

Members of the Global Transparency Initiative (GTI) prepared this paper to examine implementation of the Transparency Charter for International Financial Institutions from the perspective of the Aarhus Convention.

The "Transparency Charter for International Financial Institutions: Claiming our Right to Know" is based on the right to access information held by public bodies—a fundamental human right set out in Article 19 of the United Nations Universal Declaration of Human Rights, which guarantees the right to “seek, receive and impart information and ideas”. This right applies to intergovernmental organisations, just as it does at the national level.

The Charter elaborates nine principles upon which access to information policies of international financial institutions should be based. The GTI developed a full set of transparency indicators that allow for comparison among various institutions. For this paper we select those principles and indicators across eight multilateral development banks that we believe are relevant for promoting the principles of the Aarhus Convention. The paper was prepared by CEE Bankwatch and the Bank Information Center—members of the Global Transparency Initiative.

The full text of the Charter, explanation of its principles, and information on the GTI are available at: <http://www.ifitransparency.org>.

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## Legend

Scores are based on research available in the IFI Transparency Resource (IFITR) ([www.ifitransparencyresource.org](http://www.ifitransparencyresource.org)).



**Acceptable.** The institution has adequate transparency policy in place.



**Needs Improvement.** The institution's policies provide for partial disclosure or disclosure on an occasional basis.



**Unacceptable.** The institution does not have policy requirements that meet the transparency indicator.

World Bank=International Bank for Reconstruction and Development and International Development Association

IFC=International Finance Corporation

MIGA=Multilateral Investment Guarantee Agency

EBRD=European Bank for Reconstruction and Development

EIB=European Investment Bank; ADB is the Asian Development Bank

IDB=Inter-American Development Bank

AfDB is the African Development Bank

## Principle 1. Right of Access

*The right to access information is a fundamental human right which applies to, among other things, information held by international financial institutions, regardless of who produced the document and whether the information relates to a public or private actor.*

	World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
Disclosure policy <i>Transparency rules are established and articulated in a binding institutional policy</i>	✓	✓	✓	✓	✓	✓	✓	✓
	The Bank established a disclosure policy in 1994.	IFC established a disclosure policy in 1997.	MIGA established a disclosure policy in 1999.	EBRD established a disclosure policy in 1996. The current policy was approved in 2006.	The EIB established a disclosure policy in 1996. The current policy was approved in 2006.	ADB established a disclosure policy in 1994.	IDB established a disclosure policy in 1994.	AfDB established a disclosure policy in 1997.
Maximum disclosure <i>Disclosure rules are based on a presumption of access subject to limited exceptions</i>	~	~	~	~	~	~	~	~
	The Bank's policy states a "presumption in favor of disclosure" and includes a list of constraints. However, the presumption is not implemented in practice.	The IFC's policy states a "presumption in favor of disclosure" and includes a list of exceptions. However, the presumption is not implemented in practice.	MIGA's policy states a "presumption in favor of disclosure" and includes a list of exceptions. However, the presumption is not implemented in practice.	The EBRD's policy states a presumption in favor of disclosure "in the absence of a compelling reason for confidentiality" and includes a list of constraints. However, the presumption has not so far been implemented in practice.	The EIB's policy states a "presumption of disclosure, unless there is a compelling reasons for non-disclosure", in its section on constraints. However, the presumption is not implemented in practice.	ADB's policy states a "presumption in favor of disclosure" in "the absence of a compelling reason for confidentiality" and includes a list of exceptions, many of which are not narrowly drawn. The presumption is not implemented in practice.	IDB states that "information concerning the Bank's operational activities will be disclosed to the public in absence of a compelling reason for confidentiality." However its constraints to disclosure are so broadly drawn that they limit the presumption of access.	AfDB "enjoins the Bank to disclose all documents...unless there are compelling reasons not to do so." There is no commitment to practice a presumption in favor of disclosure.

## Principle 2. Automatic Disclosure

*International financial institutions should automatically disclose and broadly disseminate, for free, a wide range of information about their structures, finances, policies and procedures, decision-making processes, and country and project work.*

	World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
Basic institutional information <i>Founding documents including the statutes</i>	✓	✓	✓	✓	✓	✓	✓	✓
	Legal documentation including the Bank's Articles of Agreement	Legal documentation including IFC's Articles of Agreement and by-laws	Legal documentation including the Convention	Legal documentation including the Agreement establishing the EBRD, its	Legal documentation including the EIB's Statute, policies,	Legal documentation including the Agreement	Legal documentation including the Agreement	Legal documentation including the Agreement

	World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
<i>and by-laws of the institution, and basic information on the organizational structure</i>	and by-laws can be found on the Bank's website along with an organizational chart.	can be found on the IFC's website along with an organizational chart.	establishing MIGA, MIGA's by-laws and an organizational chart can be found on or ordered from MIGA's website.	by-laws and organizational charts can be found on the EBRD's website.	guidelins and organisational structure can be found on the website.	establishing the ADB, ADB by-laws and an organizational chart can be found on or ordered from ADB's website.	establishing the IDB, IDB by-laws and an organizational chart can be found on or ordered from IDB's website.	establishing the AfDB, AfDB by-laws and an organizational chart can be found on or ordered from AfDB's website.
Institutional policies, strategies and procedures <i>Overall plans that outline the general goals, overarching development objectives, administrative functioning, and the procedures by which all the operations of the institution are developed and implemented</i>	✓	✓	~	✓	✓	✓	✓	✓
	The WB discloses its final policies and strategies, after their approval by the Board. In addition, the World Bank makes a wide range of guidelines, including its Staff Manual, available to the public.	IFC discloses all policies that are approved by IFC's Board of Directors "unless the Board decides that disclosure may have an adverse impact on the financial condition or business interests of IFC." It is unclear if other IFC procedures, staff manuals and guidelines are publicly available.	"MIGA produces booklets and reports describing its investment policies and procedures, which are periodically updated." However, only a few policy papers are available on MIGA's website, and it makes no mention of others.	EBRD discloses all policy and strategy papers after approval by the Board of Directors. In addition, it discloses a wide range of internal procedures and guidelines. The EBRD does not keep an archive of older policies, strategies and procedures.	The EIB's policy ensures routine disclosure of approved policies, strategies, procedures, codes-of conduct and the Corporate Operational Plan. All documents are available through the website.	ADB discloses some policy and strategy papers in draft form before approval and all such documents after approval by the Board of Directors. In addition, it discloses an operational manual that describes internal procedures.	IDB discloses all policy and strategy papers after approval by the Board of Directors. In addition, it discloses operational guidelines that describes internal procedures.	AfDB discloses some policy and strategy papers in draft form and all such documents after approval by the Board of Directors. However, operations and organizational manuals can only be disclosed after approval by the director of the department in consultation with the Legal Services Department.
Project and program information <i>Documents related to a specific lending, grant, investment or guarantee operation available on an anticipated basis throughout the project or program cycle including:</i>	✓	~	✗	~	~	✓	✓	~
<ul style="list-style-type: none"> <li>▪ <i>Project or program documents</i></li> <li>▪ <i>Social and environmental documents</i></li> <li>▪ <i>Supervision and monitoring reports</i></li> </ul>	The Bank releases a number of project documents including Project Information Documents and Environmental Assessments before project approval and Project Appraisal Document (PAD) or Program Document (PDs), Loan Agreements and Implementation Completion Reports after approval by the Board of Directors. In addition, the Bank produces a very brief summary of projects under implementation on an annual basis. The	IFC discloses a brief project summary about each of its operations and social and environmental information about projects with adverse negative impacts. IFC does not disclose Project Board Reports or Loan Agreements. IFC requires the disclosure of an "Action Plan", annual reports on Action Plan implementation and some "ongoing" information to communities in the project area. IFC does not require client disclosure of Annual Monitoring Reports or	MIGA discloses little information about its guarantees. It publishes a quarterly report with brief summaries of projects insured by MIGA and requires clients to disclose environmental assessments. MIGA does not require the disclosure of detailed Board reports or contracts.	EBRD discloses a brief Project Summary Document about each of its operations which includes a short summary of social and environmental information. EBRD discloses Project Board Reports on public sector projects on request, excluding potential confidential information. The EBRD does not disclose Board Reports on private sector projects. There is no policy requirement to disclose full EIA, Environmental Action Plans, annual reports on EAP implementation and other project-specific information.	All public sector Project Summaries with links to electronic versions of EIA non-technical summaries (if applicable) are disclosed in advance. For some private sector projects, this information can be disclosed after approval or even signing of the project.	ADB discloses Project Information Documents and summary environmental impact assessments before project approval. Project documents (Report and Recommendation of the President, RPP) and public sector loan agreements are disclosed upon Board approval. Social and environmental monitoring reports are disclosed, as is a wide range of evaluation documents.	IDB discloses Project Concept Documents and abstracts as well as social and environmental information (for high risk projects) before Board approval. IDB discloses loan agreements for public sector operations as well as a range of evaluation documents. Public sector Project Completion Reports are disclosed. A brief Status of Projects in Execution is released on an annual basis. IDB does not require	AfDB discloses a brief prospective project brief about each of its operations and social and environmental information (for high risk projects) before Board approval and Project Appraisal Reports upon Board approval. Loan Agreements are disclosed. AfDB discloses a summary report on status of project implementation but does not disclose monitoring reports

	World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
<ul style="list-style-type: none"> <li>Completion and evaluation reports</li> </ul>	Bank does not disclose staff supervision and monitoring reports.	completion and evaluation reports.		The EBRD posts certain evaluation reports which are subject to clearance in respect of commercial confidentiality.			disclosure of staff supervision and monitoring reports.	
Institutional performance audits and evaluations <i>Assessments of the institutions' operations, impacts, and performance that are carried out by internal evaluation units</i>	✓	~	✗	~	~	✓	✓	✓
	The WB Independent Evaluation Group (IEG) discloses a wide range of project, country, sector or thematic evaluations, including: the Annual Report on Operations Evaluations; Project Performance Assessment Reports (PPARs); Impact Evaluation Reports (IERS); and Country Assistance Evaluations.	IEG-IFC discloses sector, thematic and country evaluations, including Country Impact Reviews. However, key project evaluations such as Expanded Project Supervision Reports and Project Evaluation Summaries, and complete annual portfolio reviews, such as the Annual Review of Evaluations Findings, are not disclosed.	According to available research, there are no specific rules governing disclosure of IEG-MIGA products. IEG-MIGA makes "annual reports" available on its website, but complete evaluation reports are not available.	The EBRD independent Evaluation Department discloses a wide range of evaluations, including its: Annual Evaluation Overview Report, Operation Performance Evaluation Reviews on investment and Technical co-operation operations and special studies on Bank programmes, sectors and countries. The OPERs, however, are published in a form of summaries and project particulars are not disguised in order to preserve confidentiality.	EIB discloses ex-post thematic, sector and regional / country evaluations. Also an annual Operations Evaluation Overview Report is published. Evaluations of individual projects are still for internal use only and not made public.	ADB discloses sector, policy, and regional evaluations, including: Impact Evaluation Studies (IES), Assessing Development Impact (ADI), Program Performance Audit Reports (PPARs), Country Assistance Program Evaluations (CAPE) and similar reports. ADB produces annual evaluation reports. Background materials for evaluations are not disclosed.	IDB's Office of Evaluation and Oversight (OVE) prepares a range of evaluation materials, from Country Program Evaluations, Policy and Instrument Evaluations, to reports on specific projects and sectors. These documents and all other evaluation documents considered by the Board are to be disclosed after Board consideration.	AfDB's Operations Evaluation Department (OPEV) conducts Project Performance Evaluation Reports as well as country assistance and sector evaluations. "All OPEV reports... will be available to the public after they have been distributed to the Board."

### Principle 3. Access to Decision-Making

*International financial institutions should disseminate information which facilitates informed participation in decision-making in a timely fashion, including draft documents, and in a manner that ensures that those affected and interested stakeholders can effectively access and understand it; they should also establish a presumption of public access to key meetings.*

	World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
Advance notice <i>This includes access to, among other things: timelines for the development of policies and strategies,</i>	~	✗	✗	✓	~	✓	✗	✓
	The Bank discloses a project cycle and some key dates for decisions on projects, programs	While IFC makes information on some policy reviews and investment decision dates available in	MIGA does not require or provide on a routine basis advance notice to	EBRD provides advance notice to its policy, strategy and operations decision-making processes. The	EIB discloses information in its project cycle, but does not provide dates for	ADB's policy provides for disclosure of information on policy and strategy reviews	IDB's policy does not require advance notice of policy and strategy development though	AfDB's policy requires disclosure of draft policy and strategy papers 50 days prior to formal

	World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
<i>projects and programs cycles, consultation plans, and key dates for decisions</i>	and policies. However, it does not require advance notice of policy reviews or the development of country strategies or analyses.	advance, advance notice of decision-making processes is very limited and no policy requirement for this exists.	its policy and strategy or guarantee and operations decision-making processes.	EBRD discloses a list of policies and strategies scheduled for development or review in the year ahead. It posts dates of upcoming Board Meetings over projects, programs and policies.	key project decisions. Formal reviews of the disclosure policy take place every three years. For the other "selected policies", consultations are expected, but with no specific requirements.	available in advance (a list of policies and strategies to be developed over next 12 months). It also provides detailed descriptions of its project/lending cycles, consultation plans and project profile updates.	allows (though does not require) some draft policy/strategy documents to be disclosed. It provides descriptions of its project/lending cycles	Board discussion. It also provides descriptions of its project/lending cycles.
Timely access to iterative draft documents <i>The provision of iterative versions (at least one draft and one final draft) of documents related to core operations in sufficient advance of document finalization; core operations include:</i>	~ The Bank requires the disclosure of at least one draft social and environmental assessment document for medium and high-risk projects early in project preparation. The Bank requires the release of a project summary several months before project approval. The Bank does not disclose draft project documents. On an <i>ad hoc</i> basis, the Bank discloses draft operational policies and draft country strategies under review or development. The Bank has a pilot program to disclose final draft operational policies, but has not yet implemented this program.	~ IFC requires its clients to disclose social and environmental information "early" in the assessment process and, for projects with significant impacts, to engage in "free, prior, informed consultation" with affected communities. These concepts imply, but do not specify, availability of draft documents for such projects. The IFC does not release draft investment information nor does it disclose investment summaries in a timely manner (prior to 60 days) before finalization. IFC may disclose one or more draft policies if they are "likely to have a broad impact on IFC's operations or a direct impact on communities."	✗ MIGA does not provide any information early in the development of its guarantee operations. It does not disclose draft guarantee documents. MIGA does require, for high-impact projects, that the project sponsor disclose "relevant materials in a timely manner in a form and language that are understandable to the groups being consulted." MIGA may, on an <i>ad hoc</i> basis, disclose draft policies for public comments.	~ The EBRD requires that the investor discloses social and environmental impact assessment documents for high-risk projects from 90 to 120 days before project approval. Implementation in practice has been problematic. The Bank requires the release of a Project Summary Document from 30 to 60 days before project approval. EBRD discloses draft strategies and policies under review or development. EBRD does not disclose final draft strategies and policies before Board approval.	~ The EIB does not require specific timelines and procedures for drafting policies; however there is a good practice of disclosing first and final policy drafts in advance. There are quite good rules for disclosing in advance information on public sector projects and environmental information, if applicable, but very often not followed in practice. Moreover, some private sector projects might be outside the pipeline until its approval or even signing.	~ ADB requires disclosure of environmental information during early stages of a project and assessment summaries for high risk projects at least 120 days before Board consideration. The ADB does not require the release of draft project documents. ADB discloses draft country strategies and programs for consultations.	✗ IDB requires disclosure of draft environmental impact assessments for high risk projects "before the Bank conducts its analysis mission." The IDB does not require disclosure of draft project documents. IDB allows but does not require disclosure of "draft versions of the text of proposals for new or modified sector policies, sector strategies and sector guidelines." The IDB does not release final draft policies before approval	~ AfDB requires the disclosure of draft environmental impact assessments for high-risk projects early in project preparation and at least 120 days before Board consideration. AfDB requires disclosure of prospective project briefs at least 6 months before Board presentation, but does not disclose draft project documents. AfDB's "draft policy papers will be released through the Internet and the Bank website at least 50 days prior to formal Board discussion.
Agendas and minutes of Board meetings <i>A list, plan or outline of matters scheduled for discussion by the Board of Directors,</i>	✓ A publicly available monthly calendar lists some issues to be discussed at upcoming Board meetings. Minutes of the Board of Directors	✓ A publicly available monthly calendar lists a very limited number of issues to be discussed at upcoming Board meetings. Minutes of the Board of Directors	✗ A publicly available monthly calendar lists a very limited number of issues to be discussed at upcoming Board	✓ A publicly available half to a bi-monthly calendar lists policies, strategies and operations to be discussed at upcoming Board meetings. Minutes of the	✗ The only disclosed document is the annual calendar of Board of Directors' meetings, which includes a short notice	✓ A publicly available monthly calendar lists a limited number of issues to be discussed at upcoming Board meetings. Minutes of	✓ A list of agenda items with issues to be discussed at upcoming Board meetings is released to the public at the same time that they	✗ A publicly available monthly calendar lists a very limited number of issues to be discussed at upcoming Board meetings. AfDB's policy

	World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
<i>organized according to the specific days upon which the discussions are scheduled to take place, followed by a record of official business conducted and formal decisions taken, including voting records</i>	meetings are publicly available and include: directors, officers and staff in attendance, approval of the previous minutes, titles and agendas, agreements and decisions reached, and names of Directors wishing to be recorded as abstaining or objecting.	meetings are publicly available and include: directors, officers and staff in attendance, approval of the previous minutes, titles and agendas, agreements and decisions reached, and names of Directors wishing to be recorded as abstaining or objecting.	meetings. MIGA does not require the disclosure of Board meeting minutes.	Board of Directors meetings are publicly available after they are approved and include: directors, officers and staff in attendance, approval of the previous minutes, titles and agendas, agreements and decisions reached.	of voting abstentions in cases of conflicts of interest.	the Board of Directors meetings are publicly available and include: directors, officers and staff in attendance, approval of the previous minutes, titles and agendas, agreements and decisions reached, and names of Directors wishing to be recorded as abstaining or objecting.	are made available to the Board. Minutes of the Board of Directors meetings are publicly available and include: officers and staff in attendance, approval of previous minutes, titles and agendas, and agreements and decisions reached. The IDB reserves the right to disclose minutes "with material deemed by the Board as too sensitive for public distribution redacted."	does not require the disclosure of Board meeting minutes; just summaries of decisions (which are infrequently posted on its website).
Transcripts of Board meetings <i>A verbatim account of a meeting of the Board of Directors including any statements (written or oral) provided by individual participants</i>	<b>×</b>	<b>×</b>	<b>×</b>	<b>×</b>	<b>×</b>	<b>×</b>	<b>×</b>	<b>×</b>
	There are no publicly available transcripts of meetings; there are no publicly available written statements from meeting participants.	There are no publicly available transcripts of meetings; there are no publicly available written statements from meeting participants.	There are no publicly available transcripts of meetings; there are no publicly available written statements from meeting participants.	There are no publicly available transcripts of meetings; there are no publicly available written statements from meeting participants.	There are no publicly available transcripts of meetings; there are no publicly available written statements from meetings' participants.	There are no publicly available transcripts of meetings; there are no publicly available written statements from meeting participants.	There are no publicly available transcripts of meetings; there are no publicly available written statements from meeting participants.	There are no publicly available transcripts of meetings; there are no publicly available written statements from meeting participants.
Open Board meetings <i>The public and press are allowed to view the meetings of the Board of Executive Directors</i>	<b>×</b>	<b>×</b>	<b>×</b>	<b>×</b>	<b>×</b>	<b>×</b>	<b>×</b>	<b>×</b>
	The meetings of the Board of Directors are not open to the public.	The meetings of the Board of Directors are not open to the public.	The meetings of the Board of Directors are not open to the public.	The meetings of the Board of Directors are not open to the public.	The meetings of the Board of Directors are not open to the public.	The meetings of the Board of Directors are not open to the public.	The meetings of the Board of Directors are not open to the public.	The meetings of the Board of Directors are not open to the public.

## Principle 4. The Right to Request Information

*Everyone has the right to request and to receive information from international financial institutions, subject only to a limited regime of exceptions, and the procedures for processing such requests should be simple, quick and free or low-cost.*

World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
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	World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
<p>Clarity on how to submit a request for information</p> <p><i>Clear identification of where requests for information can be sent, in what form and language, and how assistance will be provided to requestors who have difficulty formulating their requests</i></p>	~	✓	✓	✓	✓	✓	✓	✓
	While in practice, requests for information can be sent to the Bank's InfoShop or public information centers, the Bank does not clearly indicate in its policy where information requests should be sent. The Bank's website provides details on ordering information from the InfoShop.	IFC's Policy on Information Disclosure provides information on where and how to send requests for information. The IFC provides the mailing and web address of the World Bank InfoShop along with the telephone and fax numbers and the mailing and web address of their Corporate Relations Unit.	MIGA's disclosure policy states that requests for information may be sent through the internet or to the World Bank Group's InfoShop's offices in London, Paris and Tokyo or to IBRD resident missions.	EBRD's procedural provisions for information requests and appeals provide information on where and how to send requests. The procedures state that requests may be submitted through an online form, fax or regular mail to the Communications Department or directed to the resident office. Requesters are not encouraged to contact Bank staff directly.	EIB's Public Disclosure Policy outlines clear procedures for requests, including staff obligations to ask applicants for clarification if their application is not sufficiently precise.	ADB's disclosure policy provides information on where and how to send requests. The policy states that requests may be directed to the InfoUnit, a resident mission or representative office, or an operations department. The policy also states in which languages requests can be made.	IDB's disclosure policy states that requests for information may be sent through the Bank's Internet Website or to the Public Information Center at headquarters, the Country Offices, the Special Office in Europe and the Office in Japan.	AfDB's disclosure policy states that requests for information may be sent through field offices, through the internet or to the AfDB's Public Information Center.
<p>Document register</p> <p><i>A catalogue of all documents produced and held by the institution including the document name and a brief description of the document's function, content and disclosure status</i></p>	~	✗	✗	✗	✗	~	✗	✗
	The World Bank's "document glossary" is still incomplete and does not include the documents' disclosure status or how to request information not available on the website.	The IFC does not make a document register publicly available.	MIGA does not make a document register publicly available.	EBRD does not maintain a publicly available document register.	EIB does not have a document register – at least not publicly available.	ADB's document register provides a listing and description of documents, as well as a brief description of document content. It does not include documents' disclosure status or how to request information not available on website.	IDB provides lists of available documents. However, these lists are not formally compiled into a document register. They also do not include the document's disclosure status or clearly signal to users how to request information not available on the website.	AfDB's Documents and Records Management System (DARMS) is still incomplete and does not include the documents' disclosure status or how to request information not available on the website.
<p>Prescribed timelines</p> <p><i>Timetable for processing information requests including clear maximum time limits for acknowledging the receipt of a request and providing a full response (within 15</i></p>	✗	~	✗	✓	~	✓	✗	✗
	The World Bank does not have defined timelines for responding to requests for information.	The IFC "endeavors" to respond to requests for information "within thirty days of the receipt of a written request."	MIGA does not have prescribed timelines for responding to requests for information.	EBRD will acknowledge receipt of a request within 5 working days, but in any case not more than 10 days. EBRD will respond within 20 working days after receiving the request or clarification or, if a timely explanation for a further delay is provided (within 10 working days following receipt), no later than 40 working days.	The EIB prescribed timelines are as follow: a reply should be provided without delay and not later than 20 working days following receipt; in the case complex requests, staff should inform the	The "ADB shall acknowledge receipt of a request within 5 working days. ADB shall then notify the requester as soon as a decision has been made, and, in any event, no later than 30 calendar days after receiving the request."	The IDB does not have prescribed timelines for responding to requests for information.	The AfDB does not have prescribed timelines for responding to requests for information.

	World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
days)					applicant not later than within 10 working days, but in general the replay should be provided no later than 40 working days. Prescribed timelimits are very often not implemented.			

## Principle 5. Limited Exceptions

*The regime of exceptions should be based on the principle that access to information may be refused only where the international financial institution can demonstrate (i) that disclosure would cause serious harm to one of a set of clearly and narrowly defined, and broadly accepted, interests, which are specifically listed; and (ii) that the harm to this interest outweighs the public interest in disclosure.*

	World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
Narrowly drawn exceptions to disclosure <i>The scope of exceptions apply to a specific type of information so as to limit broad interpretation and, at the same time, not exempt entire categories of documents</i>	×	×	×	×	×	×	×	×
	Most of the World Bank's disclosure exceptions are broadly drawn and could relate to almost all information held by the institution. Among other things, the "constraints" apply to: all information referred to in the Disclosure Policy; proceedings of the Board of Directors; third party information; internal documents; and information related to the deliberative process.	Most of the IFC's disclosure exceptions are broadly drawn. Among other things, IFC will not disclose: "communications" that relate to "the deliberative process" and "any internal documents."	Most of MIGA's disclosure exceptions are broadly drawn. While MIGA lists one more narrowly drawn exception ("evaluations of future economic and political scenarios, legal assessment of projects, and related reports"), others, like documents "that are related to the decision-making processes," could apply to a vast amount of information held by MIGA.	Most of EBRD's disclosure exceptions are broadly drawn and could relate to almost all information held by the institution. Among other things, the "constraints" apply to: proceedings of the Board of Directors; third party information; and internal documents.	There are some broadly drawn constraints, especially those related to "protection of the Bank's internal decision making", global loans, or "information typically forming part of the Bank's confidential relationship with its business partners".	Most of ADB's disclosure exceptions are broadly drawn. While ADB lists some narrowly drawn exceptions ("terms of employment, performance evaluations"), others, such as all "internal documents, memoranda" and "confidential business information" could apply to a vast amount of information produced or held by ADB.	Most of IDB's disclosure exceptions are broadly drawn. While IDB lists some narrowly drawn exceptions ("legal advice and matters in legal dispute, intellectual property"), others, such as "documents prepared for internal use" or any information identified as confidential by multiple parties could apply to a vast amount of information produced or held by IDB.	Most of AfDB's disclosure exceptions are broadly drawn. While AfDB lists some narrowly drawn exceptions ("materials held by the Bank Group in which other parties hold the copyright"), others, like information related to the "integrity of the deliberative Process" and "supervision reports" could apply to a vast amount of information produced or held by AfDB.
Harm-based	×	×	×	~	×	×	×	×

	World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
<p>exceptions</p> <p><i>Exceptions indicate that disclosure would cause serious harm to legitimate interests</i></p>	<p>Many of the World Bank's disclosure policy exceptions are not harm-based.</p>	<p>Many of IFC's disclosure policy exceptions are not harm-based.</p>	<p>Many of MIGA's disclosure policy exceptions are not harm-based.</p>	<p>EBRD may disclose confidential information if, in connection with a project in which the Bank has invested, the EBRD's management determines that the disclosure of certain "confidential information" would be likely to avert imminent and serious harm to public health or safety, and/or imminent and significant adverse impacts on the environment.</p>	<p>EIB disclosure policy constrains are not based on potential harm.</p>	<p>Many of ADB's disclosure policy exceptions are not harm-based.</p>	<p>Many of IDB's disclosure policy exceptions are not harm-based.</p>	<p>Many of AfDB's disclosure policy exceptions are not harm-based.</p>
<p>Public interest override to exceptions</p> <p><i>In cases where information falls within the definition of confidential, disclosure will nonetheless occur if access to information would protect the public interest including human health, livelihood or property</i></p>	<p>×</p>	<p>~</p>	<p>×</p>	<p>~</p>	<p>~</p>	<p>~</p>	<p>×</p>	<p>×</p>
	<p>The World Bank does not have a public interest override for normally confidential information.</p>	<p>The IFC may disclose information that is normally confidential if disclosure "would be likely to avert imminent and serious harm to public health or safety, and/or imminent and significant adverse impacts on the environment." However, Senior IFC Management is the only party given authority to make that decision and IFC only makes such disclosure "after informing a client of IFC's concerns and considering the client's plans to address and mitigate the potential harm involved."</p>	<p>MIGA does not have a public interest override for normally confidential information.</p>	<p>EBRD may disclose confidential information if, in connection with a project in which the Bank has invested, the EBRD's management determines that the disclosure of certain "confidential information" would be likely to avert imminent and serious harm to public health or safety, and/or imminent and significant adverse impacts on the environment.</p>	<p>The overriding public interest is to some extent included in constrains, but should be clearly stated as a separate paragraph to avoid misinterpretation.</p>	<p>ADB may disclose information that it normally considers confidential if ADB determines that "the public interest in disclosing the information outweighs the harm that may be caused by such disclosure, or if a member country requests it to do so in accordance with its own laws." However, the ADB limits the override when it has given an express legal commitment to a party not to disclose the information without consent.</p>	<p>IDB does not have a public interest override for information that it normally considers confidential.</p>	<p>AfDB does not have a public interest override for information that it normally considers confidential.</p>

## Principle 6. Appeals

Anyone who believes that an international financial institution has failed to respect its access to information policy, including through a refusal to provide information in response to a request, has the right to have the matter reviewed by an independent and authoritative body.

	World Bank	IFC	MIGA	EBRD	EIB	ADB	IDB	AfDB
<b>Administrative appeals</b> <i>An internal review that has full discretion in interpreting the policy and authority in overturning a denial of information</i>	✘	✔	✘	✔	✔	✔	~	✘
	Administrative appeals are not available.	The IFC allows for an appeal to the Disclosure Policy Advisor, "if a requester believes that a request for information from IFC has been unreasonably denied, or that this Policy has been interpreted incorrectly." The Disclosure Policy Advisory reports directly to IFC's Executive Vice President."	Administrative appeals are not available.	EBRD allows for an appeal lodged by "a member of the public whose request for information covered by the PIP has not been satisfied" with the Secretary General, who is responsible for overseeing the implementation of the disclosure policy.	The EIB clearly defines a two-stage procedure for appeals of EU and non-EU citizens, indicating a crucial role for the European Ombudsman.	The ADB allows for an appeal to the Public Disclosure Advisor Committee, "if a requester believes that a request has been unreasonably denied, or that the Policy has been interpreted improperly". The PDAC reports directly to ADB's President.	There is no formal mechanism for addressing denial of access. The IDB Disclosure Policy states that "any request for a final determination regarding access to information under this Policy shall be addressed to the External Relations Advisor."	Administrative appeals are not available.
<b>Independent appeals</b> <i>A body that is wholly independent from the institution, vested with the power to consider disclosure appeals, and whose interpretation of the policy and the resulting decisions are binding</i>	✘	✘	✘	~	~	✘	✘	✘
	Independent appeals are not available.	Independent appeals are not available.	Independent appeals are not available.	EBRD's Independent Recourse Mechanism is not fully independent as the president or the Board judge the eligibility of complaints. The IRM's powers are limited to project-specific complaints, the mechanism cannot process complaints related to non-disclosure where no direct harm of a project is manifestable. The IRM's decisions are recommendatory not binding.	The European Ombudsman can be named as an independent appeal body within the EU legal framework, however its ruling-while respected- is not legally binding. Nevertheless, it is not clear to what extent appeals from non-EU countries can be handled by the European Ombudsman.	Independent appeals are not available.	Independent appeals are not available	Independent appeals are not available
<b>Appeals disposed of in a timely fashion</b> <i>Decisions are transparent and considered in brief timeframes; delays in</i>	NA	NA	NA	✔	✔	✔	NA	NA
	Not applicable because appeals process does not	Not applicable because it is a new procedure that has not been tested.	Not applicable because appeals process does not	The Secretary General will notify the appellant in writing of his decision on the	The Bank should acknowledge the receipt of an appeal	The PDAC shall acknowledge receipt of a request within 5	Not applicable because appeals process does not exist.	Not applicable because appeals process does not exist.

	<b>World Bank</b>	<b>IFC</b>	<b>MIGA</b>	<b>EBRD</b>	<b>EIB</b>	<b>ADB</b>	<b>IDB</b>	<b>AfDB</b>
<i>consideration and the handing down of the decision are anticipated and justified</i>	exist.		exist.	appeal, giving the reasons, no later than 20 working days after receiving the appeal or clarification.	without delay and the Secretary General's reply not later than 20 working days following receipt.	working days. and shall notify the requester of its decision in writing, giving its reasons, as soon as a decision has been made, and in any event, no later than 30 calendar days after receiving the requests.		
<b>Enforcement of recommendations</b> <i>Recommendations, interpretations, and decisions of the appeals body are adhered to in terms of immediate action and future interpretation of the policy</i>	NA Not applicable because appeals process does not exist.	NA Not applicable because procedure has not been tested.	NA Not applicable because appeals process does not exist.	NA Not applicable because the appeals process is still new.	NA Not applicable because these rules are still new.	NA Not applicable because procedure has not been tested.	NA Not applicable because appeals process does not exist.	NA Not applicable because appeals process does not exist.