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ABSTRACT

Following up on the IDB-9 commitments, the Inter-American Development Bank (IDB, or Bank) established a new Access to Information Policy that took effect on January 1, 2011. The new policy was expected to match international best practices and to increase the overall transparency of the Bank, strengthening its governance and development effectiveness. This review assesses the extent to which the access to information reform has been fully and effectively implemented.

The review finds that the new policy largely matches best practices in comparator institutions, with, however, one provision that is unique to the IDB policy and inconsistent with the core principle of transparency: a broadly written exception to disclosure of country-specific information to which a country objects. As evidence of country use of this exception already suggests, this exception could completely undermine the access to information reform endeavor. The policy cannot be implemented effectively unless the country-specific exception is narrowed.

Overall, the Bank is in the process of fully implementing the Access to Information Policy. Implementation progress has been substantial in the key areas of designing a regulatory framework, training staff, upgrading IDBDocs, and establishing governance structures and processes; and issues are being addressed as they become evident. Still, key steps to full and effective implementation remain under way. As a consequence, the effectiveness of the new policy has been significant in relation to the disclosure of key documents (such as Board-related information) but remains limited overall. Important revisions to the Implementation Guidelines have taken much longer than planned, and remain a work in progress. Timely disclosure and improved online access remain challenges. The share of documents made public under the new policy has decreased marginally, and staff and external stakeholders report limited awareness of the new policy. These findings reflect a need to improve IT monitoring systems to ensure policy compliance, expand staff training, broaden the communications strategy, and improve the online accessibility of information.

This review offers six suggestions for further actions to advance effective implementation of the Access to Information Policy: (i) revise the policy to clarify that redaction is the remedy for country objections to disclosure of country-specific information, and make explicit that the final decision on the handling of information lies with the Bank, after consultation in cases of country concern; (ii) to be consistent with IDB-9 commitments to disclose project results, include Expanded Project Supervision Reports (XPSRs) in the list of disclosed information for non-sovereign-guaranteed operations; (iii) to effectively monitor policy compliance, establish a mechanism to spot-check the accuracy of document classification; (iv) enhance and launch the planned tracking system for timely disclosure of public information; (v) improve the IDB's website and better integrate the different repository systems to ensure easy and adequate accessibility to the Bank's information; and (vi) identify and track indicators of transparency.

PREFACE

The Inter-American Development Bank (IDB) is in a period of rapid change, responding to both the economic dynamism of the Region it serves and the increasing competition in the international financial marketplace. Over the past decade, countries in Latin America and the Caribbean have gained greater access to alternative sources of finance and an increasingly ability to generate and share knowledge among themselves. Like other multilateral development banks, IDB is seeking to adapt to this changing international landscape by ensuring that it is responsive to borrowing countries' needs and putting strong emphasis on effectiveness in its use of scarce resources.

In 2010 the IDB's Board of Governors approved the 9th General Capital Increase of the IDB (IDB-9). The IDB-9 Agreement laid out a series of reforms intended to strengthen the strategic focus, development effectiveness, and efficiency of the IDB to help it remain competitive and relevant in the years ahead. As part of that Report, IDB's Office of Evaluation and Oversight (OVE) was charged with conducting a midterm evaluation—to be presented to the Board of Governors in March 2013—to assess IDB's progress in implementing those reforms. The full evaluation is available at www.iadb.org/evaluation.

This paper is one of 22 background papers prepared by OVE as input to the IDB-9 evaluation. It seeks to determine whether one portion of the IDB-9 requirements have been implemented fully and effectively and to offer suggestions to strengthen implementation going forward. The overarching goal of this paper and the entire evaluation is to provide insights to the Governors, the Board, and IDB Management to help make IDB as strong and effective as possible in promoting economic growth and poverty reduction in Latin America and the Caribbean.

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This background paper was prepared by a team comprising Alejandro Guerrero, Catherine Gwin, Saleema Vellani, and Mayra Ruiz. All background papers were thoroughly reviewed and discussed within OVE and shared with IDB Management for comments. The other background papers and the full IDB-9 evaluation can be found at www.iadb.org/evaluation.

ACRONYMS AND ABBREVIATIONS

ADB	Asian Development Bank
AIC	Access to Information Committee
BRIK	Bank Repository of Institutional Knowledge
CSO	Civil society organization
EBRD	European Bank of Reconstruction and Development
EXR	External Relations Department
IDB	Inter-American Development Bank
IDB-9	Ninth General Capital Increase
IFC	International Finance Corporation
IT	Information Technology
ITE	Information Technology Department
KNL	Knowledge and Learning Department
LEG	Legal Department
MICI	Independent Consultation and Investigation Mechanism
NSG	Non-Sovereign Guaranteed [Operations]
OVE	Office of Evaluation and Oversight
PIC	Public Information Center
SEC	Office of the Secretary
SG	Sovereign-Guaranteed [Operations]
SPD	Office of Strategic Planning and Development Effectiveness
XPSR	Expanded Project Supervision Report

EXECUTIVE SUMMARY

In accordance with the IDB-9 Report, the Inter-American Development Bank (IDB, or Bank) established a new Access to Information Policy that took effect on January 1, 2011. The new policy was expected to increase the overall transparency of the Bank, strengthening its governance and development effectiveness. As part of the overall midterm evaluation of the IDB-9 commitments carried out by the Office of Evaluation and Oversight (OVE), this report focuses on the implementation of the new Access to Information Policy. Its objectives are to (i) provide independent verification of the full implementation of the 2011 policy; (ii) assess the degree to which the new policy and implementation procedures appear to be effective in achieving the underlying IDB-9 mandate; and (iii) provide constructive feedback and forward-looking recommendations to Management and the Board based on the evaluation's findings.

The review assesses the content of the new policy against the information policies of three comparator institutions—the Asian Development Bank (ADB), the European Development Bank (EBRD), and the World Bank Group. It examines progress on all aspects of the policy's implementation, and it assesses the impact of the new policy and procedures on actual access to IDB documents and information, drawing on data analyses and perspectives from both inside and outside the Bank. On the basis of its findings, it provides suggestions on ways forward in fully and effectively implementing the policy.

Main findings

The policy. The Access to Information Policy largely meets the Cancun mandate and IDB-9 requirements to implement a best practice disclosure of information policy, although it lacks clarity and consistency on some key points. The new policy reiterates the old policy's "presumption of disclosure" principle, and it introduces several major reforms aimed to better achieve that principle. As a result, under the new policy, several categories of documentation are, for the first time, disclosed, and many are disclosed simultaneously with their distribution to the Board.

The reforms are broadly consistent with information policy reforms made over the past two or three years by other major international financial institutions. However, the IDB policy has one exception—for "country specific information"—that is not in the comparator institutions' lists of exceptions: that the Bank "will not disclose information contained within country-specific documents produced by the Bank if it has been identified in writing by countries as confidential or potentially damaging to its relations with the Bank." As evidence of country use of this exception already suggests, this open-ended exception undermines the whole meaning of transparency. One way to close this loophole would be to revise the policy to clarify that redaction is the remedy for country objections to the disclosure of country-specific information and make explicit that the final decision on the handling of information lies with the Bank, as it deems appropriate, after consultation in cases of country concern. Also, to be consistent with the IDB-9 commitment to disclose project results and adhere to best practice, the Bank needs to find a way consistent with the protection of proprietary business information to include project-by-project results (as in Expanded Project Supervision Reports) in the list of information to be disclosed relating to non-sovereign-guaranteed (NSG) operations.

Implementation progress. Implementation of the policy has been under way for approximately a year and a half. Overall, implementation progress has been considerable in areas ranging from establishment of implementation guidelines to staff training, development or upgrading of related IT systems, governance, and outreach. While progress has been slower than was anticipated in the initial implementation plan and significant issues have arisen, Management has been quick to identify and address issues as they have become evident. Therefore, this report finds that the policy as adopted is being fully implemented, but issues remain requiring further action to make the implementation fully effective.

Effectiveness. The effective disclosure of the Bank's information is a multistep process involving a large number of actors and requiring a timely and effective response at each stage to ensure compliance with the policy. Overall, the implementation of the new policy has had limited effect on the level of transparency of the Bank, if measured by the share of disclosed information out of the total number of documents produced by the Bank, but it has significantly increased the transparency of key (Board-related) information. Specifically, the overall share of documents to be made public has decreased marginally under the new policy: the proportion of documents made public or disclosed over time decreased from 3.4% (2010, the last year under the previous policy) to 2.9% (2011), and then increased again to 3.3% (Jan-Oct 2012) of the total number of documents electronically uploaded to the Bank's document management systems (IDBDocs). However, for Board-related documents, which include key IDB information, the share of disclosed documents went up from 7.7% (2010) to 29.2% (Jan-Nov 2012). Still, timely disclosure and online accessibility of information remain as important challenges to strengthen the effectiveness of the new policy, and there is a need for the Bank to identify adequate indicators to track transparency levels over time.

The new policy requires the Bank to publicly disclose the information it produces, unless the information contains one of the 10 exceptions described in the policy. The Bank should make the disclosed information easily accessible online. In this regard, OVE has identified several emerging issues that seem to be impeding the full effectiveness of the new policy:

- Important revisions to the Implementation Guidelines, yet to be approved and disseminated at the writing of this report, remain essential to effective policy compliance by staff.
- Internal and external stakeholders' awareness and knowledge about the new policy is still limited.
- Monitoring compliance with the policy remains another issue, as the Bank's IT systems do not allow the tracking of staff's error rate in classifying information. This is compounded by a lack of knowledge regarding some details of the policy, reflected in a KNL survey of about 200 staff members responsible for the policy's implementation. Management has acknowledged the situation and is working to strengthen staff knowledge of the policy.
- Similarly, timeliness in disclosure of documents within the policy requirements is a challenge. The policy establishes that documents classified as public should be made

available within five days after approval or authorization. OVE findings reveal persistent difficulties with ensuring disclosure within that timeframe. A more detailed analysis of the Bank's key documents, which were singled out by the new policy (Board and Committee minutes, Country Strategies, loan proposals, Project Completion Reports, Progress Monitoring Reports, and project audited financial statements), indicates widespread issues regarding timeliness in the first three quarters of 2012. In fact, more than one-third of all these documents that were approved during 2012 are still undisclosed, largely because of procedures related to Board approval of these documents. This delay affects the level of transparency of the Bank's decision-making process, performance, and results. Minutes of Board and Committee meetings are affected by an additional issue: the content of the disclosed version is very limited, and the released minutes are often not informative.

- Frequent users of IDB information are moderately satisfied with the current level of accessibility. Nonetheless, the effectiveness of IDB's website in facilitating access to information can be improved by reducing the fragmentation of information across the website and by enhancing the search tool. The Bank is making a significant effort to introduce more user-friendly formats—such as BRIK, MapAmericas, Projects Portal, and e-Archives—in disseminating the information. Nevertheless, the increasingly high volume of requests for information suggests that users experience persistent difficulties in finding information on the IDB's website.
- So far, the Bank has been effectively handling the growing number of requests for information, but the Public Information Center (PIC) will experience difficulties in the near future in handling the increasingly high volume of requests. A more comprehensive digitization and external release of historical records within the e-Archives project will improve IDB's overall transparency, while reducing the burden on the PIC.

Conclusions and suggestions for moving forward

The overall conclusion of this review is that the Bank is fully implementing the Access to Information Policy, but has more to do to make that implementation truly effective. Provisions in the policy are inconsistent with the core principle of transparency—most importantly the exception (4.1.i) for countries' objections to the disclosure of country-specific information, and the lack of disclosure of results of NSG operations. While substantial progress has been made in all areas of implementation, progress has been slower than initially anticipated, and issues that have arisen during implementation require further action. Notably, adjustments in the regulatory framework are needed; limited understanding of the requirements of the policy as self-reported by staff, and the delay in establishing an automated compliance tracking system, are affecting correct classification and timely disclosure of information; and the Bank's overall website capacities need to be strengthened for sufficient ease of access to the Bank's public information. To supplement action that is already under way, this review offers six main suggestions to effectively implement the Access to Information Policy:

- Revise the policy to clarify that redaction is the remedy for country objections to disclosure of country-specific information under exception 4.1.i of the policy and make explicit that the final decision on the handling of information lies with the

Bank, as it deems appropriate, after consultation in cases of country concern. This requires a revision of the policy, not just of the Implementation Guidelines, since policy—not guidelines—is mandatory.

- Find a way consistent with the protection of proprietary business information to include disclosure of project-by-project results (as in NSG XPSRs) in the list of disclosed NSG information. This is needed to meet the principle of transparency and the specific Cancun Declaration requirements for the “disclosure of project results” and adherence to best practice.
- Implement a mechanism for “spot checking” the classification of documents. This is needed to promote correct classification of all documents, both public and nonpublic.
- Enhance and launch the planned tracking system for timely disclosure of public information. The new IT system to track timely disclosure of information should allow Management to monitor compliance with the policy. In addition to the planned capabilities, OVE recommends implementing an e-mail-based reminder system to automatically alert authorized staff about the existence of new public documents that are ready to be disclosed.
- Ensure adequate accessibility of information by enhancing the website. Users of IDB information will benefit from the consolidation of IDB’s different (old and new) information repositories, the strengthening of IDB’s internal search functionality, and the optimization of the Bank’s web pages for popular search engines.
- Identify indicators of transparency and implement a system to track transparency levels over time. This is needed to ensure that policy implementation is effectively increasing the disclosure and accessibility of information produced by the Bank.

I. INTRODUCTION

A. Context and scope

- 1.1 In recent years, many multilateral development banks have revised their policies on the disclosure of information, establishing higher standards of transparency in development aid. The Inter-American Development Bank (IDB, or Bank) first established a formal disclosure policy in 1995. It subsequently amended this policy on a number of occasions, most notably in 2003 when the Board approved an expansion of the policy to cover the broad areas of financial and institutional information produced by the Bank. Nonetheless, a report approved by the Board in December 2009 identified a series of issues that had arisen, some related to procedure and some related to the policy itself, and proposed immediate changes in practices related to disclosure, as well as an action plan for a broad review of and revisions to the policy.¹ The Board authorized Management to undertake a broad review of the policy and to present a profile of a revised policy in February 2010.² The resulting proposed policy revision was very much influenced by a recent revision of the World Bank's Access to Information Policy, which had become effective some six months earlier. A number of members of the Board strongly advocated for the IDB's proposed revision.
- 1.2 The IDB-9 Report mandated that, to increase the overall transparency of the IDB as part of strengthening its governance and development effectiveness, the Bank should establish a new Access to Information Policy. Specifically, the reform of the disclosure policy was included in the IDB-9 agenda as a way to "improve efficiency, transparency and governance at the Bank."³ The specific IDB-9 requirement is as follows:

[Complete review of Bank's] Information Disclosure Policy in light of recent innovations and best practices by other Multilateral Development Banks. In accordance with the Cancun Declaration, the Board of Executive Directors has approved a new information disclosure policy that includes the following elements: (i) presumption in favor of disclosure; (ii) the replacement of a "positive list" of disclosed policies with a limited "negative list"; (iii) release of Board/Committee minutes, with the exception of those related to confidential matters; (iv) independent appeals mechanism; (v) voluntary disclosure of Executive Directors' statements; and (vi) disclosure of project-level results (R4.23).

¹ IDB Board: Committee of the Whole (December 2009). "Disclosure of Information Policy (OP-102): Report on Implementation and Recommendation for Policy Review" (GN-1831-19).

² IDB External Relations Department (May 2010). "Access to Information: Background Paper."

³ IDB Board of Governors (May 2010). "Report on the Ninth General Increase in the Resources of the Inter-American Development Bank."

- 1.3 In accordance with the IDB-9 Report, the Bank established a new Access to Information Policy, which took effect on January 1, 2011. This background paper reviews the implementation of the requirement, with the following objectives: (i) provide independent verification of the *full implementation* of the 2011 policy; (ii) assess the degree to which the new policy and implementation procedures appear to be *effective* in achieving the underlying IDB-9 mandate; and (iii) provide constructive *feedback* and forward-looking *recommendations* to Management and the Board based on the evaluation's findings.
- 1.4 The evaluation starts by reviewing the content of the new policy against the previous policy and against the information policies of three comparator institutions—the Asian Development Bank (ADB), the European Development Bank (EBRD), and the World Bank Group. It then assesses the impact of the new policy and procedures on actual access to IDB documents and information, drawing on information and views from both inside and outside the Bank. It also explores the adequacy of the governance arrangements put in place to manage the implementation of the information policy.
- 1.5 This evaluation addresses five main questions:
- How well does the Access to Information Policy meet current best practice, notably practice in comparator institutions?
 - What progress in implementing the policy has been made, or is likely to be made by 2013?
 - What impact has the policy had, or is it likely to have by 2013, on IDB transparency and access to the Bank's documents and information?
 - What factors have accounted for the level of implementation to date, and what issues remain in achieving full implementation?
 - Overall, do the policy and its procedures (as amended since January 2011) meet the Cancun mandate, or are adjustments needed?

B. Methodology

- 1.6 The evaluation is informed by the following main activities:
- Review of documents of the IDB and comparator institutions dealing with policy content, implementation guidelines, and implementation progress reports.
 - Interviews with key actors (managers and staff) in the IDB, Bank Executive Directors, and relevant informants in the comparator institutions (the persons interviewed are listed in the Annex).
 - A survey of civil society organizations in the Region to learn about external stakeholders' awareness of the new Access to Information Policy and their access to and use of IDB information and documents.
 - Analysis of a recent Management survey of staff in charge of policy implementation, to obtain information on their understanding of the new policy; their disclosure practice under the new policy; their perception of the

incentives for obtaining disclosure rights; and the incentives driving the classification of IDB documents.

- Interviews with random samples of staff who are key to the implementation of the policy (“authorized staff” and “chief operational officers”).
- Data collection and analysis on compliance with the policy and its procedures:
 - *Overall transparency of IDB.* Data from 2012 on disclosed documents were compared with data from 2010 and 2011 to assess the trends in information disclosure before and after the new policy.
 - *Timely disclosure of information.* Data from IDBDocs was collected to analyze the timeliness in online publication of documents classified as public (i.e., within five days). Additional analyses were carried out for specific types of information (e.g., Board and Committee minutes).
 - *Web usage and statistics.* To understand the actual use and accessibility of IDB’s information, the team reviewed some key web metrics.
 - *Requests for information.* Data from the Public Information Center (PIC) and country offices were collected to measure the volume and type of requests for information the Bank receives.

II. IMPLEMENTATION

A. The policy

- 2.1 The Access to Information Policy largely meets the Cancun mandate and IDB-9 requirements to implement a best practice disclosure of information policy. However, it lacks clarity and consistency on some key points.
- 2.2 While the new policy reiterates the old policy’s “presumption of disclosure” principle, it introduces several major reforms aimed to better achieve that principle. Notably, the policy:
 - Replaces a “positive list” of disclosed documents that can be disclosed with a “negative list” of 10 specific exceptions that are not disclosed.
 - Requires countries to directly disclose safeguard assessments and plans—documents they prepare as a prerequisite for “doing business with the Bank.”
 - Mandates the use of a new information security classification and declassification system for all documents.
 - Provides “in extraordinary circumstances” for a Bank prerogative to override and disclose information that would otherwise be excluded.
 - Establishes a two-stage review process, including an external panel for second-stage appeals.
- 2.3 As a result, under the new policy, several categories of documentation are disclosed for the first time, and many are disclosed simultaneously with their distribution to the Board. Examples of newly disclosed document categories:

- Draft operational and sector policies, sector strategies, and Country Strategies at the time they are distributed to the Board.
- Loan proposals and technical cooperation plans of sovereign-guaranteed (SG) operations at time they are distributed to the Board.
- Annual project audit reports of SG operations.
- Minutes of Board and Committee meetings.
- Executive Directors may choose to disclose their statements.

However, the disclosure of information on non-sovereign guaranteed (NSG) operations remains limited to a list of specific documents.

- 2.4 The reforms are broadly consistent with reforms made over the past two or three years to the information disclosure policies of other main international financial institutions, specifically, the ADB, EBRD, and World Bank Group (see Annex, Table 1-A). The policies of all these institutions are based on a presumption of disclosure; they cover all categories of information—institutional, operational, and financial; and, except for the EBRD’s, they include limited lists of exceptions to disclosure, and introduce a two-stage appeals process (see Table 1-B, Annex).
- 2.5 However, the IDB policy has one exception—for “country specific information”—that the comparator institutions do not have. This exception (4.1.i) states that the Bank “will not disclose information contained within country-specific documents produced by the Bank if it has been identified in writing by countries as confidential or potentially damaging to its relations with the Bank.” As evidence of country use of this exception already suggests, this open-ended exception could completely undermine the access to information reform endeavor (as discussed more below).⁴
- 2.6 A second distinction in the IDB policy is the provision for the “voluntary disclosure” of Executive Directors’ statements. According to the policy, “deliberative information” that relates to internal and Board deliberations is not disclosed. However, statements of individual Executive Directors can be voluntarily disclosed, and according to the policy guidelines those statements are to be attached to and disclosed with the minutes of the Board or Board Committee meeting to which they relate. No statements have yet been disclosed, so it is not clear how much of a contribution to transparency this provision will actually make.
- 2.7 Despite the IDB-9 commitment to disclose project results, the results of NSG operations are not included in the list of NSG information to be disclosed. To be

⁴ In comparison, the World Bank policy states that, for country-specific operational documents prepared by the Bank that are routinely discussed with the member country/borrower, the Bank requests the country/borrower to identify any confidential information or information whose disclosure may adversely affect relations between the Bank and the country; and “the Bank, as it considers appropriate, makes adjustments to the document to address the matters of concern to the country/borrower”(World Bank, Policy on Access to Information, page 8).

consistent with the IDB commitment to disclose project results and adhere to best practice, the Bank needs to find a way consistent with the protection of proprietary business information to disclose project-by-project results of these operations (such as those presented in the Expanded Project Supervision Report, or XPSR). One comparator institution, the International Finance Corporation (IFC), has developed a process for disclosing such results, and IDB could draw on that experience.⁵

- 2.8 Overall, the new policy is clearer and more streamlined than the previous policy, but the streamlining has come at the expense of clarity and consistency on some points—for example, the open-endedness of the country-specific exception, the voluntary disclosure of Executive Directors’ statements that contain reference to information provided in confidence by borrowers, the disclosure of historical documents, and the application of the policy to the independent entities the Office of Evaluation and Oversight (OVE) and the Independent Consultation and Investigation Mechanism (MICI). The preparation of “guidelines for implementation”⁶ following adoption of the policy has helped considerably to build understanding of how to implement the policy and its procedures. Yet, as discussed below, the preparation of the guidelines took more time than expected, remains a work in progress, and leaves open the question of whether some policy amendments are still needed to resolve policy issues that have become evident in the course of implementation.

B. Implementation progress

- 2.9 Implementation of the policy has been under way for approximately a year and a half. The Board approved the new Access to Information Policy on May 12, 2010; Management presented an Implementation Plan in September 2010;⁷ and the policy became effective on January 1, 2011.
- 2.10 Overall, implementation progress over this period has been considerable. While this progress has been slower than anticipated in the initial implementation plan, and significant issues have arisen, Management has been quick to identify and to address issues as they have become evident. Therefore, this report finds that the policy as adopted is being fully implemented, but issues remain that require further action to make the implementation fully effective.

⁵ For each investment, other than those expected to have minimal or no environmental or social adverse risks and/or impacts, IFC discloses results for the standard indicators tracked in its Development Outcome Tracking System (DOTS), as agreed with the client, other than those indicators containing confidential information. This project-by-project disclosure of results is being phased in by Region over two years from the January 2012 effectiveness date of the IFC’s new information policy.

⁶ “Access to Information: Implementation Guidelines” (May 2011), Inter-American Development Bank.

⁷ “Report on Implementation of the Access to Information Policy: 2011” (GN-1831-34), August 20, 2012.

2.11 The implementation measures taken have been broad-ranging and have involved reasonably good cooperation among the relevant actors in the Bank: External Relations (EXR), Office of the Secretary (SEC), Office of Strategic Planning and Development Effectiveness (SPD), Legal Department (LEG), Information Technology Department (ITE), and Knowledge and Learning Department (KNL). The main activities have focused on five areas:

- **Policy guidelines:** development of a regulatory framework consisting of a classification and declassification system and implementation guidelines.
- **Training:** training of all Bank staff (nearly 2,000) between November 2010 and January 2011, subsequent additional training of staff responsible for ensuring correct and timely publication of public documents, and ongoing work to ensure that new Bank employees are trained.
- **IT systems:** the development of IT support, notably the creation of an online information request system, specific functionalities of IDBDocs, and modest changes to the Bank’s website to accommodate the online request system.
- **Governance:** establishment of a governance and management structure, notably: (a) an Access to Information Committee (AIC) to oversee and interpret the policy and review and decide on external appeals for undisclosed information; (b) an External Review Panel; and (c) a new unit (SEC/ATI) in the Office of the Secretary, which is entirely dedicated to the implementation of the Access to Information policy and operates in collaboration with other units that have specific responsibilities for the policy.
- **Communications plan:** creation and implementation of a communications plan to increase awareness of the new policy inside and outside the Bank.

2.12 The anticipated and actual schedule of these main activities is summarized in the Annex (Table 2). Although progress has been made in all areas, there have been some significant delays. Notably, drafting the implementation guidelines and strengthening the IT support capacities have taken longer than anticipated, contributing significantly to implementation difficulties. Also, experience in implementing the policy over the first year and a half has revealed the need to adjust initial measures and undertake some unanticipated actions, most of which Management has clearly and candidly identified in its 2012 Annual Report on Implementation.⁸

2.13 Key policy implementation issues and further actions needed:

- **Clarification and revision of the regulatory framework.** Implementation of the policy relies on a new information classification system that requires the designation of any document produced by the Bank at the time of its creation as either *public* or belonging to one or more non-public classification levels, along with a time-bound declassification process that reflects the confidentiality level of documents that are not routinely disclosed. The classification and declassification systems adopted have proven to be

⁸ “Report on Implementation of the Access to Information Policy” (GN-1831-34), August 20, 2012.

insufficiently clear and to require clarifications to ensure accurate handling of documents, notably in regard to (i) documents classified as *public* that are supposed to be disclosed simultaneously with their review by the Board, and (ii) documents that are not public at the time of their creation, but are to be disclosed over time according to a 5-, 10-, or 20-year schedule. Management has now addressed the various classification and declassification issues by refining the document labeling process to help staff determine the sensitivity of Bank information, and by working to complete and standardize detailed classification instructions covering the various documents and information of individual departments. Management is also revising the Implementation Guidelines to make them consistent with the classification and declassification refinements and other changes. This report is not able to comment on the adequacy of the guidelines revisions, however, because at the writing of this report the AIC had yet to approve and share a draft of the revisions. It should be noted, however, that only policies—not guidelines—are mandatory, so some issues that the guidelines revisions are expected to address will also require revisions to the policy (as discussed below).

- ***Application of exception 4.1.i regarding country-specific information.*** The application of this exception raises problems of inconsistency with the overall Access to Information policy for three reasons: (i) the notion of information as “potentially damaging” is difficult to define and to limit in scope; (ii) the open-endedness of the wording allows countries to object to the publication of virtually any “country-specific information,” including, for example, a project proposal; and (iii) the remedy of publication with redactions is implied but not clearly stated in the policy.
- ***Board-related policy matters.*** Three Board-related matters have arisen: (i) the disclosure of Board-commissioned reports, which was simply left out of the guidelines in the designation of Board documents to be disclosed; (ii) the handling of a reference to confidential information in the voluntary disclosure of Executive Directors’ statements, which was not initially addressed in the policy provision for this voluntary disclosure; and (iii) authorization for overrides of Board documents, which currently resides with the AIC according to its blanket authorization for overrides in the policy (section 8.1). All of these points are under discussion with the Board at the time this report was written.
- ***The policy’s application to MICI and OVE.*** Both MICI and OVE, as independent entities that report to the Board and have oversight roles requiring transparency, raise special issues not clearly addressed under the new policy:
 - For MICI, which has its own policy, there is a question of which policy prevails on a question of information disclosure, when there is a potential for an unproductive loop of repeated requests for information on the same issue given parallel complaint processes under the MICI and Bank policies. Specifically, the Bank’s policy guidelines (section 9.3) appear to allow, or not preclude, the possibility that a person could have a request for information denied by the Bank’s external appeals panel and then turn

around and make a complaint about the same lack of access to information to MICI; and the reverse sequence could also occur. While the intent of the Access to Information policy guidelines appears to affirm that the existence of the external panel on access to information does not undermine MICI's purview in handling claims of harm done by noncompliance with a Bank policy, this situation contradicts the Bank's policy provision that decisions of the external panel on access to information are final.

- OVE's independent evaluation function is affected by all aspects of the Access to Information Policy, including the exception for country-specific information. As discussed above, the exception as written is inconsistent with the policy's overall principle of transparency; to deal with this inconsistency, there is a need to clarify that redaction is the remedy to a country's concern about disclosure of information in an OVE document or any other Bank document. As a second-best remedy, OVE might need to develop a separate access to information policy, but that does not solve the underlying issue for the Bank.⁹

2.14 Responsibilities for the implementation of the policy, as spelled out in the Implementation Guidelines, have been somewhat adjusted, with partial success. The transition of the core implementation coordination responsibilities from EXR to a new ATI unit in SEC occurred reasonably smoothly, but more needs to be done in two other areas of responsibility. In response to early errors in document disclosure, Management required all units to designate "authorized staff" to clear public documents for posting on the web. However, it is clear that the Bank needs to strengthen these staff's capacities to carry out a function that is important to the correct and timely disclosure of public documents. In addition, responsibilities do not appear clear among the various departments/units that are involved in upgrading the Bank's website to ensure improved information access. These issues are discussed further in the next section.

⁹ In comparison, the EBRD information policy states that "it is the responsibility of the EvD to determine what is contained in the reports it releases to the public. This is necessary to ensure that EvD is able to fulfill its important independent evaluation role in the Bank and provide lessons learned" (EBRD Public Information Policy, page 10). The World Bank's Independent Evaluation Department (IEG) has its own information policy that is consistent with the overall World Bank policy and that specifies that IEG evaluations are disclosed after Board (or Board Committee) discussion, together with the corresponding Chairperson's summary and Management Response.

III. EFFECTIVENESS

- 3.1 The effective disclosure of Bank information is a multistep process involving a large number of actors and requiring a timely and effective response at each stage to ensure compliance with the policy.¹⁰ *Document authors* are expected to correctly classify the documents they upload to the Bank’s document management system (IDBDocs), and *authorized staff* are expected to authorize these documents for Internet publication, while also verifying that documents were correctly classified—this process should take place within five days after approval. *IDBDocs* and *website managers* ensure that documents are easily accessible on the website. After disclosure, the *Public Information Center* is in charge of responding to requests for information within 30 days, either by guiding users to the requested information or by issuing denials for information based on the policy’s 10 exceptions. Finally, a two-stage appeals mechanism is available to reconsider denied requests for information: first, a review by the *Access to Information Committee*, and a final decision by an independent *External Panel*.
- 3.2 Overall, the implementation of the new policy to date has notably increased the share of Board-related documents that are disclosed, but it has had an ambiguous effect on the overall level of disclosure of Bank-produced documents. In addition, timely disclosure and online accessibility to information remain as challenges. Although it is still early to reach any final conclusion about the effectiveness of the policy, the evaluation found that information is not always disclosed within the time rules established by the policy, because there are no effective mechanisms to monitor compliance or automatic systems to remind staff who are responsible for authorizing documents for Internet publication. The situation may be aggravated by the absence of recognition mechanisms and ongoing training for staff who have key roles in the disclosure of information. In addition, the comparatively high number of requests for information, the fragmentation of information across the IDB’s website, and the low number of document downloads suggest that it may be difficult to find and access relevant information on the IDB’s website.
- 3.3 This section assesses the effectiveness of the implementation of policy by focusing on its actual impact on IDB’s transparency. Transparency is measured in this assessment in terms of disclosure, timeliness and accessibility of information. The section examines the effectiveness of the implementation of the new policy by looking at the impact on the share of documents the Bank discloses. It then looks at the effectiveness of the current process for information management, which requires a correct classification and timely disclosure of information. Finally, it evaluates the accessibility of IDB’s information.

¹⁰ See Annex (Figure 7) for a comprehensive overview of the process for disclosing information in the Bank.

A. Share of disclosed documents (before/after the policy)

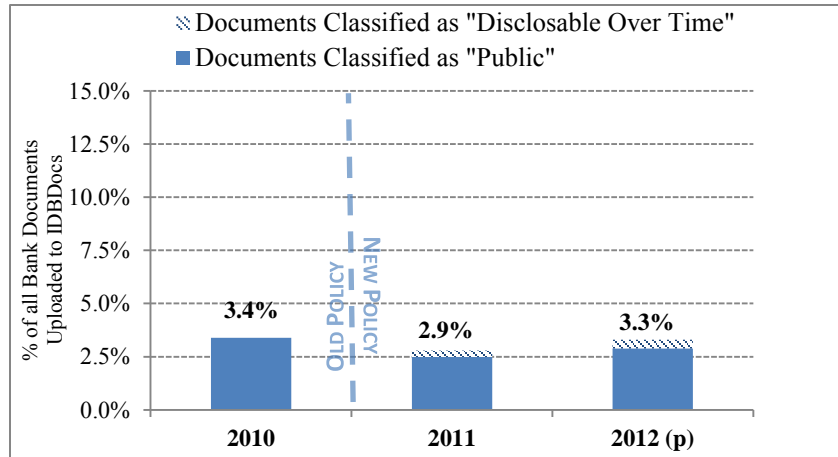
3.4 The Bank does not currently have specific measures or systems to track transparency levels. Thus, for this evaluation, OVE measures transparency using two different indicators, each with strengths and limitations. In combination, these two indicators offer a useful image of the effectiveness of the new Access to Information Policy.

- *Share of total IDB-produced documents.* This indicator captures the share of information that is made public in relation to all the documents that are uploaded to the Bank's document management system (IDBDocs). The indicator has two limitations: it does not assess the quality or relevance of the information being disclosed, and the denominator includes a very large volume of documents (internal e-mails, drafts, administrative documents) that are by policy confidential.
- *Share of Board-related documents.* Given that the Board reviews key information to make decisions about IDB's policies, strategies, programs and projects, this measure indicates the level of disclosure for key Bank information. Improving the disclosure of Board-related information—which is highly relevant to external stakeholders—is essential for effective transparency. The limitation of using this indicator alone is that Board-related documents represent 0.5% of total IDB documents, and Board-related public documents about 11% of total Bank public documents.

3.5 *Share of total IDB-produced documents.* The share of total documents produced by the IDB that are made public has decreased marginally under the new policy. After the approval of the policy on January 1, 2011, the proportion of documents made public or disclosed over time decreased from 3.4% (2010) to 2.9% (2011), and then rose again to 3.3% (2012) of the total number of documents uploaded to IDBDocs (see Figure 1a). The absolute number of documents being classified as *public* decreased from 23,188 in 2010 to 22,260 documents in 2011. For 2012, although data are only available to October, OVE estimates that the number of disclosed documents falls in the range of 17,000-18,000. Thus, the number of documents disclosed under the new policy has been somewhat less than the number disclosed before the new policy.¹¹ Given the new policy's presumption in favor of disclosure of all information, the trend in the share of disclosed information indicates the existence of issues that impede the achievement of the greater levels of overall transparency envisioned in the new policy.

¹¹ IDB systems do not currently allow discerning directly the causes for this trend in the share of disclosed documents; h. However, the following sections will suggest some factors (staff knowledge of the policy, weaknesses in the policy compliance mechanism, and delays in the implementation of IT systems) that could be impacting on the effectiveness of the policy.

Figure 1a. Trends in Overall Information Disclosure



	2010		2011		2012 (Jan-Oct)	
	Number of documents	Percentage	Number of documents	Percentage	Number of documents	Percentage
Public	23,188	3.4	22,260	2.5	13,542	2.9
Disclosed over time	6	0.0	2,707	0.3	1,832	0.4
Confidential	656,220	96.6	848,539	97.1	456,814	96.4

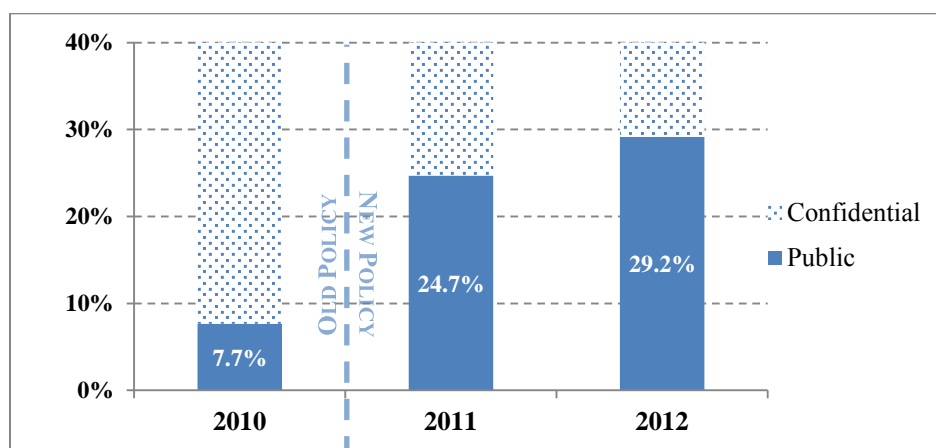
Source: IDBDocs, October 2012.

Note: The “confidential” category contains a very large volume of documents (e.g., internal e-mails, drafts, administrative information) that, by policy, cannot be disclosed. This explains the large volume of confidential documents. For this reason, it is recommended to look at the trend (in absolute number) of public documents.

3.6 **Share of Board-related Documents.** The volume of Board-related documents classified as public has grown significantly under the new policy, from 213 in 2010 to 1,510 in 2012.¹² This represents an increase from 7.7% of public documents under the previous policy (2010) to 29.2% in 2012 (see Figure 1b). Board-related documents include all the information that is submitted to the Board and its various committees, and it includes key information related to the Bank’s policies, strategies, programs, projects, internal functioning, and results. Although this subset of documents is not comprehensive of all Bank information, a high level of disclosure here is essential for external transparency and accountability, and OVE considers that the increase in disclosure achieved by the Bank to date is very relevant.

¹² Data for January 1 to November 30, 2012.

Figure 1b. Trends in Disclosure for Board-related Documents



Document classification	2010		2011		2012 (Jan-Nov)	
	Number of documents	Percentage	Number of documents	Percentage	Number of documents	Percentage
Confidential	2571	92.3%	3551	75.3%	3667	70.8%
Public	213	7.7%	1165	24.7%	1510	29.2%
TOTAL	2784		4716		5177	

Source: Information from the DDR System, submitted by IDB Management, December 2012.

3.7 In sum, the impact of the new policy on the share of disclosed documents is mixed. On the one hand, the overall number of disclosed IDB documents has decreased slightly under the new policy, likely because of factors that will be analyzed below. On the other hand, the significant increase in disclosure of key information (Board-related documents) has enhanced the transparency of the Bank’s decision-making process. Finally, the Bank could benefit from identifying more adequate indicators of effectiveness to track transparency levels over time.

B. Awareness about the new Access to Information Policy

3.8 Internal and external stakeholders’ awareness about the IDB’s new Access to Information Policy is limited. In the fourth quarter of 2010 and first quarter of 2011, Management rolled out a communications plan related to the introduction of the new policy, covering both selected internal and external audiences, and created a specific website to disclose the details of the policy. However, OVE has found indications that awareness about the policy and the opportunities for greater transparency that the policy offers could be increased, even among IDB’s regular partners. Of the civil society organizations (CSOs) surveyed by OVE, 54% are not aware of the existence of the new policy, despite being regular partners of the

Bank; and 33% of authorized staff were not exposed to any sort of specific training related to the policy they are expected to enforce. Similarly, 40% of total IDB operational staff claim that they have not received any training related to the policy (see Annex, Table 3). The Access to Information Policy website, which contains information and detailed instructions about the policy, has received a relatively low number of visits in recent months.¹³

- 3.9 Consequently, broader communication to internal and external audiences regarding the policy is still needed. Despite the communications plan, there seems to be a persistent need for broader external and internal communications about the new policy. Management has acknowledged this situation, and the Access to Information Policy website is being updated. Similarly, Management is considering the need for possible additional outreach to external stakeholders, a step that OVE strongly recommends.

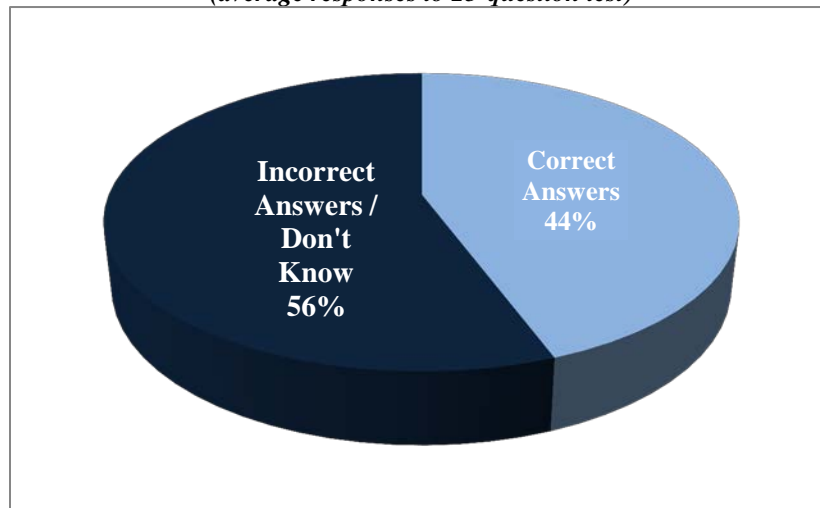
C. Correct classification of information

- 3.10 The new policy requires that the Bank publicly disclose the information it produces, unless the information contains one of the 10 exceptions described in the policy. All staff, consultants, and research fellows are able to upload documents to IDBDocs using the classification system. Therefore, to ensure effective implementation of the policy, all staff need to have adequate knowledge of the classification rules and of the deadlines for timely disclosure of information. For information classified as *public*, “authorized staff” within each unit are expected to play a filtering role by making sure that information has been correctly classified before authorizing the document for Internet publication. However, if information is incorrectly classified (i.e., classified as *confidential*, or as *disclosed over time*), the document is archived without further verification. That information could only be released if an external request for information triggers the review mechanism and the information is reclassified as *public*.
- 3.11 IDB systems do not allow systematic monitoring of staff’s error rate in classifying information. The tagging system for information classification does not reveal the policy exception that justifies classifying a document as *confidential* or *disclosed over time*. Similarly, only authors of the documents are able to ensure that no confidential information is being disclosed in a document classified as *public*. As a result, neither Management nor OVE can monitor or estimate an overall rate of accuracy in the classification of the Bank’s information. And no actions are planned to mitigate this severe limitation of the compliance tracking system.
- 3.12 However, a staff survey conducted by KNL indicates a widespread lack of understanding of the details of the policy. Although there is vague knowledge of the existence of a system for classifying information, deadlines for disclosure, and a list of exceptions, most authorized staff lack the specific knowledge needed for

¹³ According to the latest report by EXR, the number of visits to the Access to Information Policy website in the six months to June 2012 was relatively low: 2,563 page views in the English version, and 3,823 page views in the Spanish version.

an effective functioning of the policy (see Figure 2). Most authorized staff report significant knowledge gaps and express the need for more training: 24.4% of authorized staff claim to be unsatisfied with the training they have received, and 35.3% did not receive any training at all¹⁴ (KNL Staff Survey, July 2012). The situation may be aggravated over time by the absence of training for all incoming staff and Board members. Finally, 40% of regular IDB staff also claim that they have not received training, and 82% claim they have not experienced any change in disclosure in comparison with the old policy (see Annex, Table 3).

Figure 2. Knowledge of the Policy by Authorized Staff
(average responses to 25-question test)



Source: KNL Survey of Authorized Staff (July 2012).
N = 165 authorized staff (37% total).

- 3.13 Management has acknowledged the situation and is taking steps to increase staff's knowledge of the policy and thus their effectiveness in implementing it. To clarify department-specific issues, Management is preparing a more comprehensive edition of the Document Classification Instructions to help staff correctly classify the documents their units routinely produce. Management is also customizing an intensive training for authorized staff that will cover the knowledge gaps reflected in the results of the July 2012 KNL survey. Finally, Management is developing an online training module for incoming staff and Board members.
- 3.14 OVE is reasonably confident that the planned actions will help improve classification correctness. Better trained authorized staff will be more effective in preventing confidential information from becoming public. However, the training of authorized staff (who represent 10% of total Bank staff) will not address the risk of documents being erroneously archived as confidential, as authorized staff do not monitor confidential documents at any point. Since all staff are eligible to upload documents to IDBDocs, this type of classification error could remain.

¹⁴ This may be explained by the fact that the respondents acquired their "authorized staff" status after May 2011, when the initial training took place, and there is no mechanism or practice in place for training incoming authorized staff.

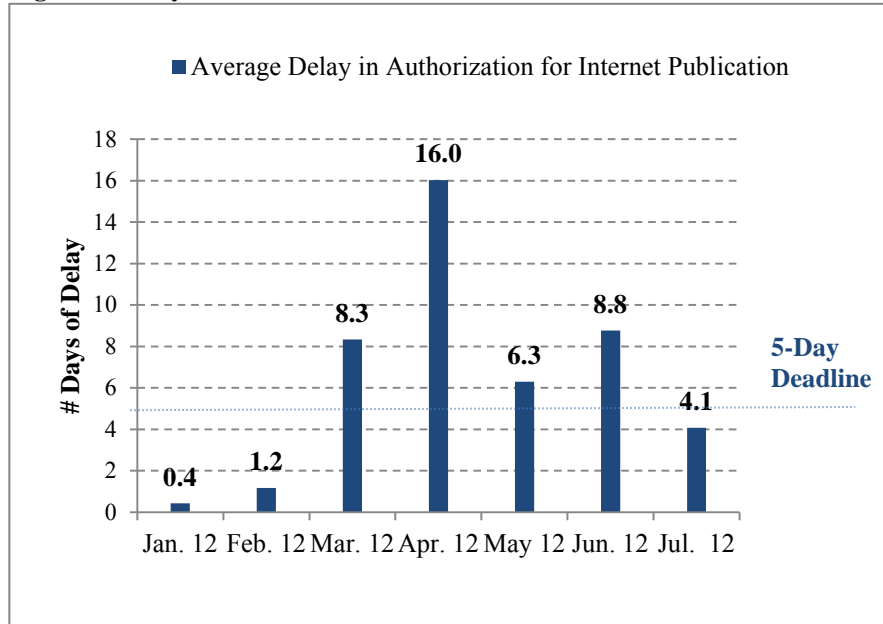
However, successful dissemination of the new classification instructions could help mitigate this issue.

D. Timely disclosure

- 3.15 Timeliness in disclosing documents within the policy requirements remains an issue. The policy establishes that documents classified as *public* should be made available within five days after approval or authorization. Although IDB systems do not currently allow monitoring the time difference between the approval of a document classified as *public* and the moment of effective disclosure (publication on the Internet), the data do allow measuring the time between the date the document was uploaded on IDBDocs by the author and the date the authorized staff authorized Internet publication (see Figures 3 and 3b). This analysis reveals persistent difficulties with ensuring disclosure within five days.
- 3.16 Although IDB's key documents are routinely disclosed as the new policy requires, the approval process causes significant delays in disclosure. The new policy singled out minutes of meetings of the Board and its Committees, Country Strategies, loan proposals, Project Completion Reports, Progress Monitoring Reports, and audited project financial statements as some of the most relevant disclosed documents. According to the policy, these key documents should be made public within five days after approval. However, the multistep process to approve some of them, such as Board or Committee minutes, is burdensome¹⁵ and creates a large time lag between the actual meeting and the disclosure of the decisions made (see Annex, Table 4). In addition, a significant proportion of minutes are still unpublished, affecting the transparency of the Bank's main decision-making bodies.

¹⁵ Before minutes of meetings of the Board of Executive Directors or Board Committees can be disclosed, SEC must accomplish four steps: (i) redaction of minutes, to exclude confidential information; (ii) clearance by the presenters/participants; (iii) clearance by the meeting chair; and (iv) approval of final minutes in a Board/Committee meeting, if the agenda allows for the inclusion of the item. Once the minutes are approved, SEC should upload them and authorize their public disclosure on the Bank's website. While this complex process of approval ensures that the minutes reflect the decisions made at the Board and Committees, the time required to complete the process may affect the transparency of the Bank's decision-making process.

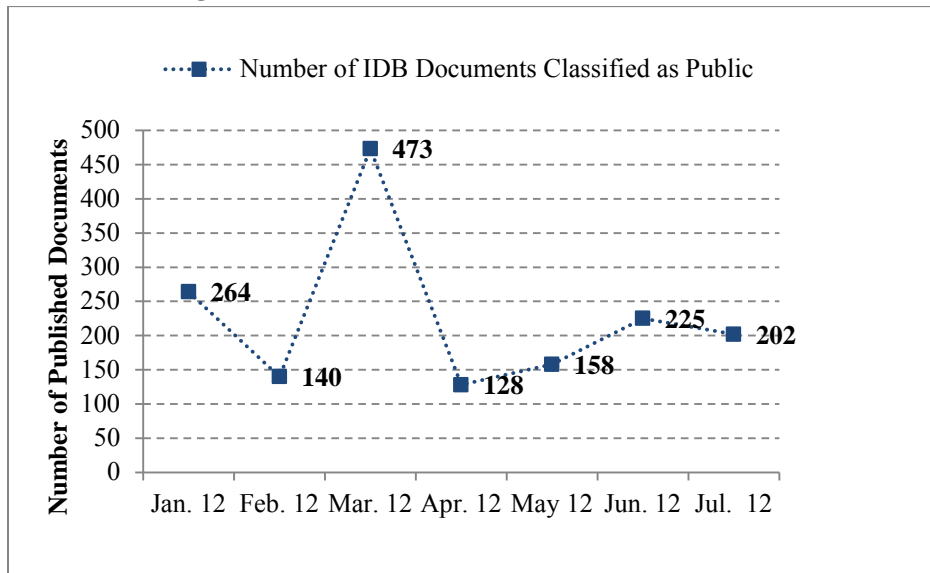
Figure 3. Delays in Information Disclosure for Documents Classified as Public



Source: IDBDocs.

Note: During the observation period, all documents uploaded to the Bank’s document management system (IDBDocs) and classified as public were expected to be authorized for the Internet by “authorized staff” within five days.

Figure 3b. Number of Documents Classified as Public



Source: IDBDocs.

3.17 While minutes are routinely disclosed, the disclosed content is limited and the released minutes are often not informative. To protect the healthy and confidential deliberation processes of the Board and Committees, and in accordance with the

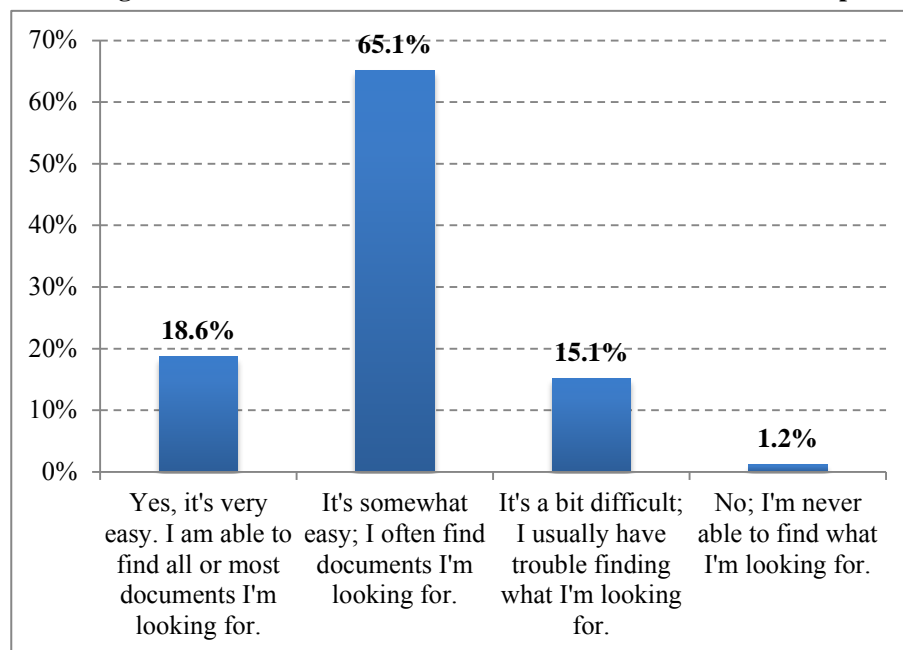
Access to Information Policy, the established practice has been to remove all the deliberative content from the minutes. However, other comparator institutions are more open about the issues discussed, making the sources anonymous while ensuring that all the decisions made are reflected in the disclosed minutes. Adopting a similar practice would allow the IDB to enrich the content of the information released in the Board/Committee minutes without compromising the healthy confidential deliberation process.

IV. ACCESSIBILITY OF INFORMATION

A. Online access

4.1 Frequent users of IDB information are moderately satisfied with the accessibility of IDB information. OVE received feedback from 86 CSOs in 20 countries of Latin America and the Caribbean regarding accessibility to IDB information. The responses from these CSOs, which are organizations that deal regularly with the IDB, revealed that most of them find it very or somewhat easy to find relevant information on the IDB’s website, suggesting some familiarity with the website’s structure (see Figure 4).

Figure 4. Ease to Access Information on IDB’s Website: CSO Responses



Source: OVE Survey of Regional CSOs (September 2012).

4.2 Still, the effectiveness of IDB’s website in facilitating access to information can be improved. The fragmentation of information in different sections and systems in the website (see Figure 5), compounded by a search tool that is not fully efficient in locating

the requested information, may be affecting general users' ability to find information.¹⁶ In addition, the accessibility of IDB's information using popular external tools (e.g., Google) seems to be weakened by specific characteristics of IDB's web architecture.¹⁷ Finally, because only a limited number of pages and documents are translated into Portuguese, the Region's Portuguese-speakers are likely to have little interest in IDB's content.¹⁸ Likely as a consequence of all these constraints, the Bank's documents and publications are largely not being downloaded.¹⁹

Figure 5. Fragmentation of Key Information across IDB External Website



4.3 The Bank has made an important effort to introduce more user-friendly formats in disseminating information. An initial transformation of IDB's website to adjust to the requirements of the new policy, the ongoing implementation of MapAmericas since March 2012, and the planned rollout of the Bank's Repository of Institutional Knowledge

¹⁶ The current corporate search tool (*Vivísimo*) is still being fine-tuned to work across the Bank's different repository systems and sections (the Bank's Repository of Institutional Knowledge, MapAmericas, and previous repository systems). Management is working to improve the performance of the Bank's search tool, but this remains a medium-term objective.

¹⁷ Apparently, the degree of search engine optimization for a significant share of IDB's web pages and documents is limited, making it difficult for the web crawlers of popular search engines to correctly capture the information published on these pages. In this respect, a report commissioned by the Bank in January 2012 underlines the Bank website's "lack of search visibility" as an obstacle in increasing the number of visitors to IDB's information and providing greater dissemination of Bank contents.

¹⁸ The Brazil Country Office has traditionally directly received a very large number of requests for information, largely because IDB stakeholders in Brazil (including federal agencies and local governments, CSOs, and firms/consultants) report difficulties in understanding the details of non-translated calls for proposals, project summaries, announcements, and resolutions of the Bank.

¹⁹ As an example of this point, an analysis carried out by EXR found that for January-June 2012, documents were not downloaded in significant numbers. The most popular document in the website (the book *La gestión para resultados en el desarrollo*) received just 527 downloads in six months. The next most downloaded document was also a book (*Desconectados: Habilidades, Educación y Empleo en América Latina*), with 385 downloads. The most popular documents average 3 to 5 downloads a day.

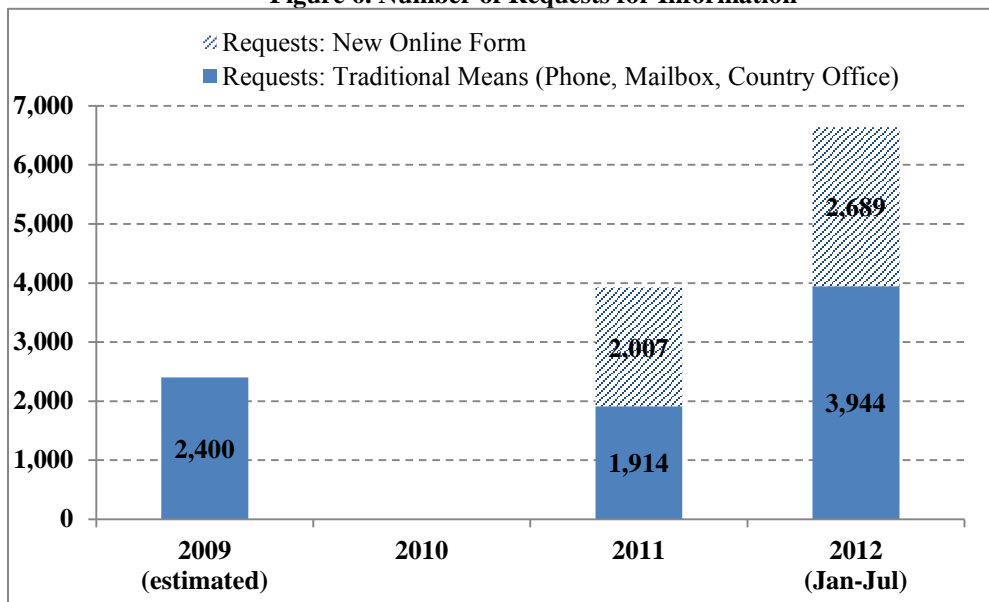
(BRIK) and eArchives—all to be completed in the coming months—are expected to facilitate a friendlier access to key information. OVE assesses these measures’ potential impact on IDB’s information accessibility as very positive. Similarly, the continued growth of IDB-related social media could become an asset for the Bank to use in disclosing new information to external stakeholders and the general public in a more active way.

4.4 Still, the increasingly high volume of requests for information suggests that users are experiencing difficulties in finding key information at the IDB’s website. The Bank received more than 6,000 requests for information in 2012. From those, above 2,000 were received through the new online form for requests for information. In comparison, the World Bank received 705 requests using a similar form in 2011. As most historical records are not currently accessible on the website and are only made public by request to the PIC, this may be one of the factors influencing the comparatively higher number of requests to the Bank.

B. Requests for information

4.5 The number of requests for information under the new policy has grown exponentially, especially after the introduction of an online form to request information (see Figure 6). This level of requests is several times higher than in comparator institutions, and may become unsustainable without additional actions.²⁰

Figure 6. Number of Requests for Information



Source: Public Information Center. Data for 2010 was not available.

²⁰ Management has offered two possible explanations for this phenomenon: most of the requests received by the PIC seem to refer either to historical records (which are only disclosed by request) or to recurrent topics (job opportunities, environmental assessments, project-related information) that users do not seem to be finding easily on the website. Management suggests that this challenge can be mitigated by introducing some basic guidance or a “Frequently Asked Questions” section on the Bank’s website.

- 4.6 The structure in place to respond to requests for information will soon experience difficulties in handling the increasing volume of requests. Given the PIC’s limited resources (one staff) and the time-consuming nature of the software used to manage requests for information the PIC’s rate of response to external requests is deteriorating (see Table 5). This situation may be aggravated if the volume of requests for information continues to increase.

Table 5. Resolution of Requests for Information

	2011	2012 (p)
Response ratio	99.99%	99.98%
Average time response^{a*}	15 days	22 days
Timely response (within 30-day deadline)^a	90%	80%

^a PIC estimates.

Source: Public Information Center.

- 4.7 The software the Bank uses to handle information requests (REMEDY) requires a significant number of steps for each case. If the Bank customizes and simplifies the software, the PIC will achieve a more efficient response rate. Management is planning work to complete the changes to the information request system, but no hard deadline has been established.

C. Access to historical records

- 4.8 Finally, progressive digitization and release of key historical records will improve IDB’s overall transparency, while reducing the burden on the PIC. The new policy establishes that access to the Bank’s archive of historical records only takes place by explicit request, and this may be affecting the volume of requests for information received by the Bank. Under the eArchives initiative, Management has begun to digitize specific types of historical documents (operational documents, annual reports) that are in high demand by external stakeholders. The new eArchives system was made available internally to IDB staff in October 2012, and some types of documents will be made externally available in 2013. The Bank could fully embrace openness—and help reduce the burden on the PIC—by making sure that the vast majority of digitized historical records that meet the policy criteria for public disclosure are made externally available.

V. EMERGING ISSUES AND SUGGESTIONS GOING FORWARD

A. Conclusions and emerging issues

- 5.1 The overall conclusion of this review is that the Bank is fully implementing the Access to Information Policy, but has more to do to make that implementation truly effective. The policy has been reformed to enhance the transparency of IDB's business and increase development effectiveness. As a result, whole categories of documents are being newly disclosed, many simultaneously with their submission to the Board.
- 5.2 Still, there are provisions in the policy that are inconsistent with the core principle of transparency: (i) the open-ended exception for "country-specific information," which is not in the policies of comparator institutions, and (ii) the absence of project results from the list of NSG documents that can be disclosed. There are also other policy areas that have raised issues—for example, the handling of voluntary disclosure of Executive Directors' statements, the handling of historical documents, and the override process for Board documents.
- 5.3 Substantial progress has been made in all areas of implementation, reflecting strong cooperation among the responsible units. This coordination has been central to the scope of the implementation effort in the design of the classification/declassification system, provision of staff training, buildup of IT support for disclosure, and establishment of governance arrangements.
- 5.4 However, progress has been slower than anticipated, in part reflecting an unrealistic timetable influenced by the pressures of IDB-9. In addition, issues have arisen in the course of implementation that require further actions:
- **The experience of the last year and a half has revealed the need for adjustments in the regulatory framework**, including the classification and declassification systems and the implementation guidelines. Management has made most of the necessary adjustments, but revision of the Implementation Guidelines is under way at the writing of this report.
 - **Staff's limited understanding of the requirements of the policy affects correct classification and timely disclosure of information.** Management has undertaken a number of steps to improve this situation—distribution of detailed classification instructions and revised guidelines, and provision of additional training—and it is reasonable to assume that these measures will significantly ease this problem. But more needs to be done, especially to enhance the capacity of the staff who are authorized to clear public documents for posting on the website, and to launch the automated system for tracking documents to be disclosed. Also, it would be useful to establish a process for spot-checking the accuracy of the classification of all documents, both public and nonpublic.
 - **The Bank's overall website capacities are not adequate for sufficient ease of access to the Bank's public information.** Although the initial modifications in the

IDB's website were modest, Management is carrying out a series of important projects (MapAmericas, BRIK, eArchives) that will increase the accessibility of key information in a variety of user-friendly formats. However, additional changes are needed in IDB's web architecture search function and other channels of communication. In particular, (i) there is a need to continue strengthening the structure of the website and the performance of its search tool, integrating IDB's different information repositories so information is more easily findable; and similarly, (ii) the Bank should keep working on strengthening the search engine optimization of the IDB's web pages, to improve the visibility and page rank of the site among the most popular external search engines (i.e., Google). While the scope of these IT matters goes beyond the implementation activities of the Access to Information Policy, strengthening web capacities is essential to the effective implementation of the policy.

- **The appeals process and override procedures have yet to be tested.** Specific issues have arisen regarding each of these matters that still need to be resolved, and the processes/procedures will need to be monitored for effectiveness.

B. Suggestions going forward

5.5 This review offers six suggestions for further actions to implement effectively the Access to Information Policy, in accordance with the requirements of the Cancun Declaration and IDB-9 Report:

- **Revise the policy to clarify that redaction is the remedy for country objections** to disclosure of country-specific information under exception 4.1.i of the policy, and make explicit that the final decision on the handling of information lies with the Bank, as it deems appropriate, after consultation in cases of country concern. This requires a revision of the policy since policy—not guidelines—is mandatory.
- Find a way consistent with the protection of proprietary business information to include disclosure of project-by-project results (as in NSG XPSRs) in the list of disclosed NSG information. This is needed to meet the principle of transparency and the specific Cancun Declaration requirements for the “disclosure of project results” and the adherence to best practice.
- Implement a mechanism for spot-checking the classification of documents. This is needed to promote correct classification of all documents, both public and nonpublic.
- Enhance and launch the planned tracking system for timely disclosure of public information. The new IT system to track timely disclosure of information should allow Management to monitor compliance with the policy. In addition to the planned capabilities, OVE recommends implementing an e-mail-based reminder system to automatically alert authorized staff about the existence of new public documents that are ready to be disclosed.
- Ensure adequate accessibility of information by enhancing the website. Users of IDB information will benefit from the consolidation of IDB's different (old and new) information repositories, the strengthening of IDB's internal search functionality, and the improvement of the search engine optimization of the Bank's web pages for popular search engines.

- Identify indicators of transparency and implement a system to track transparency levels over time. This is needed to ensure that policy implementation is effectively increasing the disclosure and accessibility of information produced by the Bank.

LIST OF PERSONS INTERVIEWED

In preparing this evaluation, OVE gathered information from different sources across the Bank.

In-Depth Qualitative Interviews

- Marcelo Cerna SEC/ATI
- Miguel Empis SEC/SEC
- Anna Cabral CMG/STK (EXR)
- John Ferriter CMG/STK (EXR)
- Angelica Perez EXR/PIC
- Gerald Duffy EXD/012 (UK)
- Roberto Delgado EXD/009 (Mexico & DR)
- Alejandro Foxley EXD/002 (Chile & Ecuador)
- Gustavo Arnavat EXD/006 (USA)
- Michelle Moreno ITE/BTS
- Diego Osorio ITE/BTS
- Rossana Gomez VPC
- Celine Paquet ACP/REC
- Jean-Louis Chretien LEG/CLA
- Mireya Rossi SPD/SMO
- Luis Diaz SPS/SPD

Consultations

- Beatriz Jellinek KNL
- Kyle Strand KNL
- Salvador Barragan REC
- Nevardo Arguello EXR
- Lili Liu World Bank
- Omana Nair ADB
- Susan Hopper ADB
- Elizabeth Smith EBRD
- Nik Milushev EBRD

Structured Qualitative Interviews

- 10 “authorized staff” (random sample)
- 8 Operations Chief Principal Specialist (random sample)

e-Surveys

- 505 IDB operational staff
- 86 civil society organizations in Latin America and the Caribbean
- 168 authorized staff (data from KNL survey)

ANNEX: GRAPHS AND TABLES

Table 1.A: Comparison of the Information Policies of Multilateral Development Banks

Issue	IDB	World Bank*	ADB	EBRD
Presumption in favor of disclosure	X	X	X	X
“Positive list” of information that may be disclosed			X	X
Limited exceptions (details in Annex X.B)	X	X	X	Non-comparable list of “information considered confidential”
Declassification schedule by document type	X	X	For selected documents only	
DISCLOSURE OF:				
a) Historical data	Upon request	According to declassification schedule	Upon request (information held for more than 20 years)	
b) Country strategies	At time of distribution to Board, with country’s non-objection	At time of distribution to Board, with country’s non-objection	At time of distribution to Board, with country’s concurrence (if no concurrence upon Board endorsement)	Draft strategies subject to public review for 45 days prior to Board.
c) Loan proposals	At time of distribution to Board, with country’s non-objection (sovereign projects)	At time of distribution to Board, with country’s non-objection	At time of distribution to Board, with country’s concurrence (sovereign projects) (if no concurrence upon Board approval)	Private sector project summary document only. Project document on request for public sector projects following Board approval.
d) Project annual audited financial statements	Sovereign projects only and subject to no objection from borrower	X	Sovereign projects only with country agreement on timing of disclosure	
e) Minutes of Board meetings	X	X	X	X
f) Minutes of Board Committee Meetings	X	X		
g) “Summaries of discussions” of Board meetings		X		
h) Voluntary disclosure of Executive Director statements (made during meetings)	X			
Provision for “positive” and “negative” overrides	X	X	X	X
Independent 2nd-stage appeals mechanism	X	X	X	
Standard deadline for response to requests for information	X	X	X	X

*World Bank information does not include IFC access to information, which is covered in a separate IFC policy.

Table 1.B: Exceptions to Disclosure in MDB Policies

Exception	IDB	World Bank*	ADB
Personal information	X	X	X
Legal, disciplinary, investigative matters	X	X	X
Communications involving Executive Directors	X	X	X
Safety and security	X	X	X
Information provided in confidence by member countries or third parties; intellectual property; business/financial information	X	X	X
Corporate administrative information	X	X	X
Deliberative information	X	X	X
Certain financial information	X	X	X
Country-specific information		X	
Information relating to non-sovereign guaranteed operations other than information listed in Annex II			
Ethics Committee proceedings		X	
Information restricted under separate disclosure regimes		X	
Internal audit reports and trust fund audit reports	(included implicitly under exception for deliberative information)	(included explicitly under exception for deliberative information)	X

Note: This table does not include the EBRD because its Information policy does not include a comparable list of “exceptions.” Rather, it lists “information considered confidential,” which includes the equivalent of several of the exceptions in other MDB policies as well as information classified as confidential under the classification regimes of the other MDBs.

*Exclusive of Information Disclosure Policy of IFC

Table 2. Implementation Plan and Actual Progress

Activity	Implementation plan	Status	Management projections (as of September 2012)
1. Develop information classification and declassification systems	October 2010	Board approved 12/14/10, Improvements under revision (notably new category of “Confidential/Public Upon Approval” and labeling for documents “disclosed over time”)	Finalize and approve departmental classification instructions (September) Further change IDBDocs to handle classification, declassification, and labeling improvements (date not specified)
2. Staff training program	Mid-August to end-November 2010	In-person and webinar format seminars offered to all Bank staff beginning in Nov 2010 and continuing thru Jan 2011	Additional training for Authorized Staff and Focal Points, and development of training program for new employees by (September)
3. IT support, including Update IDBDocs Create tracking system Create online request system	End-December 2010	Online request system fully functioning since mid-December 2010 but in need of refinement and expansion Initial changes implemented to IDBDocs Automated system for tracking Bank compliance with disclosure of routinely disclosed docs not yet developed	Further changes to support an additional authorization level put in place May 30, 2011 and more in progress (as noted above) Tracking system expected to be fully functional by third quarter 2012
4. Guidelines for processing information	End-September 2010	Issued May 20, 2011 Revisions submitted to AIC for approval (September)	AIC approval of revised guidelines (September)
5. Upgrading Bank channels for making info public, including website	September to November 2010	Modest changes been made to Bank website to accommodate on-line request system Further improvements underway to ensure information is easy to locate and access	Progress on new format by September, but not to be complete until later in year
6. Creation of Access to Information Committee	October 2010	Created, and first meeting held September 2011 to approve AIC’s TOR and Operating Procedures	
7. Creation of External Review Panel	Draft TOR and procedures, selection of panel members November 2010	Procedures and TOR approved by AIC November 2011; submission of panelists names to Board in August 2012	
8. Updating Administrative Manual	Mid-August to September 2010	Portions related to AIP are being updated as part of Bank’s ongoing effort to update all manuals	
9. Develop communications plan	Mid-August to November 2010	Developed and implemented in fourth quarter of 2010 and first quarter of 2011.	Development of further plan for 2012-13 to increase awareness about ATI Policy implementation (September 2012)

Table 3. IDB Staff Experience under New Policy

Training	Respondents (%)
Received training on new AIP	28%
Attended face-to-face workshop on new AIP	20%
Used other learning methods on new AIP	16%
Have not received any specific training on new AIP	40%
Ease of use	
Have not encountered any difficulty in classifying information according to the new classification system	80%
Have encountered difficulty in classifying information according to the new classification system	20%
Effect on working relations with borrower partners	
Implementation of the new policy has not changed working relations with borrower partners in any way	93%
Implementation of the new policy has changed working relations with borrower partners in some way	7%
Change in disclosure of information	
Do not disclose more information now than under the previous policy	82%
Disclose more information now than under the previous policy	18%

Source: OVE Staff Survey, October 2012.

N=456 (69% of total operational staff).

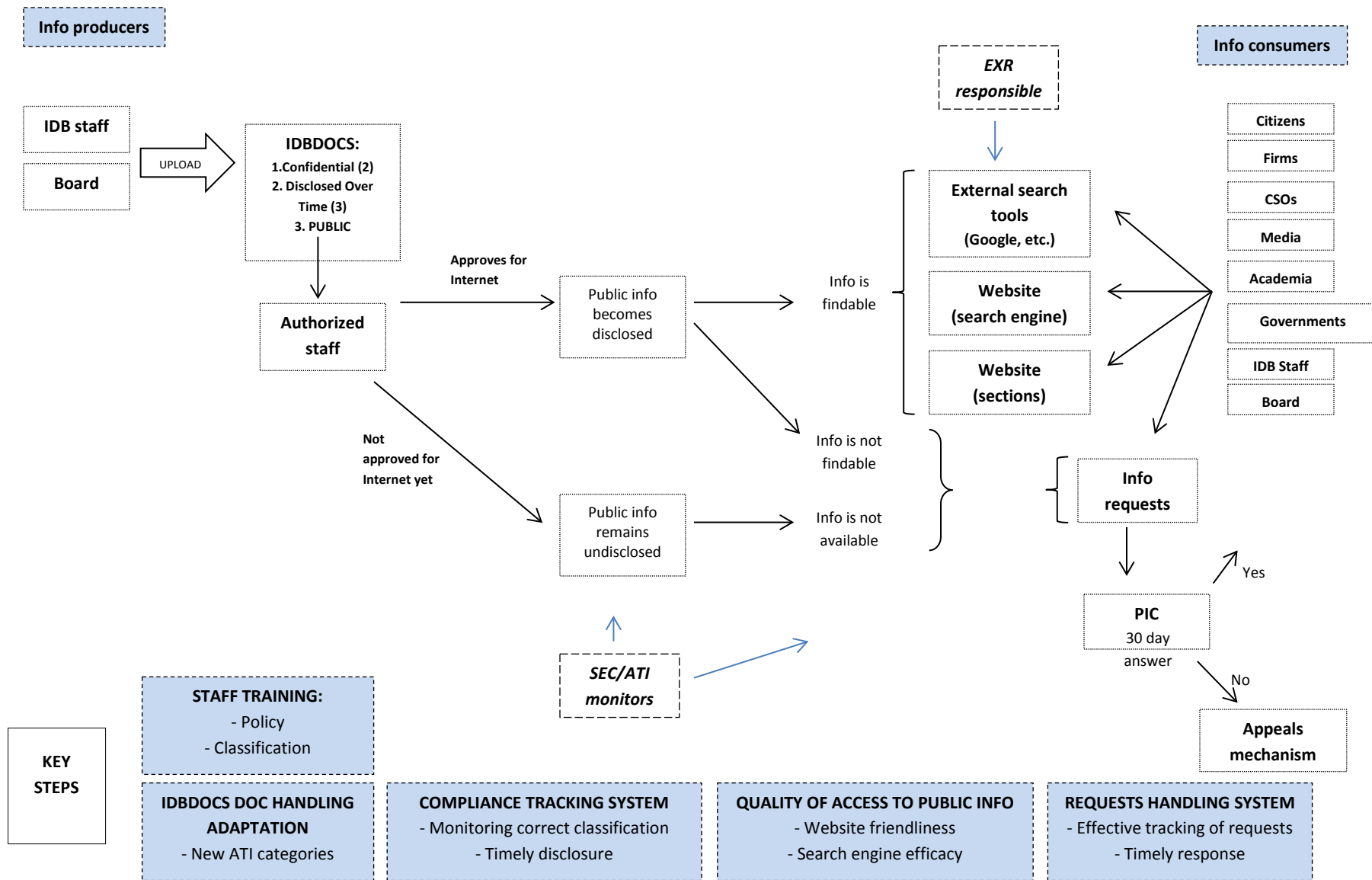
Table 4. Disclosure and Timeliness in Publication of Key Documents

	Observation period	Total # of documents	# of disclosed docs	% disclosed documents	Average time for disclosure		
					For clearance/ approval	Uploaded online	Total time since meeting
Key Documents							
Minutes							
Board Minutes	01/01/12-09/01/12	21	13	62%	35.1 days	15.8 days	50.9 days
Policy and Evaluation Committee	01/01/12-09/01/12	14	7	50%	69.2 days	10.4 days	79.6 days
Programming Committee	01/01/12-09/01/12	22	15	68%	50.6 days	8.2 days	58.8 days
Audit Committee	01/01/12-09/01/12	12	9	75%	49.1 days	3 days	52.1 days
Budget & Financial Policies Committee	01/01/12-09/01/12	15	7	47%	63.6 days	7.1 days	70.7 days
Organization, HR and Board Matters Committee	01/01/12-09/01/12	23	17	74%	53.9 days	9.3 days	63.2 days
Country Strategies	01/01/11-09/01/12	12	12	100%	p.d.	p.d.	p.d.
Loan proposals	01/01/12-09/01/12	100	94	p.a.	p.d.	p.d.	10.9 days
Project Completion Reports	01/01/11-09/01/12	15	4	27%	1.7 days	55.2 days	56.9 days
Project Audited Financial Statements	<i>Disclosure of Project Audited Financial Statements is expected to begin in 2013</i>						

Note: Data from January 1 to August 30, 2012. Data captured on September 13, 2012.
p.d.: "pending data"
p.a.: "pending analysis"

Source: IDBDocs, SEC

Figure 7. Production Chain of Information Disclosure/Dissemination



Management Comments



DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

**Mid-Term Evaluation of IDB-9 Commitments
Background Paper: Access to Information Policy
Management Comments**

Mid-Term Evaluation of IDB-9 Commitments
Background Paper: Access to Information Policy
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I. INTRODUCTION

- 1.1 Management would like to thank the Office of Evaluation and Oversight (OVE) for the constructive dialogue during the preparation of the Access to Information Policy background paper. This paper will contribute to the Bank's efforts to more effectively implement the Access to Information Policy. Management provided comments to OVE on an earlier draft of the paper and is pleased to see that most of its suggestions were incorporated in the final version.

II. OVERALL FINDINGS AND SUGGESTIONS

- 2.1 The background paper provides good insights into the process to date of implementing the Access to Information Policy. Management appreciates OVE's acknowledgement that the IDB has largely met the formal requirement to implement a disclosure of information policy consistent with best practices in comparator institutions. Management notes the use by OVE of "*disclosure of Board-related documents*", as an indicator to track transparency levels in the Bank for the purpose of the evaluation. Management fully agrees with OVE that the increase in disclosure of these types of documents has been significant, contributing to enhancing the level of transparency of the Bank's decision-making process. The note explaining the reasons for the volume of documents classified as confidential in the Bank's main document management system (IDBDOCs) is a welcome addition to the paper and the suggestion to look at the trend in the number of public documents is also much valued.
- 2.2 Management believes the paper could have benefited from a more systematic review of the issues related to timely disclosure. In this regard, Management would like to point out that measuring policy compliance using the five day deadline to make documents publicly available (except for documents subject to simultaneous disclosure), should be done using the date of final approval of the final version of the document (not the date the document was first uploaded to IDBDOCs) and the date when authorized staff clears it for internet publication.
- 2.3 Regarding the disclosure of country-specific information, Management would like to clarify OVE's conclusion that country-specific information exceptions are not included in the list of exceptions of comparator institutions. Other MDBs, for example the World Bank, do have exceptions related to "information relating to member countries and other parties" which cover the same information the IDB calls "country-specific" information.
- 2.4 As stated in Management's consolidated response to OVE's Overview Report on the IDB-9 mid-term evaluation, we agree with OVE's main recommendation calling for a revision of the policy that would explicitly grant the Bank final decision on disclosure

after consultations with countries. Management believes that such a revision would more closely align the Bank's policy with those of the other MDBs.

- 2.5 Management is also committed to exploring further options to disclose project results from non-sovereign guaranteed (NSG) operations while respecting their commercial nature, and in particular, confidential proprietary information. Management looks forward to working with the Board of Directors to implement this recommendation.
- 2.6 With regard to the classification of documents, Management has been working on completing and standardizing detailed classification instructions covering the various documents and information produced and received in individual departments. This is an important tool to complement any spot-checking mechanism.
- 2.7 Finally, Management shares OVE's concern about the need to identify indicators that can effectively track transparency levels. Management is working to address this issue and plans to develop a set of relevant indicators in 2013.

III. LOOKING FORWARD

- 3.1 Management considers that OVE's suggestions are important for effective implementation of the Access to Information Policy.
- 3.2 The Bank continues to move forward on other key tasks to implement the policy, especially with respect to the training of Bank staff. In November and December 2012, Management carried out various training sessions with publishers and focal points in order to enhance the level of knowledge of procedures related to the correct publication of documents. In 2013, Management will continue to develop and implement training programs across the Bank.