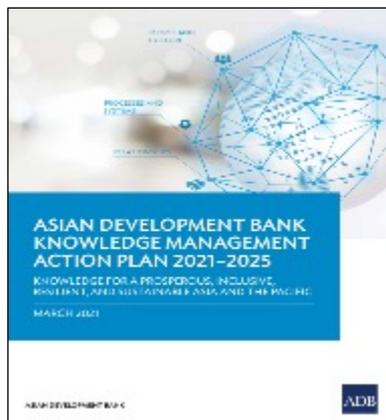
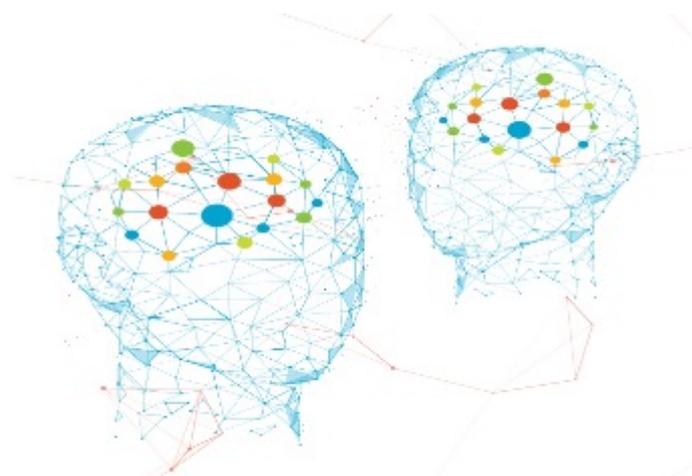
ADB Mechanisms for Mobilizing the Additional Finance that the SDGs Require



Source: Asian Development Bank. ADB's Support for the Sustainable Development Goals (March 2021)

ADB's Transition to a Knowledge-Based Organization

finance + knowledge + partnerships



- ✓ Strategy 2030 – need to strengthen ADB's knowledge services to stay relevant as a leading and trusted organization in Asia and the Pacific
- ✓ How can ADB catalyze knowledge for innovation and development?
- ✓ ADB must integrate knowledge work across sectors and themes and public and private sectors and **employ cross-disciplinary problem-solving and advance innovation**
- ✓ **Focus on high quality policy advice, legal and regulatory reforms, institutional capacity development**

Rule of Law & Inclusive and Sustainable Development

SDG Target 16.3 promotes the rule of law at the national and international levels and ensure equal access to justice for all



“rule of law [is] needed to sustain development momentum and to ensure that the benefits of growth are equitably and widely shared”

LPR Activities

- ❖ Legal and Regulatory Reforms
- ❖ Capacity Building – *tailored national programs and regional & international conferences*
- ❖ Knowledge Resources

LPR Areas

- ✓ Digital Economy
- ✓ Environmental Protection and Climate Change
- ✓ Financial Sector Development
- ✓ Gender Equality
- ✓ Inclusive Growth and Access to Justice
- ✓ Private Sector Development
- ✓ Public-Private Partnerships
- *Anti-Money Laundering and Combating the Financing of Terrorism*
- *Domestic Resource Mobilization and International Tax Cooperation*

ADB's Strategy 2030 Priorities

1. addressing poverty and inequality;
2. accelerating gender equality in every element of ADB's operations;
3. tackling disasters, taking strong and urgent climate change adaptation and mitigation measures, and promoting environmental sustainability;
4. making cities more livable;
5. promoting rural development and food security;
6. strengthening governance and institutions, and
7. fostering regional cooperation and integration

**“The battle against climate change
will be won or lost in Asia & the Pacific”**



ADB Raises 2019–2030 Climate Finance Ambition to \$100 Billion



The expanded climate finance ambition is a key element of ADB's efforts to support its developing member countries (DMCs). Facing the interconnected challenges of the COVID-19 pandemic and the climate crisis, many DMCs are taking bold action to promote a green, resilient, and inclusive recovery.

ADB Climate Finance Modalities

(subject to ADB policies and procedures)

- **Loans** to sovereigns and private sector (*e.g. Climate change-related policy-based loans*)
- **Grants** to least developed, vulnerable, fragile countries
- **Equity Investments**
- **Risk Mitigation Instruments** – guarantees, letters of credit
- **Technical Assistance** – project prep, feasibility studies, capacity building, *knowledge support (including policy dialogue and legal and regulatory reforms)*, etc.
- **Capital Markets** - thematic bonds such as green and blue bonds
- **Blended Finance Platforms** – e.g. ASEAN Catalytic Green Finance Facility, Energy Transition Mechanism, Innovative Finance Facility for Climate in Asia and the Pacific, Climate Innovation and Development Fund

**Accredited entity for Green Climate Fund, implementing agency Global Environment Facility and Climate Investment Funds and administrator of numerous climate funds*



#ADBNEWS: ADB today joined with other multilateral development banks (MDBs) in committing to a just transition that supports developing member countries (DMCs) to move toward net-zero emission economies.

#COP26  **#ClimateBank**



5 Principles for Just Transition:

1. deliver climate objectives while enabling socioeconomic outcomes and building progress on Paris Agreement goals and SDGs;
2. support to move away from GHG emissions-intensive economic activities through financing, policy and advisory activities, and knowledge sharing;
3. mobilization of public and private finance and enhanced coordination;
4. support for affected workers and communities to mitigate impacts and increase opportunities; and
5. transparent and inclusive planning and monitoring with relevant stakeholder and affected groups

Private Sector - Voluntary Commitments

- ✓ UNFCCC's Race to Zero [more than 4,000 businesses have committed to align their business models with 1.5 and net-zero emissions by 2050]
- ✓ Global Financial Alliance for Net Zero (GFANZ) [a global coalition of over 450 financial institutions representing US\$130 trillion in capital]
- ✓ Net-Zero Banking Alliance [over 90 members and representing more than US\$60 trillion in assets]
- ✓ Net-Zero Asset Owner Alliance [61 members and US\$10 trillion]
- ✓ Net-Zero Insurance Alliance which [15 members]

Private Sector Calling for Enabling Policy and Legal Environment

Legal Readiness for Climate Finance and Climate Investment

modernization of laws to optimize options for climate finance and address legal barriers to climate investments



Framework Climate Change Laws

Provides for clear policy direction

Fiji Enacts Groundbreaking Climate Change Law with ADB's Assistance

News Release | Wed, 09/29/2021 - 12:00



Fiji Prime Minister Frank Bainimarama addresses the 76th session of the United Nations General Assembly (14–30 September 2021) on the recently passed Fiji Climate Change Act of 2021. Photo source: Government of Fiji (Official Twitter Account).
Tweet on 26 September 2021, 8:43 AM.



John Kerry receives a Fiji's Climate Change Act from Aiyaz Sayed Khaiyum during the COP26 at Glasgow Scotland yesterday. Picture: TWITTER/@fiji_ag

Sectoral Laws and Regulations

(Energy, Transportation, Building, etc.)



Example: Energy Sector

- Absence of legal framework to support renewable energy projects and to regulate an energy market in general
- Development of appropriate regulatory and governance model

Increasing Climate Change Litigation

CLIMATE CHANGE AND COURTS

Thursday | 7 October 2021 | Zoom Webinar (2.5 hours)
6:00 p.m. – 8:30 p.m. Manila; 11:00 a.m. – 1:30 p.m. London;
12:00 p.m. – 2:30 p.m. Brussels; 7:00 a.m. – 9:30 a.m. Brasilia;
9:00 p.m. – 11:30 p.m. Sydney

https://www.youtube.com/watch?v=Q3IXT_FI658



<https://www.adb.org/publications/series/climate-change-coming-to-court>

Judicial Capacity Building Program – Implementation of Reforms

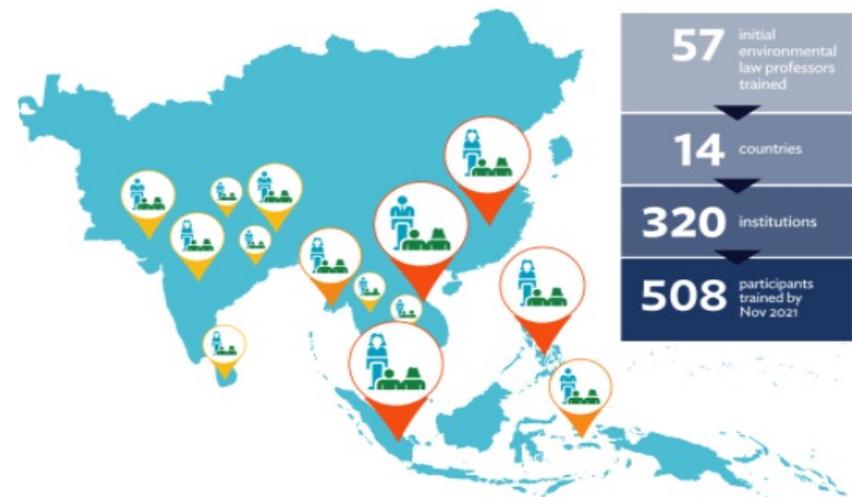
Environmental and Climate Change Adjudication

- ✓ Compliance and enforcement of environmental and climate change laws
- ✓ Support courts in establishing “green benches” or “green courts”
- ✓ Assist with establishing judicial certification programs on environment
- ✓ Provide expert assistance in drafting environmental court procedures
- ✓ Knowledge resources (e.g. remedial orders handbook - in-progress)
- ✓ Supported the creation of first-of-its-kind Asian Judges Network on the Environment (www.qjne.org) and convene key regional conferences to promote regional judicial dialogue and knowledge sharing



Developing Environmental Law Champions

- ✓ Improve the capacity of environmental legal educators and institutions for more effective implementation, compliance and enforcement of environment and climate change laws
- ✓ Modernize environmental and climate change curricula and syllabi
- ✓ Trained more than 500 law professors from 320 academic institutions across 14 countries via an innovative train-the-trainers (TTT) model to meet the growing demand for environmental and climate change law expertise - led to further in-country activities and collaboration among participating institution
- ✓ TTT participants serve as experts and provide capacity building to judges, government officials, private sector and other stakeholders and responsible for developing the future pipeline of environmental and climate change experts



Dialogue with Students



ADB Internship Program



The Internship Program is a project-oriented learning opportunity for graduate students to gain experience through research assignments based on ADB's current operational needs.

ADB advertises internship assignments twice a year and welcomes motivated, open-minded, and self-directed individuals to apply.

The internship program offers the opportunity to:

- work in a major international development organization;
- work collaboratively with experienced professionals from over 50 different countries;
- gain a deeper understanding of development finance and the impact of the work ADB does; and
- contribute to ADB's business through research outputs.

ADB Young Professionals Program (YPP)



Want to grow professionally by building on your training and experience? Want to help improve the lives of people in Asia and the Pacific?

The Young Professionals Program (YPP) is an entry-level recruitment program to attract highly qualified and motivated individuals to ADB. YPP provides the foundation for a challenging and rewarding professional career in an international development environment and offers a wide range of opportunities to develop professional skills and understanding of ADB's operations, policies, and procedures. Under a structured talent management program, Young Professionals (YPs) will contribute to the achievement of ADB's Strategy 2030.

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