



*GTI World Bank Transparency Review Update #1
25 February 2009*

World Bank to Review Transparency Standards

By Bruce Jenkins, Bank Information Center (BIC)

Without timely access to information, individuals are unable to participate in decisions that may affect their lives and livelihoods. Without public access, communities are unable to hold decision makers accountable. The right to access information is a fundamental prerequisite to meaningful participation and democratic accountability.

Civil society groups have long demanded greater transparency from their own governments. As the power and intrusiveness of donor governments and international agencies has grown in relation to the world's poorest countries, the transparency debate has broadened: do international lenders such as the World Bank respect and promote the right to access public information?

In 2009 the World Bank will review its transparency standards. The policy review provides major opportunities for civil society organizations to challenge the continued secrecy of decision making at the Bank and to strengthen information access to Bank-financed projects and programs.

This update provides background information on World Bank transparency, summarizes problems with the Bank's current information policy, discusses the upcoming policy review, and outlines the GTI Transparency Charter and steps civil society groups can take to get involved.

Background

The right to access information held by public bodies is a fundamental human right. Article 19 of the Universal Declaration of Human Rights states, in part, that everyone has the right "to seek, receive, and impart information and ideas through any media and regardless of frontiers." This right is enshrined in national constitutions and international legal agreements. To date approximately 80 countries have adopted national access to information legislation.

The World Bank is a public, intergovernmental organization that serves as a banker and advisor to governments. Governments join the Bank as shareholders and oversee the Bank by serving on its Board of Executive Directors, which approves all Bank projects and policies. The public arms of the World Bank Group – the International Bank for Reconstruction and Development (IBRD) and the International Development Association (IDA) – finance initiatives that are developed in conjunction with borrower governments and consist of either investment projects (such as roads, dams, pipelines) or policy reforms (such as privatization, trade liberalization, or health sector reform). The Bank monitors social and economic conditions of its borrowers and evaluates their governance. It supports countries to exploit their natural resources and pushes

borrowers to adopt often-controversial economic and social reforms. As the leading international development institution, it sets policies and standards often followed by other lenders. In short, the World Bank has enormous influence and is a vast producer and storehouse of public information.

In the 1980s and 1990s, civil society groups targeted the World Bank for financing environmentally and socially destructive projects. These campaigns discovered that the Bank withheld vital information from affected communities, denying them the right to participate in decisions regarding the purpose, design, and implementation of projects. Under pressure, the Bank in 1985 adopted its first disclosure rules. In 1991, civil society groups pushed the Bank to release environmental assessments prior to project approval. In 1993, faced with further civil society pressure – and a threat to withhold funds by the United States Congress – the Bank adopted a formal information disclosure policy that introduced Project Information Documents (PIDs, released before approval) and expanded access to project appraisals once approved. In 2001, the Bank revised its policy and for the first time released documents related to structural adjustment loans (though only after approval), completion reports, and the Board calendar. In 2005, the Bank was pushed to finally release abridged minutes of Board meetings.

Despite these gains, the Bank's current "Policy on Disclosure of Information" limits public access in a number of critical ways:

1. **No presumption of disclosure:** To respect the right to access information, public bodies should presume that information would be released unless there is a compelling reason to withhold it. While the Bank acknowledges this principle, its existing policy in fact contradicts it. The Bank currently provides a list of documents that are to be disclosed (a "positive list"). For everything not on the list, there is a general presumption of non-disclosure.
2. **Overly broad exceptions:** The current policy contains a list of disclosure exceptions that are so broadly written that they could justify withholding nearly any type of information (for example, disclosure may be precluded if it would be "detrimental to the interests of the Bank, a member country, or Bank staff"). Entire categories of information are declared off-limits without determining whether release would cause serious harm. Third parties are allowed to self-classify information provided to the Bank as confidential without a justification.
3. **Few drafts, delayed release:** Stakeholders face major hurdles to meaningfully participate in project design and development decision-making. The Bank does not release early project concept notes. Project information that is released before approval is often not updated. Environmental and social assessments are disclosed before approval, but the Bank withholds complete descriptions of a project (the Project Appraisal Document, PAD) until after approval.
4. **Secret conditions:** Want to know which policy conditions the Bank requires your government to adopt before the deal is final? Sorry, you're out of luck. For development policy loans (previously known as structural adjustment programs), sensitive loan conditions – such as privatizing government entities, liberalizing markets, reforming agencies, or revising national legislation – are only disclosed after approval.
5. **Virtually no implementation information:** External monitoring of World Bank projects and programs is crippled by the Bank's withholding of information during implementation. Currently the Bank releases only one short paragraph annually on each ongoing project or

policy loan. Project audits and financial statements are also withheld, inhibiting the ability of citizens' groups to monitor corruption risks.

6. **Vague request system:** The Bank does not provide a clear system for information requests, and provides no process guarantees on how requests would be handled (such as response timelines). There is no mechanism to disclose normally confidential information if the public interest would be served (such as a risk to public health, corruption, etc.).
7. **No appeals:** The Bank fails to provide an independent appeals process for those who feel that requests for information have been unduly denied. The right to appeal is an essential element of a well-functioning access to information system.
8. **No access to shareholder positions:** Want to know the positions your government is taking at the World Bank? That's off-limits as well. Aside from annual shareholder speeches, citizens are unable to monitor their government's actions at the Bank. The Bank's Board of Directors has thrown a virtual veil of secrecy over their proceedings (meetings are closed, no substantive records of meetings are released), though skeletal minutes started to be released in 2005. Positions taken by individual Executive Directors are not accessible.
9. **Weak Translation Framework:** English is the official language of the Bank. It routinely translates general information and its flagship publications into Arabic, Mandarin, French, Portuguese, Russian and Spanish. However for projects, only borrower governments bear translation responsibilities, and these are quite limited (such as summaries of environmental assessments and plans related to resettlement or indigenous peoples). Project information that is translated is difficult to locate. Core Bank documents on projects (Project Appraisal Documents) or development policy loans (Program Documents) are rarely translated.

Upcoming review

The forthcoming review provides an opportunity for civil society groups to address these and other access to information problems at the World Bank. The Bank is preparing an "Approach Paper" for a revised policy and will launch broad stakeholder consultations in March/April 2009.

Below is an outline of likely steps with an approximate timeline for the review process:

- **Bank website and comment period (March-June):** Approach Paper (translated in Arabic, Mandarin, French, Portuguese, Russian and Spanish) posted on dedicated site and public invited to provide electronic comments.
- **Regional consultations (April-May):** Multiple consultations in each of Bank region (East Asia and Pacific; South Asia; Europe and Central Asia; Africa, Middle East and North Africa; and Latin America and the Caribbean). Led by country offices.
- **Northern meetings (April-May):** Meetings during World Bank/IMF Spring meetings (sometime between April 23-28) and an additional meeting in a donor country.
- **Feedback (May):** A matrix of public comments received with Bank responses will be posted.
- **Comment on Revised Draft (June-July):** Revised draft will be posted for electronic comments for a number of weeks.

- **Disclosure of Final Draft (July-September):** Simultaneous release of final draft to Bank's Board and the public sometime between July and September.

GTI Transparency Charter

The Global Transparency Initiative (GTI) – a network that brings together groups that monitor the international financial institutions (IFIs) and organizations that specialize in freedom of information issues – has developed a [Transparency Charter for International Financial Institutions: Claiming Our Right to Know](#). The Charter nine principles – (1) Right of Access, (2) Automatic Disclosure, (3) Access to Decision-Making, (4) Right to Request Information, (5) Limited Exceptions, (6) Appeals, (7) Whistleblower Protection, (8) Promotion of Freedom of Information, and (9) Regular Review – provide the basis for rights-based access to information systems at the IFIs.

The Charter is available in English, Spanish, French, Russian, Arabic, and Bahasa Indonesian (at www.ifitransparency.org). GTI has used the Charter to analyze IFI disclosure systems and has supported other civil society groups to advocate for stronger IFI transparency standards. The GTI will provide analytical and advocacy support during the World Bank policy review.

Take Action

- **Prepare cases:** Groups wishing to engage in the disclosure review should document cases and examples of access to information problems with World Bank projects and programs. GTI can assist in pulling these together. Share your experiences with GTI at gtiupdates@bicusa.org.
- **Endorse the GTI Transparency Charter:** The Charter document provides supportive commentary on each of its principles. Endorse the Charter to strengthen the call for recognition of the right to public information at the IFIs. Click [here](#) to endorse.
- **Sign-up for email alerts:** GTI will send regular email alerts and updates during the World Bank policy review. Send an email with the word “subscribe” to gtiupdates@bicusa.org.

Resources

- Current World Bank Policy on Disclosure of Information www.worldbank.org/disclosure
- GTI website and GTI Transparency Charter www.ifitransparency.org
- GTI World Bank Transparency Scorecard: www.ifitransparency.org/resources.shtml?x=55994
- BIC webpage on World Bank Transparency www.bicusa.org/wbtransparency
- IFI Transparency Resource (database on IFI disclosure policies) www.ifitransparencyresource.org
- freedominfo.org IFTI Watch (IFI access to info news service) www.freedominfo.org/ifti/index.htm