

PUBLIC

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

ACCESS TO INFORMATION POLICY

IMPLEMENTATION GUIDELINES

Under the Access to Information Policy, this document is subject to Public Disclosure.

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GLOSSARY

As used in the Policy and in this document, the terms listed below are defined as follows:

AIC: The Access to Information Committee.

Authorized Staff: Bank employees identified by their Unit/Division/Sector/Department/Office Heads as authorized to post Information classified by employees of the organizational unit as “Public” to the Bank’s website.

Bank or IDB: The Inter-American Development Bank.

Board: The Board of Executive Directors of the Bank.

Board Documents: Documents prepared by Bank staff for consideration or Information of the Board of Executive Directors or its standing Committees.

Board Records: Documents pertaining to the proceedings and work of the Board and the Board of Governors generated by the Bank’s Secretariat.

Classification: The process of assigning an Access to Information classification category to Bank Information for purposes of whether and/or when the Information is eligible for Disclosure.

Classification Instructions: Instructions developed by the four Vice Presidencies and the Bank organizational units within the strategic core to instruct their employees on how to classify Information created or received in their respective organizational units.

Classification and Declassification System and Review Process: The document approved by the Board of Directors on December 14, 2010, which accompanies the Policy and establishes procedures for the Classification and Declassification of Information, and the review process, including a timetable for Declassification.

“Confidential”: An Access to Information Classification category which indicates that the document/Information contains Information that falls under one or more of the Policy’s Exceptions, and is therefore not disclosable to the public.

Document Date: Date the document was approved or cleared by the Board or committee or senior staff of Management. For documents not subject to clearance or approval, the document date is the date when it was last edited in IDBDOCS, the Bank’s electronic Records Management System.

Deadlines: Time frames established for the publication of Bank Information classified as “Public” in accordance with the Access to Information Policy, these Guidelines, or the Classification Instructions.

Declassification: The process of making available to the public Information that was previously classified as “Confidential” or “Disclosed Over Time” and excepted from Disclosure. Declassified

Information must be redacted, as necessary, to ensure that it does not contain or refer to confidential information that falls under the Policy's Exceptions and is therefore, not eligible for declassification.

Deliberative Information: Information that is created during the process of considering issues and options before making a decision.

"Disclosed Over Time": An Access to Information Classification category assigned to documents that contain Information that falls under one or more of three Policy Exceptions, including deliberative, corporate administrative or certain financial Information, causing the documents to be classified initially as "Confidential" but eligible for future Disclosure to the public according to timetables described in the Bank's Declassification schedule.

Disclosure: Making Information available to the public, whether through the Bank's external website, the Bank's on-line request system, or other appropriate means of providing access.

eArchives: the official gateway to all of the Bank's records of enduring value (historical).

Final Draft Documents: Documents created by staff in the course of official Bank business and registered in IDBDOCS that are distributed to a committee or senior staff of Bank Management, or to the Board, and subject to an intermediate approval process. Draft Documents are kept permanently pursuant to the Bank's Records Retention Policy.

Effective Date: January 1, 2011.

Exceptions: Categories of Information described in Section 4.1 (a-j) of the Policy.

External Panel: The external review panel created under the Policy to conduct second-stage reviews of certain Bank decisions denying access to Information.

Focal Points: Bank employees designated by the heads of their Unit/Division/Sector/ Department/Office to serve as liaisons between their organizational Department, the SEC/ATI Section, the AIC and the Work Group.

Historical Information: For purposes of implementation of the Policy, Historical Information refers to all Bank Information created and/or received during the course of official business before January 1, 2011.

Information: Records, which are Documents of any type such as paper, electronic, photograph, film, sound recordings and videotape, produced by the Bank in the course of its official business, and the documents not produced by the Bank but in its possession that are specifically referred to in the Policy.

Instruction Manual for Publication of Information: A document describing in detail the process used to publish Bank Information residing in IDBDOCS and classified as "Public" to the website.

Negative Override: The non-Disclosure of Information that would normally be considered “Public” or available, on the basis that access would occasion more harm than benefit.

Originator: Bank employees responsible for producing documents and saving them in IDBDOCS. The terms “originator” and “author” are used interchangeably in this document.

Override(s): Bank’s prerogative, in extraordinary circumstances, to either disclose Information classified as “Confidential” or “Disclosed Over Time” so long as the Bank is not legally or otherwise obligated to non-Disclosure and has not been provided Information with the understanding that it will not be disclosed, or to not disclose Information that would normally be classified as “Public.”

Policy: The Access to Information Policy (GN-1831-28) approved by the Board on May 12, 2010, applicable to the Bank and the Multilateral Investment Fund.

Policy Background Paper: The document distributed by Bank Management to the Board on April 26, 2010, as background to accompany the proposed Policy (GN-1831-26).

Positive Override: The Disclosure of Information classified as “Confidential” or “Disclosed Over Time” if the Bank determines that the benefits of such Disclosure outweigh the potential harm that application of the Policy might otherwise entail, and so long as the Bank is not legally or otherwise obligated to non-Disclosure and has not been provided Information with the understanding that it will not be disclosed.

“Public”: An Access to Information Classification category indicating that the Information does not contain Information that falls under the Policy’s Exceptions and is therefore disclosable to the public.

Records: As defined in AM-301, data in any form which provides evidence of a decision or transaction. (e.g., multiple issue documents, correspondence, blueprints, computer printouts and other documents produced by electronic means, machine readable materials, microfilm, photographs, charts, sound recordings, etc.).

Records Management System: The system used by the Bank for the creation, maintenance, protection, use and disposition of its records, currently an electronic system called IDBDOCS.

Redaction: For purposes of creating a “Public” version of a document that contains confidential information, the process of blacking out or covering the confidential text as defined by Section 4.1 of the Bank’s Policy with a thick black line so as to make the confidential text illegible.

Simultaneous Disclosure: The process of publishing Information on the Bank’s website simultaneous to distributing it to the Board of Directors, in accordance with Section 5.1 of the Policy.

Work Group: The Access to Information Implementation Work Group composed of representatives of EXR, LEG, VPF (REC, ITE) and chaired by SEC, created to assist with implementation of the Policy.

ACCESS TO INFORMATION POLICY

IMPLEMENTATION GUIDELINES

I. INTRODUCTION

- 1.1 The Board of Directors approved a new Access to Information Policy (GN-1831-28) on May 12, 2010, taking effect on 1 January 2011, and a Classification and Declassification System and Review Process on December 14, 2010 (GN-1831-31). Pursuant to paragraph 10.2 of the Policy, the present document provides general guidelines and procedures for use by staff in implementing the new Policy and the Classification and Declassification System and Review Process.
- 1.2 When implementing the new Policy, Bank staff should apply the following ordered hierarchy of documents, with the Policy (GN-1831-28) and the Classification and Declassification System and Review Process (GN-1831-31) prevailing over the other documents listed.
 - A. Access to Information Policy (GN-1831-28)
 - B. Classification and Declassification System and Review Process document (GN-1831-31)
 - C. Implementation Guidelines (GN-1831-36)
 - D. Instruction Manual for Publishing Information
 - E. Classification Instructions developed by four Vice Presidencies and Bank organizational units accounting for the specific nature of their work and Information they produce or receive.
 - F. Background Paper accompanying the Policy (GN-1831-26)
- 1.3 This document is divided into eight sections. Following the introduction is a discussion of the responsibilities of various parties in the process of Disclosure. Section III outlines the procedures for Classification. Sections IV and V discuss procedures related to Disclosure and Declassification of Information, respectively. Section VI addresses the procedures related to review of decisions to deny public requests for Information. Section VII outlines Override procedures, and the final section discusses procedures related to responding to requests for Information, and where to go for help.
- 1.4 The Access to Information Committee (AIC) will update and reissue these Guidelines, as needed, to reflect both the resolution of issues that surface during implementation as well as advances resulting from the application of new technology tools that improve the automation process for disclosure of Information.
- 1.5 Classification Instructions have been developed by each of the Bank's four Vice Presidencies, SEC and Bank organizational units of the Strategic Core, approved by the AIC, and updated as needed. Classification Instructions will identify each type of document produced and/or received, the Access to Information Classification category assigned to each, and indicate, when appropriate, the Declassification time frame that applies.

II. RESPONSIBILITIES

- 2.1 The Policy requires that the Bank make publicly accessible Information that it creates and certain Information it receives during the course of doing business, provided the Information is not contained on a list of Exceptions¹ or subject to a Negative Override as described in Section VII. Information is defined as records, which are documents of any type (e.g., paper, electronic, photograph, film, sound recordings, and videotapes) prepared or received by the Bank in the course of its official business. This Section on responsibilities is intended to help Bank employees understand their roles and describe briefly the roles of various IDB Offices, the AIC, External Panel, Board of Executive Directors, and Access to Information Implementation Work Group, with regard to implementing the Policy.
- 2.2 The Bank's primary tools for making Information available to the public are the Bank's website and the online request form. "Public" Information is published on the website by Authorized Staff members as described in paragraph 2.7 below.
- A. IDB Staff:**
- 2.3 Bank employees who create or receive Information are responsible for properly classifying and saving the Information in IDBDOCS to ensure that: (1) Information classified as "Public" is visibly displayed on the Bank's website or may be found via the Bank's search engine, and (2) Information identified as "Confidential" is properly handled as detailed in paragraphs 3.5-3.9.
- 2.4 Additionally, Bank employees are required to comply with the labeling requirements that accompany the Policy as outlined in Annex I.
- B. Unit/Division/Sector/Department/Office Heads:**
- 2.5 Unit/division/sector/department/office heads are responsible for ensuring their organizational units are in compliance with the Policy, including authorizing publication of "Public" Information, properly handling Confidential Information as detailed in paragraphs 4.4-4.8 below, and publishing Information within the timeframes provided in these Guidelines as well as applicable Classification Instructions. Unit/division/sector/department/office heads may delegate these responsibilities, but remain accountable for ensuring compliance.
- C. Project Team Leaders:**
- 2.6 In the case of project implementation related Information, the project team leaders are responsible for ensuring that all Information associated with their respective loans and technical cooperations are entered into IDBDOCS and properly classified within the timeframes provided in these Guidelines as well as applicable Classification Instructions. Team leaders may delegate these responsibilities, but remain accountable for ensuring compliance.

¹ See paragraph 4.1 of the Policy.

D. Staff Authorized to Publish Information (Authorized Staff):

- 2.7 Each sector/department/office head should authorize no more than three Bank employees to publish Information to the Bank's website. Authorized Staff will ensure documents are properly labeled and published to the Bank's website in accordance with these Guidelines as well as any applicable Classification Instructions. The names of the staff authorized by sector/department/office heads to perform this function should be submitted in writing to the Secretary of the AIC, and updated as needed. This list will serve as the basis for granting permissions in IDBDOCS to be able to post to the Bank's website.

E. Access to Information Section (/SEC/ATI), Office of the Secretary:

- 2.8 The Access to Information Section (SEC/ATI), located within the Office of the Secretary, is charged with the coordination of the implementation of the Access to Information Policy in the course of the Bank's day-to-day operations. SEC/ATI will be responsible for: (i) establishing the necessary guidelines and protocols for the adequate implementation of the Policy, (ii) coordinating with Bank departments/office in the implementation of the Policy, (iii) developing systems of quality control, monitoring and evaluation to ensure proper classification of documents, (iv) supporting vice-presidencies, departments and units in creating internal classification procedures, (v) providing support to the Access to Information Committee (AIC) related to policy implementation, (vi) coordinating responses to requests for information, in conjunction with PIC, and (vii) supporting the Office of the Secretary in its role to serve as Secretariat to the Access to Information Committee and the External Review Panel.

F. Office of External Relations (EXR):

- 2.9 The Office of External Relations (EXR) is responsible for operating the Bank's channels for making Information available, namely the website and online request system. EXR will report to the Board annually on implementation of the Policy, including an analysis of issues that may need to be addressed and a status report on the Bank's compliance with the Policy.

G. Public Information Center:

- 2.10 The Public Information Center (PIC), in coordination with SEC/ATI, is charged with acknowledging requests, preparing responses when the Information is readily available on the Bank's website, and in all other cases, channeling requests to other Bank organizational units for preparation of responses. PIC will monitor response times in an effort to ensure the Bank answers requests in a timely manner.
- 2.11 PIC will forward all requests involving Historical² Board records to the Office of the Secretary (SEC) for preparation of a response. All other requests for Historical Information will be forwarded to the Records Management Unit of the Budget and Administrative Services Division (ACP/REC). ACP/REC will locate the Information and forward it, together with the request, to the appropriate Vice President or Bank organizational unit within the strategic core for preparing a response. PIC will forward the prepared responses to the requester.

² For purposes of implementation, Historical refers to all Information created and/or received before January 1, 2011.

- 2.12 PIC will receive, acknowledge, and forward to the AIC requests for review of decisions to deny access to Information and public requests for Overrides. PIC will receive, acknowledge, and forward to the External Panel requests for second-stage reviews.

H. Records Management Unit (ACP/REC):

- 2.13 The Bank's Records Management Unit (ACP/REC), in coordination with SEC/ATI, is responsible for locating and making available historical Information within the Bank's Records Management System and eArchives, and forwarding the Information, together with the request, to the relevant VP or Bank organizational unit within the strategic core, so that they may prepare a response.

I. Office of the Secretary (SEC):

- 2.14 The Bank's Office of the Secretary (SEC) is responsible for properly classifying Board Records and making them available in accordance with Annex I, Section G of the Policy, the Classification and Declassification System, and these Guidelines. This includes publishing routinely disclosed documents on the website by saving them in IDBDOCS, responding to requests for Board records, and reviewing Historical Information requested to ensure that it is eligible for Declassification and Disclosure.
- 2.15 SEC will confer with the relevant Bank units to ensure that public versions of the agendas, minutes, summaries of deliberations, statements submitted for voluntary Disclosure by individual Executive Directors and Committee Chair Reports do not contain Information that falls under the Policy's list of Exceptions (see paragraph 4.1 of the Policy).
- 2.16 SEC posts Board decisions related to Overrides on the Bank's website, and communicates Board decisions to PIC for use in responding to requests.

J. Access to Information Committee (AIC):

- 2.17 The AIC is an administrative body that is chaired by the Chief of Staff of the Office of the Presidency and integrated by the Executive Vice President, the four Vice Presidencies and the EXR Manager. The Legal Department will serve as advisor to the Committee. SEC will serve as the AIC's secretariat. When necessary, the AIC may invite representatives from other relevant units to comment on matters submitted to the Committee's consideration. SEC will participate in all AIC discussions involving Board records.
- 2.18 The AIC is responsible for: (a) overseeing the broad implementation of the Policy; (b) interpreting the Policy in accordance with the Policy's guiding principles; (c) reviewing and deciding on requests for Overrides related to Information other than Board records, both positive and negative; (d) reviewing and deciding on requests for reviews received from external requesters whose requests were denied by the Bank; (e) approving Classification Instructions; (f) updating these Guidelines as needed; and (g) establishing service fees and standards.
- 2.19 On matters of Policy interpretation pertaining to the Board of Executive Directors, the AIC will bring potential issues to the attention of the Board through the Organization, Human Resources and Board Matters Committee.

K. External Panel:

- 2.20 As provided in the Policy, the role of the External Panel is to conduct second-stage reviews and render decisions in response to eligible requests, in accordance with Section IV of the Classification and Declassification System and Review Process document (GN-1831-31) and Section VI of these Guidelines. The Panel, comprised of three members, will be independent of any Bank organizational unit or official. Panel members shall be nominated by the President and appointed by the Board of Executive Directors for a three-year renewable term to a maximum of six years. Each member of the Panel shall render his or her services on an as-needed basis and shall participate in each second-stage review that occurs during his or her term. Panel members will be responsible for preparing for and participating in the sessions of the Panel. Members will meet virtually (and in person as may be required), as necessary.

L. Board of Executive Directors:

- 2.21 The Bank's Board of Executive Directors will render decisions in response to requests from the public, Bank Management, and Board members themselves, for Overrides related to Board records. The Board may consult the AIC in making determinations concerning requests for Overrides or reviews of Management decisions to deny requests for Board records. Decisions of the Board of Executive Directors are not subject to review.

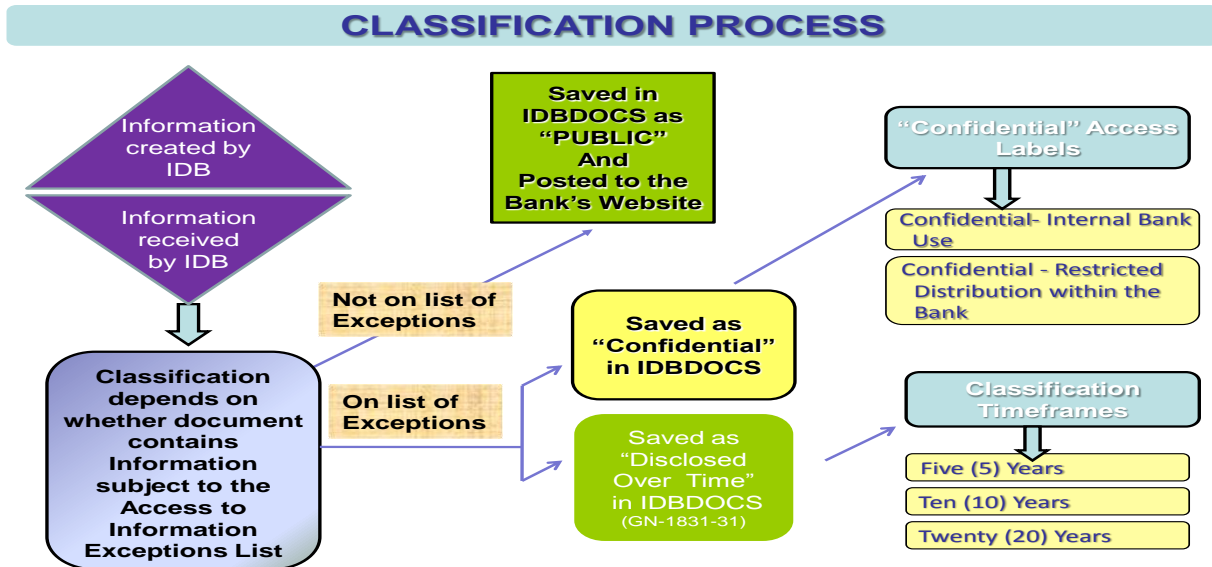
M. Access to Information Implementation Work Group (Work Group):

- 2.22 In order to contribute to the effective coordination and implementation of the Policy, an Access to Information Implementation Work Group was created. The Work Group is responsible for providing support, analysis and proposals to the Access to Information Committee and may consider issues related to Policy implementation. It should provide advice to Management on challenges as they arise. The Work Group is chaired by SEC and includes representatives from EXR, LEG and VPF (REC, ITE). When necessary, the Work Group may be expanded to include representatives of other relevant Bank organizational units. The Work Group should also review and make recommendations to the AIC regarding subjects related to approval of the Classification Instructions.

N. Focal Points:

- 2.23 Focal Points are Bank employees designated by the head of their Department to serve as liaisons between their organizational area and the Access to Information Section (SEC/ATI), the Access to Information Implementation Work Group (Work Group) and the AIC. They are to provide input first to SEC/ATI, which will then coordinate their level of involvement with the Work Group and AIC on the status of implementation, keeping all parties informed of issues and concerns as they develop. They will also keep Bank employees in their organizational units informed of all developments and guidance provided by the Work Group and the AIC related to implementation of the Policy.

III. PROCEDURES FOR CLASSIFICATION



- 3.1 All Bank employees are required to assign an Access to Information Classification category to Information saved in IDBDOCS in order to facilitate public access to Information classified by the Bank as "Public." Following is a description of the process for handling various types of Information the Bank creates or receives as well as a detailed explanation of the Access to Information Classification Categories and the process for assigning those categories to Bank Information.

A. Information the Bank Creates:

- 3.2 The Bank requires the originators of documents prepared in the course of the Bank's official business to file all such documents in the Bank's Records Management System, IDBDOCS. Information that falls under the Policy's Exceptions, and documents containing such Information, are classified as either "Confidential" or "Disclosed Over Time" subject to the instructions that follow. All drafts, except for final drafts³ are to be classified as "Confidential." Final drafts are to be classified as "Disclosed Over Time" except for those disclosed simultaneously with their distribution to the Board, as provided in the policy and these Guidelines, which should be classified as "Public."

B. Information the Bank Receives:

- 3.3 When the Bank receives Information from a member country or a third party, the recipient Bank organizational unit is responsible for ensuring that such Information is appropriately classified and saved in IDBDOCS in accordance with the provider's expectation, using the Bank's classification categories. Any written communication received by the Bank identifying confidential Information shall be recorded in one of the following prior to distribution of the document to the Board for approval, consideration, or information: (i)

³ Final Drafts are documents that are considered a record of the Bank as defined in AM-301.

written correspondence of any form (including by email), (ii) in the minutes of the negotiation, (iii) signed aide-memoires, or (iv) aide- memoires for mission meetings.

- 3.4 If Information has been previously made available to the general public by a member country or the third party concerned or is provided with the understanding that it will be made “Public”, it will be classified as “Public.” If the Information is being provided in confidence, the Information should then be considered and classified as “Confidential.” The Bank is not to disclose such Information without the written consent of the country or the third party concerned. Any such restriction shall be identified in writing at the time the information is provided to the Bank.

C. Classification:

- 3.5 In accordance with Section 6 of the Policy and detailed in the Classification and Declassification System and Review Process document approved by the Board on December 14, 2010 (GN-1831-31), Information created and received by the Bank in the course of its official business on or after January 1, 2011, is required to be classified into one of three Access to Information Classification categories by its originator or recipient. Such Classification must be entered into the IDBDOCS Records Management System.

i.) “Public”:

- 3.6 When Bank employees either create or receive documents or Information, they must first determine whether or not it includes any Information that is on the Policy Exceptions list. If the document or Information does not contain any Information on the Exceptions list, then the staff member should select the “Public” Access to Information Category when saving it in IDBDOCS. See Annex II for a list of routinely disclosed documents. If a staff member determines that the document or Information does contain Information that falls under the Policy’s Exceptions (see Section 4.1 of the Policy), the staff member should determine whether the document or Information should be classified as “Confidential” or “Disclosed Over Time” as discussed below, or redacted, as described in paragraphs 4.5-4.8.

ii.) “Confidential”:

- 3.7 The Policy sets out ten types of Information that are considered Exceptions to public Disclosure (See Annex III for a sample list of Confidential documents). If Information in the Bank’s possession meets one or more of the Exceptions, as set forth in Section 4.1 of the Policy, it is considered to be either “Confidential” and therefore never disclosed, or in the case of some Information that falls under Exceptions 9 and 10 below, initially confidential but eligible for Declassification and Disclosure in the future and classified as “Disclosed Over Time.” The “Disclosed Over Time” category is discussed in section 3.9 below.

- 3.8 **Exceptions:** Section 4.1 of the Policy lists the following Exceptions:

1. **Personal Information.** As stated in the Policy, the Bank will continue to maintain appropriate safeguards to protect the personal privacy of Bank employees and the confidentiality of personal information about them. For purposes of illustration, a few examples of personal information that fall under this exception include personal communications, personal emails, social security numbers, passport numbers, salary and benefits, and home addresses. Please keep in mind there are

many more types of personal information that fall under this exception. It is also important to note that this exception will not preclude the Bank from providing Information in response to requests by Bank employees about their own personal information, or as required by law to ensure that Bank employees will meet their personal legal and financial obligations. An example of personal information that may be disclosed at the request of a staff member is income verification for loan approvals; salary information is an example of personal information that the Bank may disclose in meeting its reporting obligations to government entities as required by law.

2. **Legal, Disciplinary or Investigative Matters.** As stated in the Policy, legal advice, Information subject to attorney-client privilege, matters in legal dispute or under negotiation, and legal documentation pertaining to Bank non-sovereign guaranteed projects will not be accessible to the public. This includes disciplinary and investigatory information generated in or for the Bank, except documents intended for public release pursuant to the Bank's Independent Consultation and Investigative Mechanism (ICIM) and the Ethics Committee. The Bank will not disclose documents, reports or communications in circumstances where Disclosure would violate applicable law, or could subject the Bank to undue litigation risk.⁴ The Legal Department should always be consulted when dealing with information of this nature to ensure proper handling and Classification.
3. **Communications Involving Executive Directors.** The Policy provides that all communications between and within Executive Directors' offices, between those offices and the member country or countries they represent and between those offices and third parties are confidential, and thus not subject to Disclosure.
4. **Safety and Security.** Under the Policy, the Bank will not disclose Information that could compromise the security or safety of Bank staff and their families, contractual employees and outside contractors; Bank assets; or the national security of member governments. For example, logistical and transport information, including shipment of Bank assets, or shipment of staff's personal property, would not be disclosed.
5. **Information Provided in Confidence; Intellectual Property and Business/Financial Information.** Pursuant to the Policy, Information provided to the Bank by member countries, private-sector entities or other parties in confidence or with restrictions on Disclosure, will not be disclosed without their explicit authorization. Intellectual property and financial, business or proprietary information belonging to parties outside the Bank, or intellectual property of the Bank will not be disclosed.
6. **Country-Specific Information.** The Bank will not disclose Information that is contained within country-specific documents produced by the Bank if it has been identified in writing by countries/executing agencies as confidential or potentially damaging to its relations with the Bank. As discussed in greater detail in paragraphs

⁴ In the context of litigation, the Bank will require that its privileges and immunities under the Agreement Establishing the Bank be respected.

4.4-4.8 below, Bank staff should use the documentation related to negotiation, aide-memoires, and/or other means of registering country opinions in writing.

7. **Information Relating to Non-Sovereign Guaranteed Operations.** Information relating to non-sovereign guaranteed operations, including Multilateral Investment Fund equity and loan operations, or provided to the Bank in connection with such operations, except those documents specifically listed in Annex II of the Policy and Information with respect to which the respective borrower has expressly consented to Disclosure, will be classified as “Confidential” and not disclosed.
8. **Corporate Administrative Information.** Information related to corporate expenses, including real estate, will not be disclosed except in the case of the Bank’s annual budget program document and as referenced in the quarterly business reports.
9. **Certain financial Information.** Information that may affect the Bank’s activities in capital and financial markets or to which such markets may be sensitive will be classified as “Confidential” and not be disclosed.
10. **Deliberative Information that contains or relates to the Policy Disclosure Exceptions 1 through 9 above.** Deliberative Information is one of the ten Exceptions to public Disclosure under the Policy. While the Bank discloses decisions, results and agreements that flow from its deliberative process, the Bank protects the integrity of the deliberative process by facilitating and safeguarding a free and candid exchange of ideas, both within the Bank and with partners and stakeholders. Therefore, except as provided for explicitly in the Policy, Information about deliberations between the Bank and its clients or third parties, of the Board of Directors, the Board of Governors and member countries, as well as Information pertaining to the Bank’s own internal deliberative processes will be considered confidential. Deliberative Information may be eligible for Declassification and future Disclosure, with the exception of Information pertaining to Exceptions 1 through 8 above (see Annex IV, and the Classification and Declassification System and Review Process Document, GN-1831-31, for sample lists of Deliberative Information).

iii.) “Disclosed Over Time”:

- 3.9 If the document contains Information that is initially classified as “Confidential” but is subject to Declassification and Disclosure in the future, as provided in these Guidelines as well as in the Bank’s Classification and Declassification System and Review Process (GN-1831-31), then the staff member should select the “Disclosed Over Time” Access to Information category in IDBDOCs, and assign the appropriate Disclosure time period – either five (5), ten (10), or twenty (20) years. The Policy provides that Deliberative and certain financial Information may be eligible for Declassification and Disclosure. The staff member should consult the Declassification schedule (see Annex V) contained in the Classification and Declassification System and Review Process document (GN-1831-31) and the Classification Instructions to confirm the time period to be assigned to Information classified as “Disclosed Over Time”.

IV. PROCEDURES FOR DISCLOSURE

- 4.1 This Section outlines the process for disclosing Information classified as “Public” under the Policy and begins with the definition of a few key topics that relate to Disclosure.

A. IDBDOCS:

- 4.2 Publication on the Bank’s website will continue to be the principal means for disclosing Information. For this reason, all Information produced and certain Information received by the Bank in the course of its business must be saved in IDBDOCS. Information classified as “Public” and saved in IDBDOCS will be published by authorized Bank employees (see Instruction Manual for Publishing Information for details related to saving Information in IDBDOCS).

4.3 B. Deadlines:

Unless otherwise indicated, either in the Policy, Instruction Manual for Publication of Information or Classification Instructions, all Information subject to Disclosure under the Policy will be published within a maximum of five (5) working days after their approval, clearance or completion of consideration. Information received by the Bank and classified as Public should be made available to the public within five (5) working days after it has been saved in IDBDOCS.

C. Information Relating to Member Countries and Other Parties:

- 4.4 The Bank takes the following approach to disclosing Information related to member countries/borrowers.

4.4.1 **Country-Specific Project Documents:** The Bank shall inform all counterparties involved in the preparation and negotiation of country-specific project documents including Loan Proposals and Technical Cooperation Plans of Operations for sovereign-guaranteed operations that:

- (i) The Bank operates under a presumption in favor of public Disclosure of Information and will disclose any information not contained on a list of exceptions.
- (ii) Should the counterparty identify Information within the document as Confidential or potentially damaging to its relations with the Bank during the negotiation process, under the Policy’s country specific exception (4.1i), a “Public” version with the information redacted will be disclosed.⁵
- (iii) In the event a counterparty identifies the entire contents of the document as Confidential or potentially damaging to its relations with the Bank, a summary prepared by the Bank and agreed to with the respective member country will be disclosed.
- (iv) In the case the counterparty invokes this exception, the identification of Confidential Information within the document shall be recorded in one of the following prior to distribution of the document to the Board for approval, consideration, or information: (i) written correspondence of any form

⁵ This includes Information identified in annexes and links, see Annex VIII. For more information on Redaction see Section 4.5-4.8 below.

(including by email), (ii) in the minutes of the negotiation, (iii) signed aide-memoires, or (iv) aide-memoires for mission meetings. This communication should be sent by the authority that represents the borrowing country for the specific operation to the Bank representatives in the country office or the Team Leader.

- (v) In the event the counterparty invokes the country-specific exception, the version of the document released to the public should indicate that Confidential Information has been excluded at the request of the borrowing country.
- (vi) If the document is to be considered by the Board of Executive Directors, the exclusion of the Information in the public version shall be communicated to the Board.⁶

4.4.1.1 Certain country-specific documents prepared by Borrowers during the preparation and execution of sovereign guaranteed projects shall be provided to the Bank on the understanding that the Bank will make them available to the public – in particular environmental and social impact information required in accordance with the Bank’s safeguard policies, procurement notices and plans, and Annual Audited Financial Statements (AFS). The notice to the counterparties regarding the disclosure of the AFS shall be incorporated in the negotiation minutes and/or legal documentation. In the case of AFS, a Borrower or Executing Agency may identify in writing information that it deems confidential in accordance with the Policy’s exceptions. In these cases, the Borrower or Executing Agency will prepare an abridged version - acceptable to the Bank - for public disclosure.

4.4.1.2 In accordance with the Environment and Safeguards Compliance Policy (OP-703) and its guidelines: (i) the Environmental and Social Strategy shall be made available as part of the Project Profile or as a stand-alone document after clearance by the ERM; and (ii) the Environmental and Social Management Report (ESMR), which will either be a section of the Loan or Guarantee Proposal or a stand-alone document, will be made available to the public no later than the time at which the respective Loan or Guarantee Proposal has been cleared by Management for distribution to the Board of Executive Directors.

4.4.1.3 According to the Bank’s project procurement policies, (GN-2340-9 and GN-2350-9), the Bank will disclose the initial Procurement Plan to the public after the related loan has been approved; additional updates will be disclosed after the Bank has approved them.

4.4.2 **Country-Specific Operational Documents and Multi-Country Documents Prepared Internally by the Bank:** The Bank shall inform all counterparties during the processing of country-specific operational documents, including Country Strategies, that:

- i.) The Bank operates under a presumption in favor of Public Disclosure of Information and will disclose any information not contained on the list of exceptions.

⁶ This information should be communicated to the Board through the respective document’s cover page.

- ii.) Should the counterparty during the negotiation process, or prior to authorization to seek Board approval, identify Information within the document as Confidential or potentially damaging to its relations with the Bank under the Policy's country-specific exception (4.1i),⁷ a "Public" version with the information redacted will be disclosed.
- iii.) In the event a counterparty identifies the entire contents of the document as Confidential or potentially damaging to its relations with the Bank, a summary prepared by the Bank and agreed to with the respective member country will be disclosed.
- iv.) In the case the counterparty invokes this exception, the identification of Confidential Information within the document shall be recorded in one of the following: (i) written correspondence of any form (including by email), (ii) minutes of the Board meeting which documents instructions of Executive Directors on this issue, (iii) signed aide-memoires, or (iv) aide-memoires for mission meetings.
- v.) In the event the counterparty invokes the country-specific exception, the version of the document released to the public should indicate that Confidential Information has been excluded at the request of the borrowing country.
- vi.) If the document is to be considered by the Board of Executive Directors, the exclusion of the Information in the public version shall be communicated to the Board.⁸

When an operational document prepared internally by the Bank about one or more countries contains Information that may be subject to the "Country-Specific" exception, the Bank organizational unit responsible for the respective document shall inform SEC at the moment of its distribution to the Board of Directors. The Bank organizational unit shall further note in the transmittal memo sent to the Board that the counterparty(ies) may identify Information within the document as "Confidential" under the Policy and should do so no later than five (5) days after its approval or consideration by the Board of Executive Directors. For Country Strategies, which are subject to Simultaneous Disclosure, see paragraph 4.9.1 below.

- 4.4.3 **Country Program Evaluations (CPEs):** In the case of Country Program Evaluations (CPEs) prepared by the Office of Evaluation and Oversight, portions identified by countries as confidential or potentially damaging to its relations with the Bank will not be disclosed. A "Public" version with the information redacted will be disclosed.

In the event a country identifies the entire contents of a CPE as confidential or potentially damaging to its relations with the Bank, a summary prepared by the Office of Evaluation and Oversight and agreed to with the respective member country will be disclosed.

⁷ This includes Information identified in annexes and links, see Annex VIII. For more information on Redaction see Section 4.5-4.8 below.

⁸ This information should be communicated to the Board through the respective document's cover page.

- 4.4.4 **Documents Prepared by the Bank for a Fee (Fee-based Services):** The Bank makes such documents (including related legal agreements) available to the public only after the country (or other third party) authority concerned has granted its written consent to disclose.
- 4.4.5 **Joint Documents:** The Bank will make available to the public final documents that it prepares jointly with partners after reaching agreement on such Disclosure with the partner concerned.
- 4.4.6 **Information related to Non-sovereign Guaranteed Operations:** The Policy provides that Information related to non-sovereign guaranteed operations is to be classified as “Confidential” with a short list of excepted documents which can be disclosed following borrower approval. The list of non-sovereign guaranteed documents available for Disclosure (see Annex II of the Policy) includes: Initial Project Abstracts, Environmental and Social Strategies, Environmental Impact Assessments, Strategic Environmental Analyses, Environmental Analyses, Environmental and Social Management Reports, and Abstracts of Approved Projects, and Information with respect to which the respective borrower has expressly consented to Disclosure.
- 4.4.7 **Information provided in confidence, intellectual property, and business/financial information:** Information provided to the Bank by member countries, private sector entities, or other parties in confidence or with restrictions on disclosure, or related to projects with private sector counterparties that involve intellectual property, business or proprietary Information, will not be disclosed under Section 4.1 (e) of the Policy without their explicit authorization.

D. Redaction:

- 4.5 In cases where the Information is subject to routine Disclosure under the Policy or has become eligible for declassification, but contains confidential Information, both the original version and the redacted “Public” version are to be saved in IDBDOCS. The “Public” version is to be published to the website by the Authorized Staff member. The original version, containing the complete, unredacted text, should be classified as “Confidential.” In creating a “Public” version of the document, the confidential text in the document is to be blacked out with a thick, solid, black line so as to cover the text completely, making it illegible. The “Public” version should be saved in pdf format in IDBDOCS. Board documents requiring Redaction to protect confidential Information, as defined by the Policy, must be redacted by the author or originating Bank organizational unit in all available languages prior to public release.
- 4.6 SEC is responsible for the publication and redacting of Board records. The following Information will be disclosed by the Bank, subject to the exclusion of records or portions thereof relating to confidential matters or documents.
- Minutes of the meetings of the Standing Committees of the Board of Executive Directors (referred to in the Policy as Minutes of Board Committee Meetings)
 - Reports of Chairpersons of the Standing Committees of the Board of Executive Directors to the Committee of the Whole (referred to in the Policy as Reports of the Board Committee Chairs to the Committee of the Whole)

- Minutes of the meetings of the Board of Executive Directors
- Annual Reports of the Chairpersons of the Standing Committees of the Board of Executive Directors (referred to in the Policy as Annual Reports of the Chairs of the Committees of the Board of Executive Directors)
- Summary Proceedings of Annual Meetings of the Board of Governors
- Resolutions adopted by the Board of Governors
- Major decisions of the Board of Executive Directors
- Minutes of the Donors Committee of the Multilateral Investment Fund

4.7 The Policy provides for the voluntary disclosure of statements by Executive Directors.⁹ In order to ensure consistent application of the policy, statements related to confidential documents or containing Information falling under the exceptions of the policy shall be classified as “Confidential” and will not be released, unless they become eligible for declassification.

4.8 In the case of Declassification of Historical documents, the Vice Presidency or Bank organizational unit within the Strategic Core responsible for reviewing the content of the requested Information may submit an Override request to the AIC to change the classification category from “Disclosed Over Time” to “Confidential”, if it believes the document would be unintelligible due to the level of redaction required.

E. Simultaneous Disclosure and Country Disclosure Requirements:

4.9 The Policy provides that certain Bank Documents will be publicly disclosed simultaneously with their distribution to the Board for consideration or Information with the non-objection of the Country concerned. Objection for Simultaneous Disclosure of the project documents listed below should be confirmed during final preparation and/or negotiation and recorded as outlined in paragraph 4.4.1 above. Additionally, in the case of Country Strategies, the respective country should be informed in writing¹⁰ of the Access to Information Policy’s Simultaneous Disclosure clause and should manifest its objection to simultaneous disclosure at the time the Country provides its authorization for distribution to the IDB Board of Executive Directors for consideration. Prior to Simultaneous Disclosure, public versions of the documents listed in 1 and 2 below should be amended to include the following label in a box on the lower half of the cover page (see Annex I): “This document is being released to the public and distributed to the Bank’s Board of Executive Directors simultaneously. This document has not been approved by the Board. Should the Board approve the document with amendments, a revised version will be made available to the public, thus superseding and replacing the original version.”

1. **Country Strategies, Sovereign-Guaranteed Loan Proposals and Technical Cooperation Plans of Operations:** Country Strategies, sovereign-guaranteed

⁹ This includes Multilateral Investment Fund Representatives in addition to Executive Directors.

¹⁰ Written communication sent to the Country related specifically to Country Strategies should include the sample language outlined in Annex VII of these Guidelines.

Loan Proposals and Technical Cooperation Plans of Operation (the latter only involving resources of \$1.5 million or more), as well as Multilateral Investment Fund Donors Committee Memoranda for Multilateral Investment Fund Technical Cooperations not containing confidential or proprietary information nor related to Multilateral Investment Fund equity or loan operations, will be published on the Bank's website simultaneously with their distribution to the Board for consideration, provided that no objection is raised by the country concerned.

2. **Sector Strategies and Operational Policies:** To allow stakeholders to review how inputs provided during the public consultations have been considered, Sector Strategies and Operational Policies will be published on the Bank's website simultaneously with their distribution to the respective Committees of the Board for consideration, if the Board has previously considered some earlier version, including a profile of such documents.
3. **Documents distributed to the Board for Information only:** Information sent by Management to the Board for information only and classified as "Public" under the Bank's Access to Information Policy Classification system will be published to the Bank's website simultaneously with its distribution to the Board. Before simultaneously publishing Information on the website, the following text is to be inserted in a box at the bottom of the cover page of the public version of the document (see Annex I), "This document is being made publicly available simultaneously with its distribution to the Board for information."

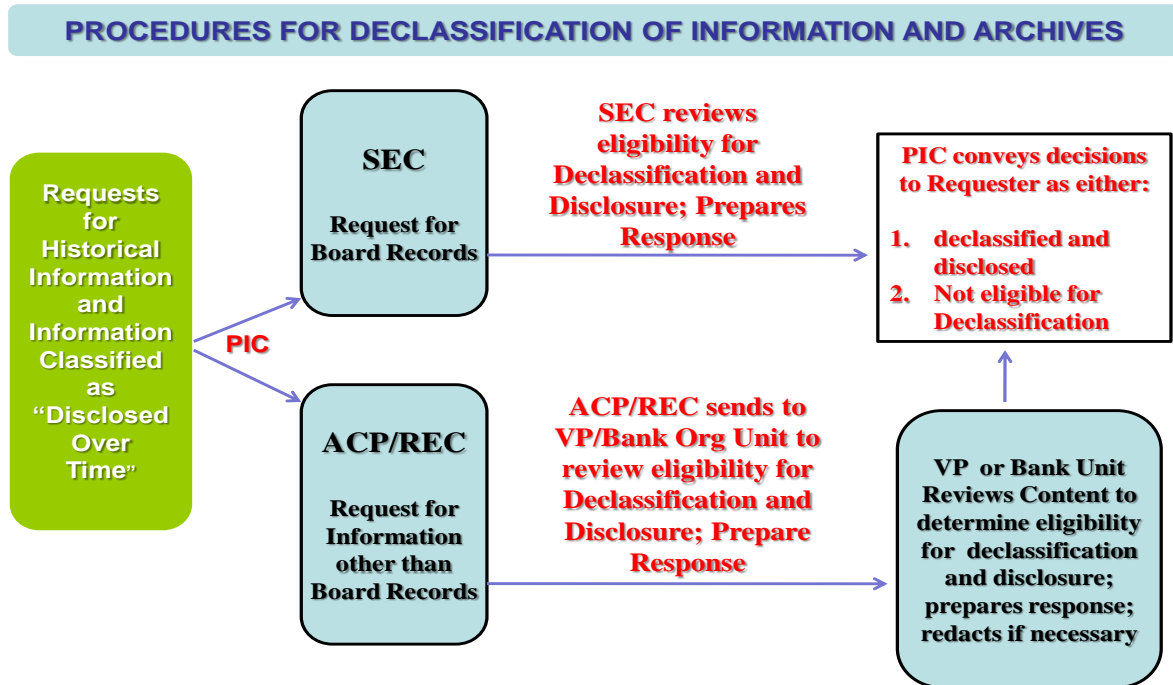
F. Languages:

- 4.10 Authorized Staff should simultaneously publish the "Public" versions of documents in all languages available at the time they are disclosed. If additional translations become available at a later date, those versions should be posted as well. In the case of Board documents, the translated versions available on the SEC website are to be used for creating "Public" versions and publishing them to the Bank's website (see section 4.5-4.8 above).

G. Electronic Mail:

- 4.11 Email is treated as follows:
 1. Certain email that contains or conveys decisions or outcomes and that is filed in the Bank's Records Management System, IDBDOCS, and classified as "Public" is disclosable.
 2. Email that is filed in the Bank's Records Management System but classified as "Confidential" or "Disclosed Over Time" is not publicly available unless the Information content of the email becomes eligible for Declassification and Disclosure in accordance with the Bank's declassification system.
 3. The Bank does not provide access to email that resides outside its Records Management System, including email that does not pertain to official matters and email containing personal Information or communications of Bank staff and other officials.

V. PROCEDURES FOR DECLASSIFYING INFORMATION AND ARCHIVES



- 5.1 In accordance with section 7 of the Policy, the classification level assigned to information/documents will determine the schedule for disclosure, including the declassification of records under a three-tiered timeline after five, ten or twenty years". All Information produced or received prior to January 1, 2011, is considered Historical Information and may be declassified upon request, in whole or in part, provided that the document or Information does not mention or refer to Information that falls under the Exceptions 1 through 8 of Section 3.8 above. The author or recipient of Information produced or received after January 1, 2011, and classified under the category "Disclosed Over Time", shall be responsible for defining the respective disclosure period (five, ten or twenty years) in accordance with the applicable schedule. Once this period has elapsed, the Information shall be made available to the public, upon request, and if it's eligible for declassification.
- 5.2 **Declassification Process for Historical Information:** All requests that involve possible Declassification and Disclosure of Historical Information (Information produced or received prior to January 1, 2011) will be received, acknowledged and channeled, via the PIC, to ACP/REC. SEC/ATI will be responsible for monitoring and coordination of the process. ACP/REC will be responsible for locating the Information, and forwarding the request together with the corresponding Information to the appropriate VP or Bank organizational unit within the strategic core, and copying SEC/ATI in the process. The respective VP or Bank organizational unit within the strategic core will be responsible for

reviewing the content of the Information to determine whether it is eligible for Declassification. The process for reviewing Historical Information includes:

- i.) Establish whether the requested historical document was eligible for public disclosure in accordance with the Access to Information Policy in effect or applicable at the time of the historical document's creation, which should be coordinated by SEC/ATI. If so, disclose the requested historical document.
- ii.) If the document contains Information that falls under the exceptions listed in section 4.1 of the Policy, the VP or organizational unit will inform PIC that the document is "Confidential" and not eligible for public disclosure, citing the exception. In the case the document contains country-specific information, the non-objection from the country/executing agency should be obtained as referenced in v.) below.
- iii.) Disclose the historical document in accordance with its declassification schedule category under document GN-1831-31: i.e., Immediately after January, 1, 2011; 5 years; 10 years; or 20 years after it has been produced or received by the Bank.
- iv.) In cases where the VP or Bank organizational unit within the strategic core determines that the harm arising from Disclosure outweighs the benefit, but the Information does not fall under one of the Policy's Exceptions, the VP or Bank organizational unit within the strategic core may request that the AIC approve an Override of the Policy.
- v.) If the request for Historical Information involves country-specific Information, the VP or Bank organizational unit within the strategic core should notify the country/executing agency in writing (see Annex VI for sample letter) of the request and seek the country/executing agency non-objection to disclose the document in its entirety, or alternatively, to identify in writing portions of the document they consider confidential or potentially damaging to their relationship with the Bank if disclosed. The written notification should inform the country/executing agency that if the Bank does not receive a response within 20 calendar days of the date of the letter, the Bank will presume they have no objection to Disclosure of the document in its entirety on the Bank's external website.

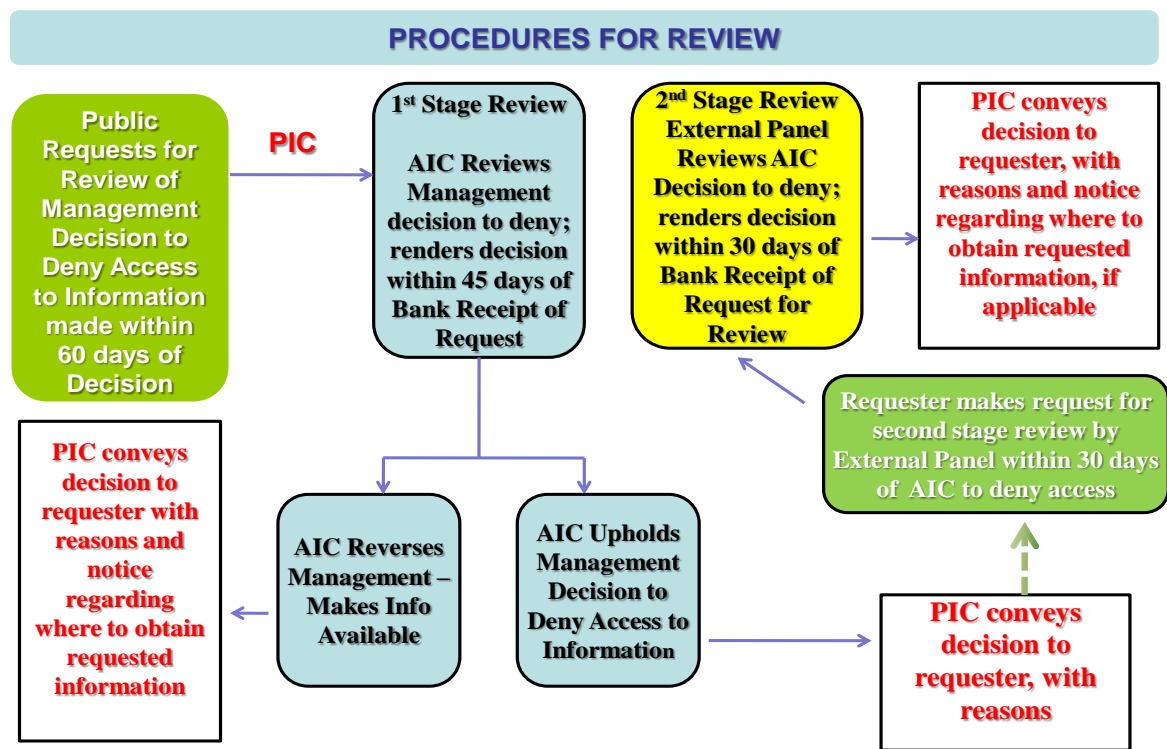
5.3 Declassification Process for Information Classified as "Disclosed Over Time": In accordance with the Classification and Declassification System and Review Process (GN-1831-31), all requests that involve Declassification of Information classified as "Disclosed Over Time" (5, 10 or 20 years)¹¹ will be received acknowledged and channeled, via the PIC to the appropriate VP or Department within the Bank. If the VP or Bank organizational unit within the strategic core determines the document does not contain confidential Information, according to one of the Policy's exceptions (see section 3.8 of the Guidelines or section 4.1 of the

¹¹ Certain financial and Deliberative Information that is excepted from Disclosure at the time it is created, but which may become eligible for Declassification and Disclosure over time, provided that such Information does not contain or refer to Information that falls under the category of "confidential" as set out in Section 3.8 of these Guidelines.

Policy) it will be eligible for Declassification and Disclosure in its entirety, on the Bank's external website.

- 5.4 **Declassification Process for Board Records:** PIC will forward requests for Board records to SEC to prepare a response. SEC will be responsible for locating, identifying and analyzing the content of documents related to requests for Board records to determine whether the document is eligible for Declassification and Disclosure. SEC will prepare and save a "Public" version, if needed, of the Information in IDBDOCS. PIC will convey SEC's response to the requester.
- 5.5 PIC will respond to the underlying requests deemed eligible for Declassification and Disclosure either by providing a copy to the requester, and/or directing him or her to its location on the Bank's website. If it is determined that the Information requested is ineligible for Declassification and Disclosure, PIC will notify the requester of the Bank's decision to deny the request, stating the reason for the denial.

VI. REVIEW PROCESS PROCEDURES



- 6.1 As provided in the Classification and Declassification System and Review Process document (GN-1831-31), members of the public may request a review of Bank decisions to deny access to Information. Below is a description of the procedures related to requests from the public for review of Bank decisions to deny requests for access to Bank Information.

- 6.2 For requests involving Management decisions to deny access related to Board records, a requester may seek a review by the Board of Directors. For denials involving Information other than Board records, the Policy establishes a review mechanism comprised of two stages: (a) a first-stage review by the AIC and (b) a second-stage review by the External Panel in cases where the AIC upholds Management decisions to deny requests.

A. Requesting Reviews:

- 6.3 All requests for a first-stage review are to be submitted to the AIC within 60 calendar days of the date of the decision to deny. Requests for second-stage reviews by the External Panel are to be submitted within 30 calendar days of the date of the AIC decision to uphold Management decisions to deny Information requests. Requests for review are to be submitted to the Bank's PIC in writing. Any request for review of a denial of access to Information should be presented in one of the four official languages of the Bank and include:

1. Information identifying the requester and providing the requester's contact information;
2. the date of the initial request for Information and the date(s) of the decision(s) denying access to Information, as applicable;
3. a detailed description of the Information requested so as to facilitate its identification; and
4. a statement explaining the requester's basis for submitting the request for review pursuant to paragraphs 4.2 a) or 4.2 b) of the Classification and Declassification System and Review Process document (GN-1831-31).

PIC will acknowledge the request and forward it to the AIC if it involves a first-stage review or to the External Panel if it involves a second-stage review.

B. Rendering Decisions of the Access to Information Committee:

- 6.4 As indicated in paragraphs 4.3 and 4.5 of the Classification and Declassification System and Review Process document (GN-1831-31), the AIC is responsible for rendering decisions in writing within 45 calendar days of the Bank's receipt of requests for review. If the AIC requires more time to reach a decision, it will notify the requester in writing, providing an estimated date of decision. In reaching a decision, the AIC will determine whether Management's denial of the request for Information properly applied the provisions of the Policy. In cases where a unanimous decision is not possible, the decision will be determined by majority vote of the AIC members. PIC will post AIC decisions on the Bank's website and forward a copy of the decision within five (5) working days of the decision being rendered. In cases where the AIC reverses the denial of a request, PIC's communication to the requester will specify the reasons for the decision related to the request for review, and if applicable, include an explanation as to how to obtain the requested Information.

C. Rendering Decisions of the External Panel:

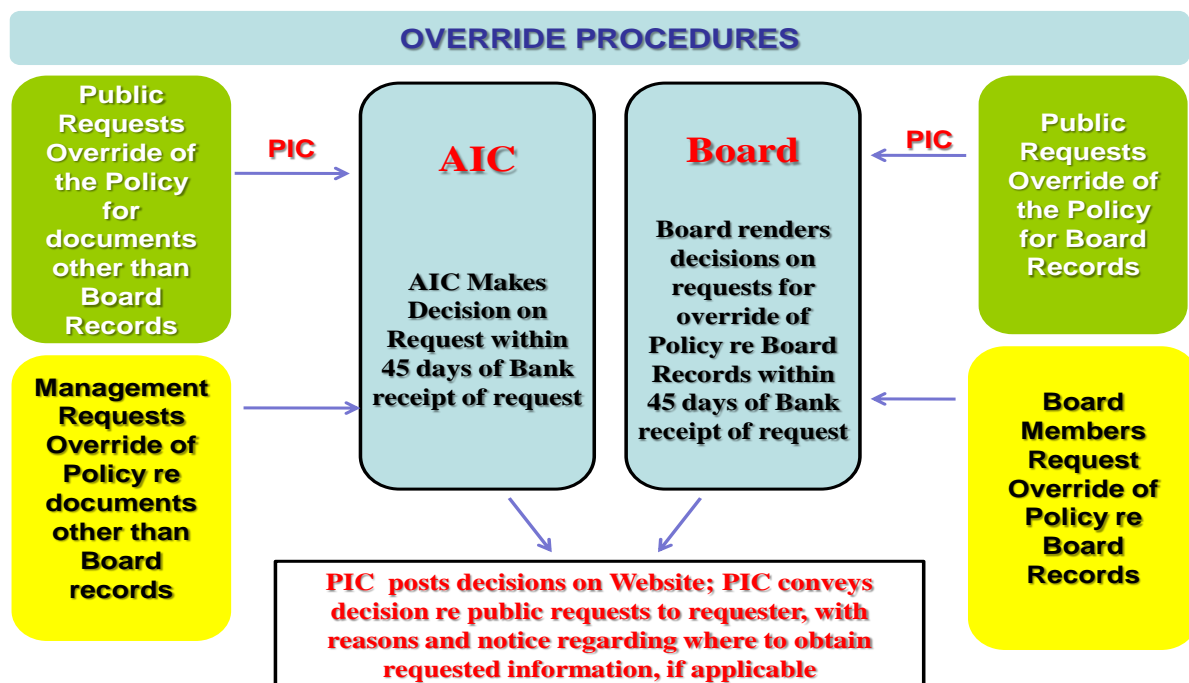
- 6.5 The External Panel is responsible for rendering decisions in writing within 30 calendar days of the Bank's receipt of the request. If the External Panel requires more time to reach a decision, it will notify the requester in writing, providing an estimated date of decision.

In reaching a decision, the External Panel will determine whether the AIC properly applied the provisions of the Policy when deciding to uphold Management's decision to deny the request. In cases where a unanimous decision is not possible, the decision will be determined by majority vote. The External Panel will submit its decisions to PIC for purposes of Disclosure. PIC will post External Panel decisions on the Bank's website and forward a copy to the requester within five (5) working days of the decision being rendered. In cases where the External Panel reverses the AIC denial of a request for Information, PIC's communication to the requester will specify the reasons for the decision, and if applicable, the process for making the Information available to the requester.

D. Rendering Decisions of the Board of Executive Directors:

- 6.6 The Board of Executive Directors renders decisions related to public requests for review of Management decisions to deny requests related to Board records. The Board of Directors shall endeavor to render its decisions within 30 calendar days of receipt of the request. In reaching a decision, the Board will determine whether Management's denial of the request for Board records properly applied the Exceptions provisions of the Policy. If the Board of Directors requires more time to reach a decision, PIC, at the request of SEC, will notify the requester in writing, providing an estimated date of decision. SEC will post decisions of the Board on the Bank's website. PIC will forward a copy of the decision together with an explanation to the requester within five (5) working days of receipt of the decision.

VII. OVERRIDE PROCEDURES



- 7.1. The Policy provides for the Bank to Override the Policy, in extraordinary circumstances as outlined below. Following is a description of the procedures related to Positive and Negative Overrides.
- 7.2. Known as a Positive Override, Section 8.1 of the Policy provides for the Bank's prerogative, in extraordinary circumstances, to disclose Information normally deemed "Confidential" if the Bank determines that the benefits of such Disclosure outweigh the potential harm that application of the Policy might otherwise entail, and so long as the Bank is not legally or otherwise obligated to non-Disclosure and has not been provided Information with the understanding that it will not be disclosed, as is the case with most Information relating to non-sovereign guaranteed operations.¹² Similarly, known as a Negative Override, the Policy provides for the Bank's prerogative, in extraordinary circumstances, not to disclose Information that would normally be considered "Public" or available, on the basis that access would occasion more harm than benefit. Positive Overrides cannot involve Information that the Bank is legally or otherwise obligated not to disclose and/or that has been provided with the understanding that it will not be disclosed.
- 7.3. Overrides of Board Records require the approval of the Board of Executive Directors. The Board of Executive Directors has the prerogative of deciding Positive or Negative Overrides regarding Board Records. The decisions by the Board of Executive Directors regarding Overrides are final. In addition, the Board of Executive Directors has the authority to issue Positive Overrides for reports commissioned by the Board. The Board should consult with Management, through the Secretary and supported by the Legal Department, as to the legal and reputational risks associated with Positive Overrides of Reports commissioned by the Board, such as those containing information which the Bank is legally or otherwise obligated not to disclose and/or that has been provided with the understanding that it will not be disclosed.
- 7.4. For all other requests related to Disclosure of documents other than Board records, the express written approval of the AIC is required. To obtain an Override with regard to Disclosure of documents other than Board records, the Bank President, the Executive Vice President, the Vice Presidency, or the Bank organizational unit within the Strategic Core responsible for the Information must submit requests to the AIC.
- 7.5. In making decisions about whether to approve a Positive Override, the AIC must decide whether the benefit from Disclosure outweighs the harm that may result to the interests the Policy seeks to protect through its Exceptions. The Committee will judge each request for an Override on its merit and in light of any emerging guidance or best practices established by the Committee. When applying a Positive Override, AIC members should exercise their discretion, in accordance with the objectives of the Policy. In practice, Committee members should identify in writing all considerations that support Disclosure or non-Disclosure of a particular matter. The comparative strengths or importance of the issues identified must then be weighed against each other to decide whether or not those supporting Disclosure outweigh those supporting non-Disclosure. The extent of the harm or benefit will influence the weight to be given to each factor. When weighing competing interests, Committee

¹² Use of the Positive Override is restricted to information contained in Annex I of the Policy, under sections F, G and H, the headings on Corporate administrative Information, Deliberative information and Financial information.

members should consider any probable harm from Disclosure and the fact that Information generally becomes less sensitive over time.

- 7.6 When the Committee decides to rely on the Exception(s) found in the Policy to uphold non-Disclosure, the Committee must provide an explanation for its decision. The explanation should include how the Override was considered and applied. Committee members should document for internal records all of the factors that were taken into consideration in reaching the decision.

A. Public Requests for Overrides:

- 7.7 As provided in Section 8.1 of the Policy, members of the general public may petition the AIC for an Override to disclose corporate administrative, deliberative or certain financial Information, other than Board records, that is otherwise deemed "Confidential." Information that falls under other Exceptions of the Policy is not subject to an Override. Members of the public may also petition the Board of Executive Directors for an Override to disclose Board records that are also otherwise deemed "Confidential." In either case, requests are to be submitted to the Bank's PIC. PIC will acknowledge receipt of the request within five (5) working days, and upon receipt of the request, immediately forward it for processing to SEC if it concerns Board records, or to the AIC if it concerns Information other than Board records.

B. Rendering Decisions of the Board of Executive Directors:

- 7.8 The Board of Directors shall endeavor to render its decision within 45 calendar days of receipt by the Bank of the public request. The standard applied is whether benefits of Disclosure outweigh the potential harm. SEC will post the decisions on the Bank's website within five (5) working days of the decision being rendered. PIC will inform the requester in writing of the Board's decision. If the request is approved, the response will direct the requester to the Information. The Board of Executive Directors' decision is final.
- 7.9 The Board of Executive Directors may also take up a request from one or more members of the Board to enact a Positive or Negative Override related to Board records and/or a Positive Override regarding documents commissioned by the Board. The standard for a Positive Override is whether the benefits of Disclosure outweigh the potential harm. The standard for Negative Overrides is whether Disclosure would occasion more harm than benefit. If a Positive Override request is approved, SEC will inform PIC of the Board's decision, and take the necessary steps to disclose the requested Information. If a Negative Override request is approved, SEC will inform PIC of the Board's decision and classify and save the subject Information in IDBDOCS as "Confidential." If the decision involves an approved Negative Override request, the Board will define the duration of the Override, if applicable. SEC will post Override decisions taken by the Board on the Bank's website within five (5) working days of the decision being rendered.

C. Rendering Decisions of the Access to Information Committee:

- 7.10 The standard applied to requests for Positive Overrides for Information other than Board records is whether benefits of Disclosure outweigh the potential harm that application of the Policy might otherwise entail, and provided that the Bank is not legally or otherwise obligated not to disclose and has not been provided Information with the understanding that it will not be disclosed. The AIC will render its decisions within 45 calendar days of receipt

by the Bank. The Committee's decisions, which shall include an explanation of the decision, are final. AIC decisions are to be posted on the Bank's website within five (5) working days of being rendered. PIC will inform the requester of the Committee's decision and its reasons, directing the requester to the Information, if the request is approved.

With regard to Management or Board requests for Overrides, the AIC will render decisions within 45 calendar days. PIC will post AIC decisions regarding Management or Board requests for Overrides on the Bank's website within five (5) working days of being rendered. In the case of approved requests for Negative Overrides, the Committee will define the duration of the Override, if applicable. Committee decisions regarding Overrides are final.

VIII. Responding to Requests for Information

- 8.1 Information that is disclosable under the Policy but is not on the Bank's external website is available upon request. Following is a description of the procedures for submitting and responding to public requests for Information.
- 8.2 Public requests for Information may be submitted via the Bank's on-line request form. If the requester lacks access to the internet, he or she may submit requests to the Bank's PIC in writing (by email at PIC@iadb.org; by mail to IADB-PIC, 1300 New York Avenue, NW, Stop E0107, Washington, DC 20577; or fax to 1(202) 623-1928). The PIC telephone number is (202) 623-2096. Requests may also be submitted by fax, mail, or email to the Public Information Contact in the relevant Country Office (see www.iadb.org/en/about-us/field-office-public-information-contacts,7419.html).
- 8.3 Requests for Information should indicate, with reasonable specificity, the Information that is being sought to enable the Bank to locate the Information within a reasonable period of time. If a particular document is required, it should be identified precisely, preferably by date and title. The Bank reserves the right to refuse unreasonable or unsupported requests¹³, including multiple requests, blanket requests, and any request that would require the Bank to create, develop, or collate information or data that does not already exist or is not available in the Bank's Records Management System. PIC will communicate the Bank's decision to refuse an unreasonable or unsupported request within the time period established to respond to requests as set forth in paragraph 8.4 below.
- 8.4 EXR's Public Information Center (PIC), in coordination with SEC/ATI, is responsible for receiving, acknowledging and providing responses to requests within thirty (30) calendar days. Requests for Historical Information will be responded to within 45 calendar days. If more time is required to prepare the responses, PIC will inform the requester, and will provide an estimated date of response, if possible. Following the establishment of a cost recovery mechanism by the AIC, PIC will apply the mechanism to requests that are received.
- 8.5 In responding to requests received, if PIC ascertains that the Information requested is "Public" and already disclosed on the Bank's website, PIC will send the requester the link

¹³ Unsupported requests include those that (a) do not provide enough information to enable the Bank to locate the requested document in the Bank's Records Management System and/or (b) are for documents that the Bank is unable to locate in the Bank's Records Management System after a reasonable search.

to the specific webpage or downloadable file. If a request concerns Information that is classified as “Public” under the Policy but has not been published, PIC will contact the relevant Bank organizational unit to confirm that it was properly classified and if correctly classified as “Public,” to obtain the organizational unit’s assistance in publishing the requested Information.

- 8.6 If the Bank organizational unit determines the Information was misclassified as “Public,” it will reclassify the Information as either “Confidential” or “Disclosed over Time” and PIC will inform the requester that the Information is not available under the Policy, providing an explanation of the decision as required by the Policy.
- 8.7 Upon receipt of a request for Information that is classified as “Confidential,” or “Disclosed over Time” where Information is not eligible for Declassification, PIC will inform the requester that the Information is not subject to Disclosure under the Policy, providing an explanation to the requester.

A. System for Tracking External Requests for Information:

- 8.8 The Bank has instituted an automated online request system managed by PIC to track requests. The online request system, and the procedures set forth below, are intended to ensure compliance with the Policy and timely responses to inquiries; *they are not intended to curtail conversation between Bank staff and outside parties about the work of the Bank*. Bank employees who receive a request for Information from the general public should proceed as follows:
 1. The requester should be directed to the location on the Bank’s external website, www.iadb.org, where the Information can be located.
 2. If the Information is not available on the website, the requester should be directed to the Access to Information page on the Bank’s external website (<http://www.iadb.org/en/about-us/public-Information-service,6554.html>), where he/she can fill out an Information request form, which will open a ticket for monitoring the status of the request. Once the electronic request form has been submitted, PIC will coordinate the responses, and close the ticket once the request has been answered.
 3. If the requester does not have access to the Internet, he/she should be directed to call, email, fax, or visit the Public Information Center at Bank headquarters, or to communicate with the Public Information Contact person in the relevant country (see <http://www.iadb.org/en/about-us/field-office-public-Information-contacts,7419.html>).

B. Monitoring Publication Compliance:

- 8.9 The Information Technology department (ITE) has developed a system for monitoring Policy compliance regarding the publication of Bank operational documents within the Deadlines provided in the Guidelines. This system can generate compliance reports by Bank organizational unit and document type, which in turn will serve as a basis for SEC/ATI’s annual reports on Policy implementation to be submitted to the Board of Executive Directors at the end of each year.

C. Where to go for help:

- 8.10 These Guidelines are intended to help answer questions about how to implement the Bank's Policy. Bank staff should seek to apply these Guidelines together with the Policy, the Classification and Declassification System and Review Process document (GN-1831-31), the Instructions Manual for Publishing Information, and Classification Instructions developed by the four Vice Presidencies and Bank organizational units within the Strategic Core, accounting for the specific nature of their work and Information they produce or receive.
- 8.11 If after consulting the above documents, Bank employees continue to have questions about the Policy, generally, or how to implement the Policy, more specifically, they should consult the following additional resources:
1. The SEC/ATI Section, which is charged with overseeing the implementation and proper application of the Policy, can be reached by email at sec-ati@iadb.org, by telephone (202) 623-1946 or visiting its page at <http://sec.iadb.org/Site/Content/ShowPage2.aspx?ID=207>. SEC/ATI is available at any time to help Bank staff with Policy-related inquiries.
 2. The KNL Portal, (<https://access>) which contains several links to documents, training videos, frequently asked questions, and more
 3. The Bank's Public Information Center (PIC), a unit within the Communications Management Division of the Office of External Relations (EXR/CMG) and located at Bank headquarters. The PIC can be reached by email (pic@iadb.org), telephone (202.623.2096) or fax (202.623.1928).

ANNEX I

Document Distribution Request (DDR) Labels

All documents are required to include a classification category and the respective label on the document's cover sheet. For all documents uploaded to SEC's DDR System (Document Distribution Request) for distribution to a decision-making body, SEC's transmittal memo to the Board of Executive Directors will reflect both the classification category and, when applicable, a label indicating to what extent a confidential document's distribution is restricted. Following are the applicable DDR classification categories and subcategories:

- "CONFIDENTIAL"

- "For Internal Use" - For documents available only to Bank employees.

- "Restricted Distribution" - For documents available only within the Bank to a restricted group of individuals.

- "For Internal Use and to be Disclosed Over Time" - For documents initially treated as confidential and available only to Bank employees, but eligible for future disclosure according to the Bank's declassification system¹⁴.

- "Restricted Distribution and to be Disclosed Over Time" - For documents initially treated as confidential and available only within the Bank to a restricted group of individuals, but eligible for future disclosure according to the Bank's declassification system.

- "For Internal Use and Public Upon Approval" - For documents initially treated as confidential and available only to Bank employees, but later disclosed and made available to the public upon approval.

- "Restricted Distribution and Public Upon Approval" - For documents initially treated as confidential and available only within the Bank to a restricted group of individuals, but later disclosed and made available to the public upon approval.

- "PUBLIC"

- "Public" - For documents to be made available to the public.

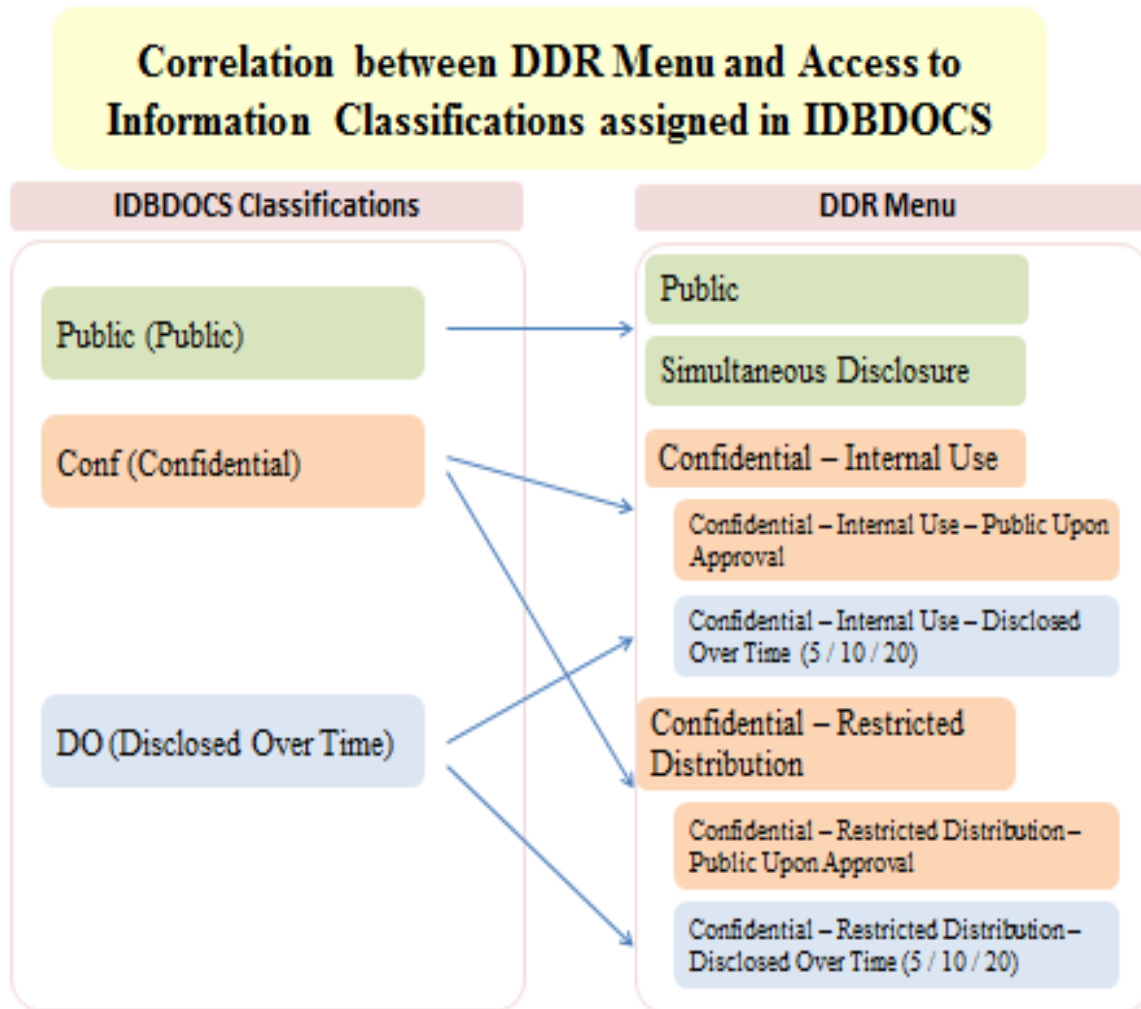
- "Simultaneous Disclosure" - For documents to be simultaneously released to the public and distributed to the Board of Executive Directors.

¹⁴ Documents classified as Disclosed Over Time will be made available to the public after five, ten or twenty years. The disclosure period will be reflected in the label inserted at the bottom of the cover page (see Annex I).

The classification categories should be decided by the originator of the document and included on the upper right hand corner of the document's cover page (examples follow). Additionally, each classification category has a corresponding label which should be included at the bottom of the cover page of all documents (examples follow):

ANNEX I, PAGE 2

CORRELATION BETWEEN ACCESS TO INFORMATION CLASSIFICATIONS ASSIGNED IN IDBDOCS AND DDR MENU



Annex I, Page 3
Document Distribution Request (DDR) Labels

- CONFIDENTIAL
INTERNAL USE

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and, therefore, shall not be disclosed to external Bank audiences. It is available only to Bank employees.

- CONFIDENTIAL
RESTRICTED DISTRIBUTION

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and, therefore, shall not be disclosed to external Bank audiences. It is available only to a restricted group of individuals within the Bank.

- CONFIDENTIAL
INTERNAL USE
DISCLOSED OVER TIME

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to Bank employees. The document will be disclosed after a period of five (5) years.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to Bank employees. The document will be disclosed after a period of ten (10) years.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to Bank employees. The document will be disclosed after a period of twenty (20) years.

- CONFIDENTIAL
RESTRICTED DISTRIBUTION
DISCLOSED OVER TIME

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to a restricted group of individuals within the Bank. The document will be disclosed after a period of five (5) years.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to a restricted group of individuals within the Bank. The document will be disclosed after a period of ten (10) years.

Annex I, Page 4

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to a restricted group of individuals within the Bank. The document will be disclosed after a period of twenty (20) years.

- CONFIDENTIAL
INTERNAL USE
PUBLIC UPON APPROVAL

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to Bank employees. The document will be disclosed and made available to the public upon approval.

- CONFIDENTIAL
RESTRICTED DISTRIBUTION
PUBLIC UPON APPROVAL

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to a restricted group of individuals within the Bank. The document will be disclosed and made available to the public upon approval.

PUBLIC

Under the Access to Information Policy, this document is subject to Public Disclosure.

PUBLIC
SIMULTANEOUS DISCLOSURE

This document is being released to the public and distributed to the Bank's Board of Executive Directors simultaneously. This document has not been approved by the Board. Should the Board approve the document with amendments, a revised version will be made available to the public, thus superseding and replacing the original version.

Annex I, Example 1

**CONFIDENTIAL
INTERNAL USE**

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

()

TITLE OF THE DOCUMENT

This document was prepared by the project team consisting of, who helped to produce this document.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and, therefore, shall not be disclosed to external Bank audiences. It is available only to Bank employees.

ANNEX I, EXAMPLE 2

**CONFIDENTIAL
RESTRICTED DISTRIBUTION**

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

()

TITLE OF THE DOCUMENT

This document was prepared by the project team consisting of, who helped to produce this document.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and, therefore, shall not be disclosed to external Bank audiences. It is available only to a restricted group of individuals within the Bank.

ANNEX I, EXAMPLE 3

**CONFIDENTIAL
INTERNAL USE
DISCLOSED OVER TIME**

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

TITLE OF THE DOCUMENT

This document was prepared by the project team consisting of, who helped to produce this document.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to Bank employees. The document will be disclosed after a period of five (5) years.

ANNEX I, EXAMPLE 4

**CONFIDENTIAL
INTERNAL USE
DISCLOSED OVER TIME**

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

TITLE OF THE DOCUMENT

This document was prepared by the project team consisting of, who helped to produce this document.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to Bank employees. The document will be disclosed after a period of 10 (ten) years.

ANNEX I, EXAMPLE 5

CONFIDENTIAL
INTERNAL USE
DISCLOSED OVER TIME

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK **TITLE OF THE DOCUMENT**

This document was prepared by the project team consisting of who helped to produce this document.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to Bank employees. The document will be disclosed after a period of twenty (20) years.

ANNEX I, EXAMPLE 6

**CONFIDENTIAL
RESTRICTED DISTRIBUTION
DISCLOSED OVER TIME**

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

()

TITLE OF THE DOCUMENT

This document was prepared by the project team consisting of, who helped to produce this document.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to a restricted group of individuals within the Bank. The document will be disclosed after a period of (5) years.

ANNEX I, EXAMPLE 7

**CONFIDENTIAL
RESTRICTED DISTRIBUTION
DISCLOSED OVER TIME**

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

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TITLE OF THE DOCUMENT

This document was prepared by the project team consisting of, who helped to produce this document.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to a restricted group of individuals within the Bank. The document will be disclosed after a period of ten (10) years.

ANNEX I, EXAMPLE 8

**CONFIDENTIAL
RESTRICTED DISTRIBUTION
DISCLOSED OVER TIME**

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

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TITLE OF THE DOCUMENT

This document was prepared by the project team consisting of, who helped to produce this document.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to a restricted group of individuals within the Bank. The document will be disclosed after a period of twenty (20) years.

ANNEX I, EXAMPLE 9

**CONFIDENTIAL
INTERNAL USE
PUBLIC UPON APPROVAL**

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

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TITLE OF THE DOCUMENT

This document was prepared by the project team consisting of, who helped to produce this document.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to Bank employees. The document will be disclosed and made available to the public upon approval.

ANNEX I, EXAMPLE 10

**CONFIDENTIAL
RESTRICTED DISTRIBUTION
PUBLIC UPON APPROVAL**

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

()

TITLE OF THE DOCUMENT

This document was prepared by the project team consisting of, who helped to produce this document.

This document contains confidential information relating to one or more of the ten exceptions of the Access to Information Policy and will be initially treated as confidential and made available only to a restricted group of individuals within the Bank. The document will be disclosed and made available to the public upon approval.

ANNEX I, EXAMPLE 11

PUBLIC

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

()

TITLE OF THE DOCUMENT

This document was prepared by the project team consisting of, who helped to produce this document.

Under the Access to Information Policy, this document is subject to Public Disclosure.

ANNEX I, EXAMPLE 12

PUBLIC
SIMULTANEOUS DISCLOSURE

DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

()

TITLE OF THE DOCUMENT

This document was prepared by the project team consisting of, who helped to produce this document.

In accordance with the Access to Information Policy, this document is being released to the public and distributed to the Bank's Board of Executive Directors simultaneously. This document has not been approved by the Board. Should the Board approve the document with amendments, a revised version will be made available to the public, thus superseding and replacing the original version.

ANNEX II

SAMPLE LIST OF ROUTINELY DISCLOSED DOCUMENTS

(This list is non-exhaustive; the documents on this list would be classified as “Public”)

I. Operational Information

- **Operations-related documents**
 - Sector Strategies
 - Sector Guidelines
 - Profiles and Drafts of Operational Policies and Sector Strategies
 - Operational Policies
 - Country Strategies
 - Country Pipeline Updates
 - Monthly Operational Summary (MOS)
 - Operations-related documents of the Office of Evaluation and Oversight (OVE)
 - Development Effectiveness Overview (DEO)
 - Procurement Policies and Procedures
 - Summaries of Cases of the Project Procurement Committee
 - Disbursement Status Reports
- **Project-specific documents**
 - Sovereign Guaranteed operations
 - Project Profiles (PP)
 - Environmental and Social Strategies (ESS)
 - Technical Cooperation Profiles (TCP)
 - Environmental Impact Assessments (EIA)
 - Strategic Environmental Analyses (SEA)
 - Environmental Analyses (EA)
 - Environmental and Social Management Reports (ESMR)
 - Loan Proposals (including links not identified as confidential)*
 - Development Evaluation Matrices (DEM)
 - Technical Cooperation Plans of Operations (including linked information not identified as confidential)*
 - Factual and Technical Information
 - Procurement Plans
 - General and Specific Procurement Notices
 - Project Completion Reports (PCR)
 - Tranche Release Memoranda
 - Sector Policy Letters
 - Annual Audited Financial Statements (AFS)
 - Non-deliberative portions of Progress Monitoring Reports (PMR)

*Links identified by Borrowers or Executing Agencies as Confidential will be replaced by a notice informing the public of non-disclosure. See Annex VIII.

ANNEX II, PAGE 2
SAMPLE LIST OF ROUTINELY DISCLOSED DOCUMENTS

- Multilateral Investment Fund Project Abstracts
- Donors Committee Memoranda for Multilateral Investment Fund Technical Cooperations (non-confidential/proprietary)
- Implementation Status Reports (ISR) for Multilateral Investment Fund projects (non-confidential/proprietary)
- **Non-sovereign guaranteed operations**
 - Initial project abstracts
 - Environmental and social strategies
 - Environmental impact evaluations
 - Strategic environmental analyses
 - Environmental analyses
 - Environmental and social management reports (ESMR)
 - Approved project abstracts

II. Institutional Information

- Annual Report
- Agendas for meetings of the Board of Executive Directors
- Agendas for meetings of the Standing Committees of the Board
- Minutes of Board Committee Meetings*
- Reports of the Board Committee Chairs to the Committee of the Whole*
- Minutes of Meetings of the Board of Executive Directors*
- Annual Reports of the Chairs of Committees of the Board of Executive Directors*
- Resolutions adopted by the Board of Governors*
- Organizational and Salary Structure of the Bank
- Oversight Committee on Fraud and Corruption (OCFC) Regulations
- Sanctions of the Bank's Sanctions Committee
- Annual Report of the Office of Institutional Integrity
- Development in the Americas
- Independent Consultation and Investigation Mechanism (MICI)
 - Eligible Requests (subject to protecting the identity of Requester upon request)
 - Notice of and reasons for ineligibility of Requests
 - Assessment report (of the Consultation Phase)
 - Report on the Consultation Phase
 - Terms of a settlement agreement or approved recommendation under the Consultation Phase, unless the parties agree on confidentiality, in which case an abstract will be disclosed
 - Monitoring protocols and reports
 - Notice of action by the Board with respect to a Panel recommendation to investigate

ANNEX II, PAGE 3

SAMPLE LIST OF ROUTINELY DISCLOSED DOCUMENTS

(THIS LIST IS NON-EXHAUSTIVE; THE DOCUMENTS ON THIS LIST WOULD BE CLASSIFIED IN IDBDOCS AS “PUBLIC”)

- Notices of extensions of time
- Report of Panel conducting Compliance Review, together with comments from Requester or Management
- Decision of the Board regarding a Compliance Review and any resulting action plan
- Monitoring reports of a Compliance Review, if any
- MICI Procedures
- MICI Annual Reports

**Board of Executive Directors and Board of Governors records or portions thereof relating to confidential matters or documents will not be disclosed*

**Chair Reports will be classified according to the reference document.*

III. Financial Information

- Borrowing Program and Funding Strategy
- Financial Statements
- Summary Financial Information on Sovereign-Guaranteed Operations
- Offering material
- Administrative Budget
- Methodology for Performance-based FSO Allocation
- Ratings for Performance-based FSO Allocation
- Debt Sustainability Analyses
- Quarterly Business Reports
- Public Bond Offering documents

IV. Legal Information

- Legal Basic Documents
 - Agreement Establishing the Bank
 - By-Laws
 - Regulations of the Board of Governors
 - Regulations of the Board of Executive Directors
 - Regulations for the Elections of the Executive Directors
 - Regulations for the Elections of the President
- Sovereign-Guaranteed Loan Contracts
- Guarantee Agreements for Sovereign-Guaranteed Operations
- Sovereign-Guaranteed Technical Cooperation Agreements
- Bilateral and Multilateral Agreements
- Agreements for the Establishment of Trust Funds
- Cooperation Agreements between the Bank and other Entities
- Framework Agreements between the Bank and Donors
- Conciliation Committee Annual Report
- Administrative Tribunal Decisions

ANNEX III

Sample List of Confidential Information

(This list is not exhaustive; the documents on this list would be classified in IDBDOCS as “Confidential”.)

1. **Personal Information:**
 - Personal staff records
 - Medical Information
 - Personal communications (e-mail) of
 - Executive Directors, Alternates and Senior Advisers
 - President of the Bank
 - Bank staff and their families (except to the extent permitted by the Staff Rules)
 - Information relating to staff appointment and selection processes
 - Proceedings of the Bank’s internal conflict resolution mechanisms (except for the decisions of the Administrative Tribunal)
 - Investigations on allegations of staff misconduct
2. **Legal, disciplinary or investigative matters related to:**
 - Legal Advice
 - Matters subject to Attorney-client privilege
 - Matters in legal dispute or under negotiations
 - NSG legal documentation
 - Disciplinary and investigatory Information
 - Any document part of a litigation
 - Communications provided and/or received by the General Counsel, in-house Bank counsel, and other legal advisors.
3. **Communications involving Executive Directors:** -
 - Communications within and between Executive Directors’ offices
 - Communications between those offices and the member country(ies) they represent
 - Communications between those offices and third parties
 - Statements of Executive Directors, except as provided in the Policy
4. **Safety and Security:**
 - Information about the security of Bank staff, consultants, contractors and their families;
 - Bank assets
 - National Security of member governments
 - Logistical and transport arrangements related to Bank shipments of its assets and the shipment of staff’s personal effects
 - Information the Disclosure of which is likely to endanger the life, health, or safety of any individual, or the environment
5. **Information provided in confidence; intellectual property; and business/financial Information:**
 - Information provided to the Bank in confidence or with restrictions on Disclosure

ANNEX III, PAGE 2

Sample List of Confidential Information

(This list is not exhaustive; the documents on this list would be classified in IDBDOCS as “Confidential”.)

- Intellectual property of the Bank
 - Intellectual property and financial, business or proprietary Information belonging to parties outside the Bank
 - Information generated or received during the consultation process by the ICIM Ombudsperson of Projects, unless otherwise provided in the ICIM Policy
 - Information generated or received as part of the ICIM Investigation process.
6. **Information related to non-sovereign guaranteed operations:**
- All Information related to non-sovereign guaranteed operations, including Multilateral Investment Fund equity and loan operations except for those documents contained in Annex II to the Policy, and Information with respect to which the respective borrower has expressly consented.
7. **Country-specific or Beneficiary-specific Information:**
- Portions or the whole of the following which the borrower or beneficiary has identified in writing as subject to the country-specific or confidential or business proprietary exceptions:
 - Country Strategies
 - Country Program Evaluations
 - Loan Proposals (including linked information)
 - Technical Cooperation Plans of Operation
 - Donors Committee Memoranda related to Multilateral Investment Fund Technical Cooperations
 - Aides-memoires that contain key decisions taken as a result of supervision missions
 - Progress Monitoring Reports
 - Project Completion Reports
 - Annual Audited Financial Statements (AFS)
8. **Corporate administrative Information:**
- Corporate expenses
 - Real estate
 - Procurement
9. **Certain Financial Information:**
- Estimates of future borrowings
 - Financial forecasts
 - Data on individual investment decisions for the bank’s treasury operations
 - Private bond offering documents
 - Credit assessments
 - Certain details of individual loan and guarantee transactions

- Information regarding amounts overdue from borrowers, including actions taken prior to placement of such credits in nonaccrual status.

10. **Deliberative Information:**

- Deliberative Information that contain or relates to Policy Exceptions 1 through 8 described in section 3.8 of these Guidelines.

ANNEX IV

Sample List of Deliberative Information

Following is a partial list of Deliberative Information.

- Letters
- Drafts of any document
- Draft Reports prepared during the course of the Bank's interaction with member countries or with other individuals and organizations with which the Bank partners
- Notes
- Memoranda
- Reports of the Office of the Executive Auditor (AUG)
- Presentations made to the Board for Information and/or consideration (PP)
- Circulars for Information of the Board of Executive Directors (CS)
- Documents of the President's Committee (PC)
- E-mails conveying key decisions and saved in IDBDOCS
- Sections of the Progress Monitoring Report (PMR) other than those related to the status of projects in execution
- Country Program Document (CPD)
- Operational Program Report (OPR) (except Annex III to the OPR which becomes public upon approval)
- Proposal for Operation Development (POD)/Draft Loan Proposal
- Loan Results Report (LRR)
- Deliberative Portions of the Progress Monitoring Report (PMR)
- Monographs
- Issues Papers
- Consultation Plans for Country Strategies
- Country Strategy Preliminary Draft
- Quality and Risk Review (QRR) Meeting Minutes
- Civil Society Consultation Summary DEM Matrix Draft
- Minutes of Negotiation with Government
- Sector Notes
- Technical Fiduciary Notes
- Debt Sustainability Analysis
- Macroeconomic Analysis
- Aide Memoires
- Operational Program Report (OPR) Country Sheets
- Eligibility Review Meeting (ERM) Minutes
- Annual Donor Reports
- Statements of Amounts Billed

ANNEX IV, PAGE 2
Sample List of Deliberative Information

- Public Expenditure and Financial Accountability Report (PEFA)
- Report on the Assessment of Public Financial Management Systems
- Fiduciary Inspection Visit Reports
- Report of the assessment of External Auditors Capacity
- Report on the Assessment of Executing Agencies Fiduciary Capacity
- Guide for Evaluation of Country System (GUS) Procurement Report for Validation
- Technical GUS Procurement Report
- Pilot Program for Credit (PPC) Minutes
- Procurement Fiduciary Toolkits (Internal Manuals)
- ConSoc Meeting Minutes
- Country Briefs

ANNEX V

DECLASSIFICATION SCHEDULE

(Sample list of information to be initially classified as
“Disclosed over time” and declassified according to schedule. This list is taken from GN-1831-31; additional
items may be added to this list following consultation with the relevant Vice Presidency and AIC concerning
the appropriate timeframe to be applied, as well as updating the list according to the Departmental
Classification Instructions.)

Immediately following January 1, 2011

- Reports presented by of the Board Committee Chairpersons to the Committee of the Whole prepared prior to 2005.
- Annual Reports of the Chairpersons of Committees of the Board of Executive Directors prepared prior to January 1, 2011.
- Resolutions adopted by the Board of Governors prior to 2007.

After 5 years

- Circulars and briefings of a technical nature prepared for information purposes for the Board or its Standing Committees.*
- Bank Management presentations (in PowerPoint and other formats) to the Board or its Standing Committees. *
- Final documents on the list provided in Annex I of GN-1831-31, if prepared prior to January 1, 2011 and not disclosed under previous disclosure policies.

After 10 years

- Minutes of meetings of the committees of the Board of Executive Directors prepared prior to January 1, 2011.
- Minutes of meetings of the Board of Executive Directors prepared prior to 1 January 2004.
- Summaries of deliberations at meetings of the Board’s Standing Committees.
- Deliberative drafts and documents of the Board and other deliberative information.
- Deliberative sections of performance monitoring reports.
- Board documents not on the list provided in Annex I of GN-1831-31 and not disclosed under previous disclosure policies.

After 20 years

- Other information held by the Bank’s records management unit, unless it is included among the exceptions to disclosure, including all deliberative or financial information mentioning or referring to those exceptions.

**CONSIDERATION SHOULD BE GIVEN TO CLASSIFYING THESE ITEMS SIMILARLY TO THE DOCUMENTS THEY ACCOMPANY.*

ANNEX VI

Sample Letter Requesting Non-Objection for the Declassification of Country-specific Historical Information

Date: (Date that this letter is sent)

Regarding: Document and Project Name and Number

Dear

In accordance with the Bank's Access to Information Policy, (IDB Operational Policy OP-102, effective January 1, 2011), information concerning the Bank and its activities shall be made available to the public in the absence of a compelling reason for confidentiality. Information must be disclosed unless one of the exceptions established in the Policy is invoked.

Under the Policy, the public may request access to Historical Information (that is, Information created or received prior to January 1, 2011). When such a request is received, the Bank consults with the relevant member country government, private sector client, and donor of a trust fund or co-financing resources administered by the Bank, to request the non-objection of the declassification of this information, which will be disclosed and made publicly available.

In the case that the country/executing agency identifies country-specific information within the document as confidential or potentially damaging to its relations with the Bank if disclosed, under the Policy's country-specific exception (4.1i), (including information identified in annexes and electronic links to other Information), a "Public" version with the information redacted will be disclosed. The counterparty must inform in writing of the Information to be redacted within the document.

Per Bank Instructions for the implementation of the Policy, a reply to this letter is requested within 20 calendar days of the date of this letter. If no response is received by such date, the Bank shall assume that the [specify government, private sector client, donor of a trust fund or co-financing entity] does not have objection to disclosure and will proceed to publish the above-referenced document in its entirety on the Bank's external website.

Thank you in advance for your attention to this request.

Sincerely,

(Division Chief/Country Representative or his or her designee)

ANNEX VII
Sample (written communication of any form)
Country Strategy Communication

“Per the Bank’s Access to Information Policy, Country Strategies are classified as Public Documents and will be made publicly available simultaneously with their distribution to the Board of Executive Directors for consideration, subject to the non-objection of the Country concerned. Should the Board approve the document with amendments, a revised version will be made available to the public after such approval, thus superseding and replacing the original version of the document that had been made publicly available simultaneously to the distribution to the Board.

Should [the] [include the respective Country/Ministry/Office concerned] decide to object to the simultaneous disclosure of this Country Strategy, please inform the Bank in writing prior to your authorization to send it to be distributed for Board approval. Silence or non-response will be taken as an implicit non-objection.”

Annex VIII

Sample Notice of Non-Disclosure



At the request of the borrowing country, the information contained in this document will not be disclosed. The non-disclosure of this information is in accordance with the “country-specific information” exception in paragraph 4.1 i of the Bank’s [Access to Information Policy](#).

¹ - 4.1i. Country-specific information. The Bank will not disclose information that is 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 relation with the Bank.

A solicitud del país prestatario, la información contenida en este documento no se divulgará. La no divulgación de esta información es de conformidad con la excepción de divulgación “información específica de países” contemplada en el párrafo 4.1 i de la [Política de Acceso al Información del Banco](#).

¹ - 4.1i. Información específica de países. El Banco no divulgará información contenida en documentos relativos a países concretos preparados por la institución si el país correspondiente manifiesta por escrito que ésta es de carácter confidencial o podría dañar sus relaciones con el Banco.