

23 January 2026

Special Procedures Branch  
Office of the High Commissioner for Human Rights (OHCHR)  
Attention: [REDACTED], Officer-in-charge  
By email: [ohchr-registry@un.org](mailto:ohchr-registry@un.org)

**RE: Joint communication from Special Procedures — Response**  
**REF: AL OTH 137/2025 (ADB) | AL OTH 139/2025 (IFC/WBG)**

Dear Special Procedures Mandate Holders,

We write on behalf of the World Bank Group (WBG), with the International Finance Corporation (IFC) responding as the lead WBG institution engaged in the Reko Diq Copper Project in Pakistan, together with the Asian Development Bank (ADB). We acknowledge the receipt of the communications to each of IFC and ADB dated December 1, 2025, received via the Special Procedures Branch of the Office of the High Commissioner for Human Rights. We appreciate the opportunity to respond to concerns raised. Given that the communication addressed to the WBG raises some matters pertinent to other parts of the WBG (including International Centre for Settlement of Investment Disputes Investment Disputes (ICSID)), this response also addresses those aspects. Although IFC and ADB have separate decision-making processes, given the overlap in the issues raised in your letter, we are providing a joint response in the interest of efficiency.

Reko Diq is an undeveloped copper-gold deposit, located in a remote desert region in northwest Pakistan, with the nearest community from the mine site being Humai, approximately 20 kilometers away. The project is currently in the construction stage, and mining activities have not yet started. Reko Diq Mining Company (RDMC) commissioned an Environmental and Social Impact Assessment (ESIA) covering all stages of the project.

IFC, as a member of the WBG, and ADB, are committed to advancing private sector investment that is environmentally and socially sustainable. When making investments, IFC and ADB apply their respective policies including IFC's Sustainability Framework comprising the Policy on Environmental and Social (E&S) Sustainability, the Performance Standards on Environmental and Social Sustainability, ADB's Safeguard Policy Statement

(SPS, 2009) and the respective institutions' Access to Information Policies. These policies support the identification, assessment, and management of E&S risks and impacts in accordance with relevant good international industry practices.

### **E&S Risk Management**

IFC's [Sustainability Policy](#) recognizes businesses' responsibility to respect human rights independently of a state's duties to respect, protect, and fulfill human rights. IFC's Sustainability Framework sets out IFC's approach to assessing and managing E&S risks and impacts. The Framework requires clients to identify, avoid, and mitigate adverse impacts potentially associated with IFC-financed activities. Performance Standard 1 requires an accessible and culturally appropriate grievance mechanism to be available to local communities, and Performance Standard 4 requires a risk assessment and management plan to be developed and implemented that reflects the control measures to be applied by a client using security personnel.

ADB applied its safeguards framework to assess risks, review management plans, determine required corrective actions, and incorporate environmental and social requirements into the project's financing agreements. ADB also takes note of the expectations contained in the UN Guiding Principles on Business and Human Rights (UNGPs) and incorporates safeguards measures which address impacts and risks which may be described as human rights related issues. Consistent with ADB's Access to Information Policy (AIP), information relevant to ADB's due diligence — including the ESIA, Environmental and Social Compliance Audit (ESCA), and future monitoring reports — is publicly disclosed to the extent permitted under the policy.

Given Reko Diq's scale and operating context, IFC's and ADB's due diligence of the project involved an Independent Environmental and Social Consultant (IESC), and included an assessment of whether the respective institutions' Indigenous Peoples policies were triggered, as well as an assessment of risks related to land and natural resource use, security arrangements, labor and working conditions, and contextual factors such as historical patterns of conflict and constrained civic space. The due diligence also reviewed the effectiveness of the client's management systems, stakeholder engagement processes, and grievance mechanisms, and reviewed alignment with both institutions' policy frameworks.

IFC's and ADB's due diligence informed legally binding plans, including the Environmental and Social Action Plan (ESAP), which sets out the measures required for Reko Diq Mining Company's compliance with Lenders' safeguards requirements. IFC and ADB further note

that RDMC has developed and implemented subject-specific management plans, which include measures to ensure adherence with the UN Guiding Principles on Business and Human Rights. Similarly, IFC's publicly disclosed Environmental and Social Review Summary (ESRS) notes that RDMC has implemented security policies and procedures aligned with the Voluntary Principles on Security and Human Rights (VPSHR), including human-rights training for private security providers and the establishment of a Human Rights Management Plan addressing the use of public and private security. The ESAP includes requirements to strengthen implementation of these commitments, including updates to the Human Rights Management Plan and Security Management Plan to address security-related risks and verification measures, such as independent, annual audits of security providers to verify compliance with IFC Performance Standard 4 and the VPSHR, as well as strengthened pre-deployment training requirements for security personnel including on gender-based violence and harassment. All relevant project documents are publicly disclosed on [IFC's project information portal](#) and [ADB's website](#).

IFC and ADB will continue to monitor the project through regular site visits by internal staff, the IESC, engagement with the client, and review of reliable third-party sources of information. IFC and ADB require the client to maintain effective stakeholder engagement and grievance mechanisms so that concerns can be raised and addressed. Should credible information arise indicating heightened risks, IFC and ADB apply internal escalation procedures and may require corrective measures so that risks are identified and mitigated in a timely manner.

IFC and ADB recognize the important role of project stakeholders and civil society actors and adopted measures to facilitate their engagement in relation to IFC and ADB-financed activities. In the case of Reko Diq, IFC, ADB and other lenders proactively engaged with civil society organizations (CSOs) interested in the project, both individually and jointly. The IFC and ADB teams responded to the CSO outreach and remain available to discuss and follow up on any E&S topics, in line with IFC's and ADB's commitment to ongoing engagement with external stakeholders, including CSOs and other stakeholders.

IFC and ADB require that project-related engagement with affected people and stakeholders, including communities and CSOs be conducted in a respectful, non-coercive manner and free from retaliation, and in line with the principles of meaningful consultation. The project's Human Rights Management Plan includes measures relating to engagement, information handling, and management of security providers. IFC and ADB will review the implementation of the plan as part of their ongoing monitoring program, which will be

complemented by the review of the project grievance register. IFC, ADB and RDMC share the same understanding that concerns on intimidation and reprisals must be taken seriously, interactions with all stakeholders inclusive of CSOs and human rights defenders must follow principles of meaningful consultation and respectful engagement, and that internal guidance and staff training on these issues should be strengthened.

IFC and ADB do not tolerate any action that amounts to retaliation including threats, intimidation, harassment, or violence against anyone who voices an opinion regarding the activities of IFC, ADB or our clients. Both institutions' position statements on retaliation against civil society and project stakeholders are publicly available, including guidance notes that are publicly available. IFC and ADB expect clients to implement proportionate measures to identify and address retaliation risks, informed by IFC's and ADB's guidance and good practice on stakeholder engagement. When credible concerns of reprisals are brought to IFC's or ADB's attention, the institutions raise these concerns directly with the client or relevant authorities and parties, make clear their position against reprisals, and take follow-up actions where appropriate.

### **Review and Disclosure**

In line with its Sustainability Framework, IFC disclosed the Reko Diq project's ESRS, ESAP, and the Environmental and Social Impact Assessment (ESIA). The ESIA and ESCA are also disclosed on ADB's website. These documents describe how the client, with the support of expert consultants, has assessed and addressed E&S risks and impacts in accordance with Lenders' requirements. RDMC also maintains a disclosure site specifically for the RDMC project, with information related to a range of E&S topics.

IFC and ADB recognize the complexity of the operating context in Balochistan and acknowledge the concerns raised regarding security operations, community participation, ethnic identity, and potential E&S impacts. As part of the due diligence, IFC and ADB reviewed a wide range of E&S analyses and documentation, including RDMC's ESIA, which was prepared by internationally recognized expert consultants. The Lenders' IESC also undertook an additional independent review. The Sindh Environmental Protection Agency (EPA) approved the ESIA on February 27, 2025, and the Balochistan EPA approved it on March 10, 2025. The ESIA is available on both IFC's [project information page](#), [ADB's website](#) and [RDMC's website](#).

The Reko Diq Mining Project's plans for managing E&S risk include measures to support inclusive and culturally appropriate stakeholder engagement throughout project

implementation, safeguards to protect cultural heritage and traditional practices, and mechanisms that ensure the project contributes to development activities in the area, including substantial opportunities for local employment and continued implementation of their community development programs. RDMC has indicated to IFC and ADB that it intends to engage with and support communities in the wider area and has established Community Development Committees (CDCs) to help allocate financial commitments to social development based on community needs and priorities.

### **Stakeholder Engagement**

Engagement with stakeholders was a key part of project preparation and will continue to be central to ongoing project implementation, so they can meaningfully participate in decision-making. While preparing the project's ESIA between 2022 and 2024, RDMC conducted four rounds of consultations with local communities, government authorities, CSOs, and other stakeholders. These consultations were extensive and geographically widespread, covering the communities in Chagai district, at the fan sediments water supply area, and along the railway transport route. Going forward, RDMC is committed to regular and ongoing engagement with communities.

IFC, together with ADB, took steps to independently verify, including through in-person interviews and document review, that RDMC undertook a process of Informed Consultation and Participation (ICP), and that this process resulted in broad community support. In its consultations, RDMC engaged with men and women, respecting cultural norms, and provided information verbally as well as in various written formats, translated into Urdu and Balochi. The company's Stakeholder Engagement Report and supporting documentation describe efforts to engage local communities in discussions on the sharing of developmental benefits and opportunities in a meaningful and inclusive manner. The establishment and use of CDCs created a direct link between local communities and RDMC, with the focus on addressing community needs and building trust through close engagement.

### **Indigenous Peoples**

IFC Performance Standard 7, which guides its clients in providing sustainable development benefits and opportunities for Indigenous Peoples, recognizes that there is no universally accepted definition of 'Indigenous Peoples.' For the purposes of IFC's policy application, Performance Standard 7 lays out characteristics for determining whether a particular group is considered an Indigenous People. In this case, IFC's due diligence, including

assessments by external professionals, determined that Performance Standard 7 did not apply, as no socio-cultural groups satisfied all four characteristics.

Similarly, ADB's review of the ESIA and the third-party ESCA, which included a comprehensive social assessment conducted with input from an anthropologist specializing in Baloch culture, concluded that while Baloch tribes maintain distinct cultural traits, these characteristics are shared across broader regional groups.

Consequently, the groups affected by the project do not meet the SPS criteria for Indigenous Peoples classification. In making this determination, no judgement is made on broader social or cultural understandings of indigenous people's identity at the national or community level, nor does it remove the need for ongoing culturally appropriate engagement with local communities. Irrespective of classification, IFC and ADB require that all affected communities are meaningfully consulted, that cultural heritage is respected, and broader community benefits from the project are realized. These commitments are reflected in the ESIA, ESAP, and will continue to guide IFC's and ADB's supervision and monitoring of the project.

### **Access to Grievance Channels**

IFC and ADB require clients to establish and maintain appropriate grievance mechanisms to enable affected communities and workers to raise concerns regarding E&S issues linked to project activities. This includes external communication mechanisms through which individuals or groups may submit inquiries or complaints about E&S risks and impacts.

IFC and ADB have established that, based on information provided by RDMC, a community grievance mechanism has been implemented for local people to raise concerns, which are recorded, tracked, and addressed through established processes. A network of Community Resource Officers (CROs) has helped the company provide community residents with information on the grievance mechanism, as well as details on the project and ongoing activities at the mine site. RDMC has committed itself to ongoing engagement under its Stakeholder Engagement Plan (SEP), which is a 'live' document and is regularly updated.

In addition to these client-level mechanisms, individuals or their representatives who believe they have been, or may be, adversely affected by E&S risks related to an IFC or ADB-financed project may submit a complaint directly to IFC or ADB for consideration. Both institutions engage with complainants and work with clients to address concerns in a timely and effective manner. Complaints may be submitted through [IFC's Environmental and](#)

[Social grievance channel](#) or through ADB's project team/Resident Missions. This process is separate from, and complementary to, both client grievance mechanisms and IFC and ADB's independent accountability mechanisms.

Affected Communities also have unrestricted access to the [Compliance Advisor Ombudsman](#) (CAO), the independent accountability mechanism for IFC. CAO is mandated to address E&S complaints related to IFC-supported activities through dispute resolution or compliance review. Complaints may be brought to the CAO by any individual, group, or community that has been or may be affected by the environmental or social impacts of an IFC-financed project. Similarly, access to ADB's Accountability Mechanism is also available to project affected people.

### **Water resources and management**

The project site is located in a remote area, approximately 20 kilometers from the nearest community. The assessments confirmed that the area is barren, unsuitable for agriculture or grazing, and shows no informal land use. Agricultural activity in nearby settlements is minimal due to water scarcity and is limited to small palm groves irrigated by dug wells. Consultations with local communities indicate that the proposed mine site is considered to have little value for livestock grazing.

A hydrogeological study identified a deep aquifer about 70 kilometers from the project site as the primary water source for the project. The aquifer is brackish to saline and not used by local communities or connected to any wetlands or other ecosystems. No significant adverse impacts are expected from the company's planned abstraction from the aquifer. As part of its community program, the company installed wells that abstract water from a different aquifer, closer to the communities. Because that water also has high salt content, the company installed reverse osmosis treatment units to provide potable water to local communities. Consequently, based on IFC and ADB's assessment, access to potable water for local communities in Chagai District has increased overall since RDMC commenced activities.

### **Power Supply**

IFC's disclosure of E&S risks and impacts, as well as key measures to mitigate them, includes the project's expected greenhouse-gas (GHG) emissions, consistent with the harmonized approaches adopted by international finance institutions for GHG emissions calculations. It also summarizes considerations relevant to the detailed alternative analysis carried out to assess the project's potential emissions and the application of the mitigation

hierarchy. The project assessed several power supply options for technical feasibility, reliability, and cost, among other factors. The selected system meets the needs of a remote, energy-intensive site and is supported by RDMC's GHG Transition Plan, a requirement for the Lenders. The plan includes timebound emission reduction targets through a phased increase in renewable energy penetration. While communities are located at sufficient distance to be unaffected by air quality impacts of mining operations, RDMC has committed to carrying out a human health risk assessment and to implementing appropriate safeguards to protect workers' health.

### **ICSID Case Tethyan Copper Company Pty Limited v. Pakistan (ARB/12/1)**

The UN communication addressed to the World Bank Group requested further information regarding the prior International Centre for Settlement of Investment Disputes (ICSID) arbitration. ICSID was created in 1966 by the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (the ICSID Convention). The ICSID Convention is a multilateral treaty formulated by the Executive Directors of the World Bank to further the Bank's objective of promoting international investment.

ICSID provides an independent, impartial, and depoliticized dispute settlement forum for the resolution of disputes between States and foreign investors. Disputes in ICSID arbitration cases are decided by independent tribunals, not by ICSID itself. Tribunal members are appointed in accordance with the applicable procedural rules agreed by the parties. Tribunals decide the dispute based on the parties' applicable instrument of consent (e.g. investment treaties, investment laws, or contract) after hearing and considering the parties' submissions.

On January 12, 2012, ICSID registered a request for arbitration between the Claimant, Tethyan Copper Company Pty Limited, a company constituted and registered under the laws of Australia, and the Respondent, the Islamic Republic of Pakistan. The invoked instrument of consent was the 1998 Agreement between Australia and the Islamic Republic of Pakistan on the Promotion and Protection of Investments.

On July 12, 2012, a three-member Tribunal was constituted in accordance with Article 37(2)(b) of the ICSID Convention to conduct the arbitration and decide the dispute. On January 12, 2019, the Tribunal rendered its Award. The Tribunal was composed of a President of the Tribunal, appointed by agreement of the parties, a co-arbitrator appointed by the Claimant, and a co-arbitrator appointed by the Respondent.

Pakistan applied for the Annulment and Revision of the Tribunal's Award. The annulment was registered on November 18, 2019, and the revision was registered on March 16, 2021. In December 2022, the parties submitted a joint request to discontinue both proceedings. As indicated on ICSID's website, the proceedings were discontinued at the request of both parties on January 6, 2023, pursuant to ICSID Arbitration Rule 43(1).

The Tribunal's Award is available on [ICSID's website](#).

### **Conclusion**

IFC and ADB are aware of the complex local context and development challenges in which the project is located, which underscore broader development considerations and the importance of well-designed investments that seek to contribute to inclusive development outcomes. IFC and ADB remain attentive to credible information received and will continue their engagement with RDMC and relevant stakeholders, applying their review and supervision processes in alignment with the IFC's Sustainability Policy, ADB's Safeguard Requirements and the institutions' commitment to inclusive and sustainable development.

Sincerely,



John F. Gandolfo  
Acting Regional Vice President  
Middle East and Central Asia