

Access to  
Information Policy  
Implementation  
Report 2013

Enhancing transparency through  
greater access and disclosure of  
information



DOCUMENT OF THE INTER-AMERICAN DEVELOPMENT BANK

**Access to Information Policy  
Implementation Report  
2013**

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## Acronyms

<b>ACP/REC</b>	Records Management Section
<b>AIC</b>	Access to Information Committee
<b>BDA</b>	Budget and Administrative Services Department
<b>BRIK</b>	Bank Repository of Institutional Knowledge
<b>DDR</b>	Document Distribution Request
<b>EXR</b>	Office of External Relations
<b>FAQs</b>	Frequently asked questions
<b>IDB-9</b>	Ninth General Increase in the Resources of the Bank
<b>IDBDocs</b>	Electronic records management system
<b>IFI</b>	International financial institution
<b>ITE</b>	Information Technology Department
<b>ITE/BTS</b>	Business Technology Solutions Unit of the Information Technology Department
<b>KNL</b>	Knowledge and Learning Sector
<b>LEG</b>	Legal Department
<b>NSG</b>	Non-sovereign guaranteed
<b>OAS</b>	Organization of American States
<b>OMJ</b>	Opportunities for the Majority Sector
<b>OPUS</b>	Operations Update System
<b>OTRS</b>	Open-source Ticket Request System
<b>OVE</b>	Office of Evaluation and Oversight
<b>Panel</b>	External Review Panel
<b>PEC</b>	Policy and Evaluation Committee of the Board of Executive Directors
<b>PIC</b>	Public Information Center
<b>RES</b>	Department of Research and Chief Economist
<b>SCF</b>	Structured and Corporate Financing Department
<b>SEC</b>	Office of the Secretary
<b>SEC/ATI</b>	Office of the Secretary/Access to Information Section
<b>SG</b>	Sovereign guaranteed
<b>SPD</b>	Office of Strategic Planning and Development Effectiveness
<b>SPD/SMO</b>	Office of Strategic Planning and Development Effectiveness/Strategy Monitoring Division
<b>VPC</b>	Vice Presidency for Countries
<b>VPP</b>	Vice Presidency for Private Sector and Non-sovereign Guaranteed Operations
<b>VPS</b>	Vice Presidency for Sectors and Knowledge



*On 27 September 2013, the Access to Information Section (SEC/ATI), together with the Office of External Relations (EXR), presented the annual report to the Board of Executive Directors.*



## Chapter 1: Introduction

- 1.1 Reaffirming its commitment to transparency in its operations, the Inter-American Development Bank (“IDB” or “Bank”) approved the Access to Information Policy (“Policy”) on 12 May 2010, and the Policy took effect on 1 January 2011.<sup>1</sup>
- 1.2 Along with reiterating its commitment to presumption in favor of disclosure, with this Policy the Bank shifted to a new standard of disclosure that requires public disclosure of any information not contained on a list of exceptions, in an attempt to maximize public access to all documents produced or received by the Bank in the course of its official duties.<sup>2</sup>
- 1.3 It has been three years since the new policy entered into effect. During this time, the Bank has begun the process of implementing the Policy across a set of areas at the regulatory, institutional, and systems levels, with the new disclosure standard as the linchpin.
- 1.4 Pursuant to paragraph 11.1 of the Policy, this annual report has been prepared in order to inform the Board of Executive Directors (“Board”) of the implementation activities carried out in 2013.<sup>3</sup> This report has been prepared by the Access to Information Section (SEC/ATI) together with the Office of External Relations (EXR) and is divided into five chapters. Chapter I is an introduction; Chapter II deals with the status of Policy implementation; Chapter III describes the disclosure practices of the borrowers and the Bank; Chapter IV addresses the challenges of implementation; and Chapter V discusses trends and best practices in the region in terms of active transparency.

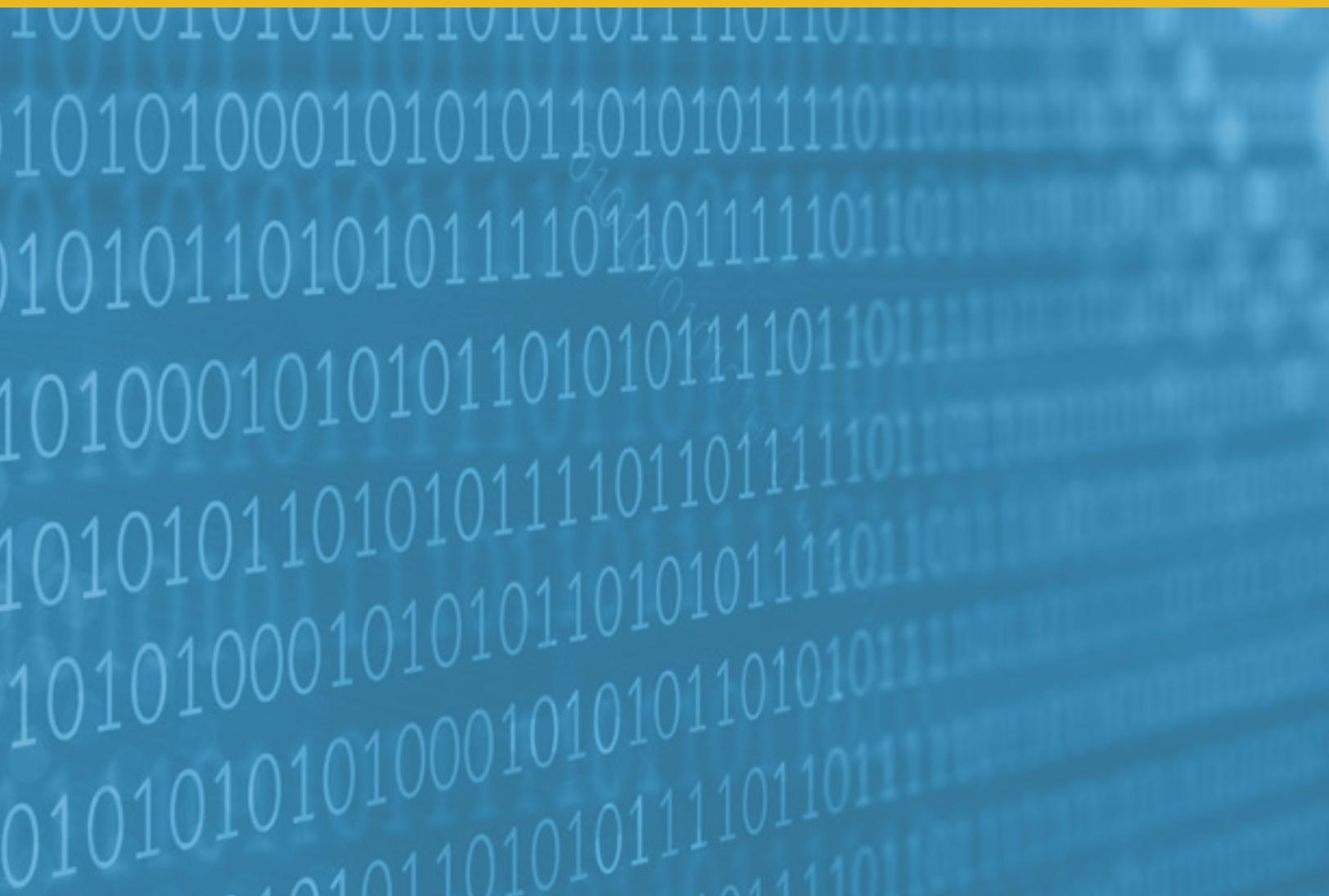
<sup>1</sup> Document [GN-1831-28](#).

<sup>2</sup> The Policy seeks to maximize access to information, taking into account that all exceptions to disclosure must be predicated upon the possibility, narrowly and clearly defined, that the potential harm arising from disclosure would outweigh the benefits. Document [GN-1831-28](#).

<sup>3</sup> It should be noted that the 2012 annual report, presented to the Board of Executive Directors in September 2013, included information on the implementation activities conducted in the first six months of 2013. Consequently, the present report contains similar, but duly updated, information.



*Meeting of Focal Points held on 12 December 2013.*



## Chapter 2: Implementation Status

### A. General background

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- 2.1 In 2013, as described in this report, Management continued to work in key areas to achieve a better understanding and use of the Policy by staff, focusing its efforts on promoting broader disclosure of information classified as public in keeping with the standard established by the Policy.
- 2.2 As part of the implementation process, a series of activities were carried out in 2013 with a view to addressing issues identified in the 2012 annual report as the next steps and challenges. These activities took into account the recommendations made by the Office of Evaluation and Oversight (OVE) in the context of the midterm evaluation of commitments arising from the Ninth General Increase in Resources (IDB-9).<sup>4</sup>
- 2.3 The participation of relevant actors in this process has been essential for consolidating an internal work and coordination network over the last three years at the Bank, in order to effectively execute the implementation activities described in this report.<sup>5</sup>

### B. Governance

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#### 1. Access to Information Section (SEC/ATI)

- 2.4 The primary responsibility of SEC/ATI is to coordinate the Policy implementation tasks. The budget allocated to this section for 2013 was US\$522,400, in order to finance the section's operating expenses, including compensation for its staff of three professionals and a training session for the members of the External Review Panel ("Panel") pursuant to the Panel's operating procedures.

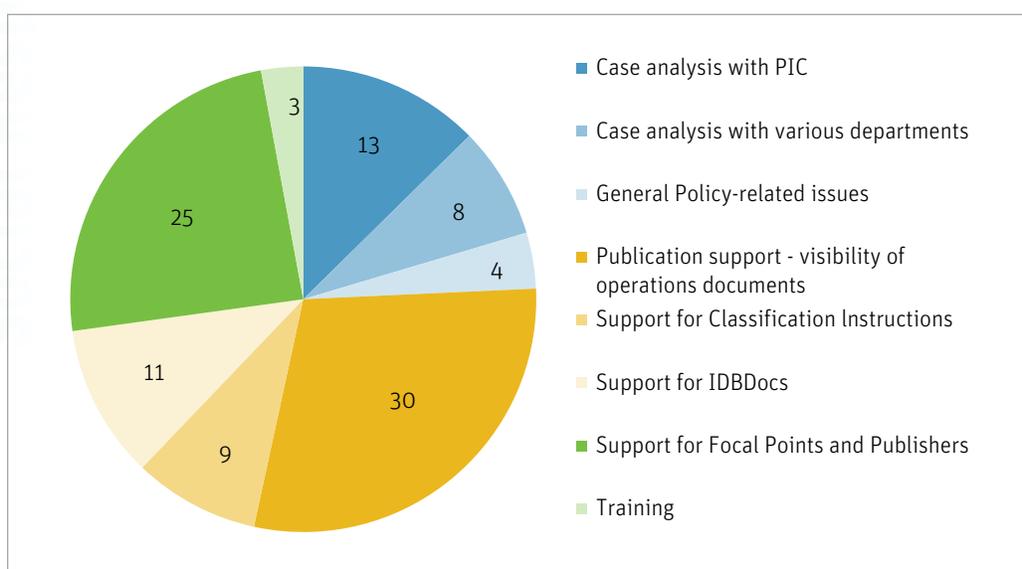
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<sup>4</sup> Policy and Evaluation Committee (PEC), OVE evaluation on the Ninth General Increase in the Resources of the Bank – Recommendation 9: Access to Information Policy. Document [RE-422](#). Meeting of 15 February 2013. Documents [PP-417](#), [RE-425](#), [RE-425-1](#), [RE-442](#), and [RE-442-1](#).

<sup>5</sup> Relevant actors in this process include the Office of External Relations (EXR), the Office of the Secretary (SEC), the Knowledge and Learning Sector (KNL), the Legal Department (LEG), the Information Technology Department (ITE), and the Records Management Section (ACP/REC) of the Budget and Administrative Services Department (BDA). Implementation Guidelines (document [GN-1831-36](#)), Section II. Responsibilities. See also Access to Information Policy – Roles and Responsibilities (document [GN-1831-35](#)).

2.5 In July 2012, SEC/ATI launched the ATI Help Desk, a platform for assisting Bank staff on issues relating to the Policy and its implementation. To automate this platform, an internal consultation tracking system was launched in August 2013.<sup>6</sup> This system makes it possible to record all staff inquiries submitted to the ATI Help Desk by telephone, by email, or in person. In addition, it makes it possible to track the submitted inquiries and keep historical records for statistical purposes. In the August-December 2013 period, the system recorded a total of 103 inquiries.<sup>7</sup> These consultations were divided into the subject matters listed in Figure 1:

**FIGURE 1: ATI-Help Desk internal consultation tracking system**



**2. Access to Information Committee (AIC) and External Review Panel**

2.6 The primary responsibility of the AIC is to supervise the overall implementation of the Policy.<sup>8</sup> In the framework of its supervisory duties, the AIC held onsite and virtual meetings in 2013. As part of this work, the AIC held a meeting in the first half of 2013 to learn about progress made on Policy implementation in 2012, the

<sup>6</sup> The interest among staff at Headquarters and at the Country Offices in consulting on Policy-related issues pointed up the need to implement a system for monitoring and recording internal staff consultations.

<sup>7</sup> From 1 January to 30 April 2014, the system recorded 142 inquiries.

<sup>8</sup> The AIC is an administrative body chaired by the Chief of Staff of the Office of the President and comprised of the Executive Vice President, the four Vice Presidencies, and the EXR Manager. The Legal Department serves on the committee in an advisory capacity, and the Office of the Secretary serves as AIC secretariat.

conclusions adopted by the Policy and Evaluation Committee (PEC) in the context of the midterm evaluation conducted by OVE, and the activities to be carried out by Management in 2013.<sup>9</sup>

- 2.7 In addition, in the second half of 2013, the AIC reviewed the document titled “Analysis of information disclosure and exceptions to the Access to Information Policy,” which includes an analysis of the applicability of the exception to disclosure known as “country-specific information.” This document was subsequently distributed to the PEC<sup>10</sup> pursuant to the agreements reached by the Committee requiring Management to prepare a document containing an analysis of this exception’s applicability.<sup>11</sup>
- 2.8 In the regulatory area, in 2013 the AIC approved the Departmental Classification Instructions, which serve as a staff support tool for document classification, as indicated in paragraph 2.16.
- 2.9 With regard to the role of the AIC as the entity in charge of conducting a first-stage review of information requests in cases in which the Bank has denied access on the basis of one or more of the exceptions to disclosure provided in the Policy, this committee has not been required to meet since no requests for review have been received to date.<sup>12</sup> Similarly, the AIC has not been called on to provide or deny access to information through positive or negative overrides since no requests of this type have been received to date.
- 2.10 Under the Policy, the second-stage review of requests for information to which the Bank has denied access is to be conducted by an External Review Panel. As with the AIC, this Panel has not been required to meet since no requests for review have been received from the public.
- 2.11 In 2013, a training session on the Policy was conducted for Panel members pursuant to the Panel’s operating procedures. Panel members also had the opportunity to become acquainted with the primary roles of Bank offices and units involved in Policy implementation tasks.

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<sup>9</sup> Timeline of Implementation Activities for the Access to Information Policy – 2013, document [GN183137](#). Distributed to the PEC for information purposes.

<sup>10</sup> The document was discussed at the PEC meeting of 20 February 2014.

<sup>11</sup> Policy and Evaluation Committee (PEC), Summary of Deliberations and Minutes of the 15 February 2013 Meeting.

<sup>12</sup> According to the Policy provisions, the AIC is responsible for conducting the first-stage review of requests submitted by external requesters who have been denied access to information by the Bank.

- 2.12 In addition, a close relationship was maintained with Panel members to keep them informed on the implementation process and benefit from their contributions and experience on the subject. In the second half of 2013, Panel members had occasion to participate in Bank activities related to the Policy and its application.<sup>13</sup>

## C. Stakeholders for implementation

### 1. Coordinators (Focal Points) and staff authorized to publish information (Publishers)

- 2.13 Achieving proper coordination between the relevant actors in the Policy implementation process is essential for moving forward on information disclosure. One set of key stakeholders in this process are the Focal Points, who serve as a liaison between their respective departments/units and SEC/ATI with regard to implementation issues.<sup>14</sup> Four extended meetings were conducted with this staff in 2013, in February, July, October, and December, to keep them informed as to implementation activities and to address various problems relating to application of the Policy. In addition, 30 bilateral meetings were conducted with Focal Points between March and May to identify specific problems in each department and/or unit and coordinate work activities with this staff.
- 2.14 The Publishers also play an important role. Their primary responsibility is to authorize publication of documents classified as public on the Bank's external website. More than 19,000 documents were published in 2013, evidencing the importance of the Publishers' work in the information disclosure process. Despite this, between 92 and 2,490 documents per month were held back in 2013 pending Publisher authorization for publication. At present, work is being done to publish 980 pending documents from 2013.<sup>15</sup>

<sup>13</sup> Toby Mendel gave a talk to Policy implementation participants on progress achieved on the regulatory frameworks at the national level and the level of international organizations, also touching on recent global trends and international best practices with respect to access to information. In addition, Ximena Abogabir and Mauricio Merino attended the XIII IDB – Civil Society meeting, held in Cali, Colombia in November 2013, where they were able to get a closer look at the activities that the Bank was carrying out as part of its work with civil society.

<sup>14</sup> There are 40 Focal Points at the departmental level, including 5 for the 26 Country Offices, one for each Country Department.

<sup>15</sup> In most cases, these are documents with incomplete profiles in IDBDocs, so work is being done with the authors to complete them.

## D. Tools for better application of the Policy

### 1. Implementation Guidelines (GN-1831-36)

2.15 Room for improvement having been identified in the Policy Implementation Guidelines (“Guidelines”), the AIC approved a revised version of the aforementioned document in December 2012.<sup>16</sup> In August 2013, Management presented the new version of the Guidelines to the PEC, unveiling the main changes that had been made. The improvements prominently included the development of procedures for better application of the Policy, such as for declassification of historical information and declassification of information under the “disclosure over time” category, as well as a procedure for disclosing information related to country project documents when the exception known as “country-specific information” is invoked. Regarding this last point, it was noted that the new Guidelines establish an obligation to inform the public in cases of non-disclosure of information on the basis of this exception, as well as an obligation to inform the Board through an information note. With regard to the disclosure of project-related environmental information, the Guidelines underscore the importance of both this information’s public nature and the timing of disclosure. Lastly, with regard to the institutional structure, the Guidelines designate SEC/ATI as the section in charge of coordinating the implementation activities.

### 2. Departmental Classification Instructions

2.16 In March 2013, the AIC approved the Departmental Classification Instructions, which are an essential support tool for Bank staff in the classification of documents. In 2013, SEC/ATI updated this document in coordination with the Focal Points and with the participation of all Bank departments/units. This process was completed in December 2013, when the third update of these Classification Instructions was sent to the AIC.

2.17 Work is currently under way on a fourth updated version, which includes an exhaustive review of documents classified as confidential in order to verify that the disclosure exception justifying this classification is duly in line with the Policy. As reflected in the third version of the Departmental Classification Instructions, 889 types of documents are produced at the Bank as of year-end 2013, of which 369 (42%) are public or for disclosure over time (288 types of public documents and 81 for disclosure over time) and 520 (58%) are confidential.<sup>17</sup>

<sup>16</sup> The AIC is the entity responsible for making changes to and updating this document.

<sup>17</sup> The Bank produces a high volume of documents that either are drafts or form a part of the deliberative decision-making process and are consequently classified as confidential. This applies to a large number of documents classified under this category.

### 3. Creation of indicators

- 2.18 As indicated in the 2012 annual report, work was scheduled to begin in 2013 on establishing indicators that would allow the Bank to start measuring the effectiveness of Policy implementation. Accordingly, two specific indicators were created in 2013.
- 2.19 One of these indicators is designed to measure the timeliness of disclosure of key Board-related information, as in the case of loan proposals for sovereign guaranteed operations. This type of information has a high standard of disclosure under the Policy, since it must be made available to the public upon distribution to the Board. Transparency in the decision-making process is essential for the Bank; consequently, measuring the level of compliance in terms of the timeliness of disclosure of such information is important in order to ensure that this standard is met and to enhance institutional transparency. This indicator, known as “Boardrelated documents classified as public: timely disclosure of loan proposals (%)”,<sup>18</sup> was included in the Corporate Results Framework: 2012-2015. It was used to measure the January-December 2013 period, and it yielded a compliance level of 51% in terms of timeliness of disclosure of this information.<sup>19</sup> Work with project teams will continue in 2014 to make further progress on compliance with publication deadlines.
- 2.20 The second indicator is designed to measure SEC/ATI’s capacity to respond in timely fashion to Bank staff inquiries in the context of Policy implementation. This indicator makes it possible to monitor the Help Desk service and measure the percentage of compliance in terms of timely responses to internal consultations submitted to SEC/ATI, with compliance deemed to be 100% when inquiries are closed within no more than four business days. For the September-December 2013 period, the rate of compliance was 29%.<sup>20</sup> The target for 2014 has been set at 55%. Also, work is currently being done with the Strategy Monitoring Division of the Office of Strategic Planning and Development Effectiveness (SPD/SMO) to create other indicators to be established by late 2014.

<sup>18</sup> Proposals for sovereign guaranteed loans, among other document types, should be disclosed simultaneously with distribution to the Board, subject to the no objection of the country. This standard is understood as having been met if the information is disclosed within 48 hours following distribution to the Board.

<sup>19</sup> Document [GN-2727](#), 28 August 2013. All this information has been published, but the indicator measures the timeliness with which it was disclosed.

<sup>20</sup> This indicator was established in September 2013. It should be noted that for purposes of this indicator, SEC/ATI must coordinate with other departments/units for the analysis and resolution of inquiries.

## E. Technology and systems

### 1. Changes to the Bank's systems and use of IDBDocs

- 2.21 In an effort to modernize the infrastructure and tools available for electronic content management, the Bank is advancing a project aimed at replacing its current document management system, IDBDocs.<sup>21</sup> Prior to developing and implementing a new solution, the Information Technology Department's Business Technology Solutions Unit (ITE/BTS) has been working since late October 2013 on a comprehensive review of the Bank's functional content management needs.<sup>22</sup>
- 2.22 This process has highlighted a series of technical concerns, leading to suggestions for potential improvements that could help to boost compliance with information publication deadlines. The issues to be examined include preventing the duplication of documents in the electronic file management system; specifying the meaning of the terms "publication" and "disclosure"; weighing the possibility of providing for automated classification of information, so that the new system can recognize the document name, type, or activity and automatically classify it under one of the three categories established by the Policy; examining the possibility of requiring alerts in the new platform for documents classified as subject to disclosure over time (5, 10, 20 years), so that the system sends a reminder when their confidentiality period is about to expire; and providing training and establishing the obligation to use the new system by the entire staff.<sup>23</sup>
- 2.23 Although the Bank is currently working on establishing a new file management system, until a new system is actually created, staff must continue to use IDBDocs, which is the only system now available for classifying and disclosing information. Accordingly, as indicated in the 2012 annual report, it is important to reinforce the use and knowledge of this system so long as no changes have been formalized. It should be noted that in 2013, the Records Management Section (ACP/REC)<sup>24</sup> conducted an onsite training on IDBDocs for user staff at Headquarters as well as for Records Assistants and other Country Office staff. In addition, 195 people took the online course on IDBDocs.

<sup>21</sup> Since the task of implementing the Policy and monitoring its effectiveness is supported by the Bank's current processes and systems, appropriate internal coordination is required to prevent any change in the systems from affecting proper compliance with the Policy.

<sup>22</sup> Review conducted by Enterprise Content Solution (ECoS).

<sup>23</sup> All these issues are being examined by ITE/BTS in the context of the new project.

<sup>24</sup> ACP/REC is the unit responsible for managing IDBDocs.

## 2. Access to information webpage

- 2.24 Having a webpage that provides access to the public is an ongoing component of Policy implementation activities. Accordingly, the second stage of improvements (Phase II) was carried out in 2013, including a redesign of the access to information page. A key objective for 2013 was to maximize access to public documents,<sup>25</sup> by creating, for example, a special page for all recently released documents as a way to provide public access to new information disclosed by the Bank.
- 2.25 In addition, a webpage was created to provide access to documents subject to a high standard of disclosure in terms of the time period for publication under the Policy, such as documents identified for “simultaneous disclosure” with their distribution to the Board. With the changes made, users now have direct access to documents as soon as they are released to the public.
- 2.26 Electronic links were created for direct access to the Bank’s knowledge repositories, such as the Bank Repository of Institutional Knowledge (BRIK), MapAmericas, and the Law Library.
- 2.27 The access to information page received more than 14,000 hits in 2013, compared with 11,000 hits in 2012. A breakdown of the hits in 2013 shows 6,488 visits to the Spanish-language page, 7,128 visits to the English-language page, and 795 visits to the Portuguese-language page. Within the access to information website, the most visited pages were the homepage and the page for simultaneous disclosure documents. The countries that generated the most hits on the Spanish-language access to information page in 2013 were Colombia (14%), Mexico (12%), Argentina (8%), Peru (8%), and Chile (6%). For the English-language page, the countries generating the most hits were the United States (53%), Canada (5%), Bolivia (4%), Philippines (4%), and Brazil (3%).
- 2.28 In addition, there was an increase in the number of documents downloaded by users from the Bank’s website. In 2013, more than 859,000 documents were downloaded, compared with 49,285 in 2012.<sup>26</sup> Electronic Link 1 included on the Contents page of this document shows the documents most often downloaded in 2013.
- 2.29 External feedback from users is an important tool for making improvements to the Bank’s website. In 2013, the Bank worked<sup>27</sup> with the company Globescan to conduct

<sup>25</sup> Maximizing access to information is the basic principle underlying the new Policy and the Bank’s new standard of disclosure.

<sup>26</sup> Unlike in 2012, RES publications were included in 2013 in the total number of documents downloaded from the Bank’s website. In addition, BRIK was introduced and has contributed to the large number of document downloads. Source: Office of External Relations (EXR).

<sup>27</sup> The Office of Strategic Planning and Development Effectiveness (SPD) coordinated the survey with Globescan with the assistance of other IDB departments, particularly the sector and country departments.

a general perception survey in order to examine and learn from external stakeholders' opinions of the IDB. A total of 2,679 stakeholders completed the survey, which was conducted online from November to December 2013.<sup>28</sup> One of the interesting results of this survey was the high rate of user satisfaction with the experience of navigating the Bank's website: 77% of respondents stated that they were satisfied.

### 3. Response to requests for information in 2013

2.30 In 2013, the Public Information Center (PIC) received a total of 9,292 requests for information. Of these, 4,215 were received through the online form, 300 were received at Headquarters by email or phone, and 4,777 were received at the Country Offices by email or phone.<sup>29</sup> In addition, the PIC received 41 requests for historical information, which corresponds to information created prior to 1 January 2011, when the Policy entered into effect. In order to reduce the number of access to information requests, seven frequently asked questions (FAQs) were prepared.<sup>30</sup> Below, broken down by category of requester and subject matter, is information on requests submitted using the online form and received at Headquarters. It should be noted that in August 2013, the category "Academia" was added under "Sector of requester," and the category "Other" was eliminated.

**TABLE 1: Requests by sector**

Sector of requester	Number of requests
Civil society	1,106
Government	406
Media	87
Multilateral organization	139
Private sector	1,150
Academia	359
Other (until 20 August 2013)	968
<b>Total</b>	<b>4,215</b>

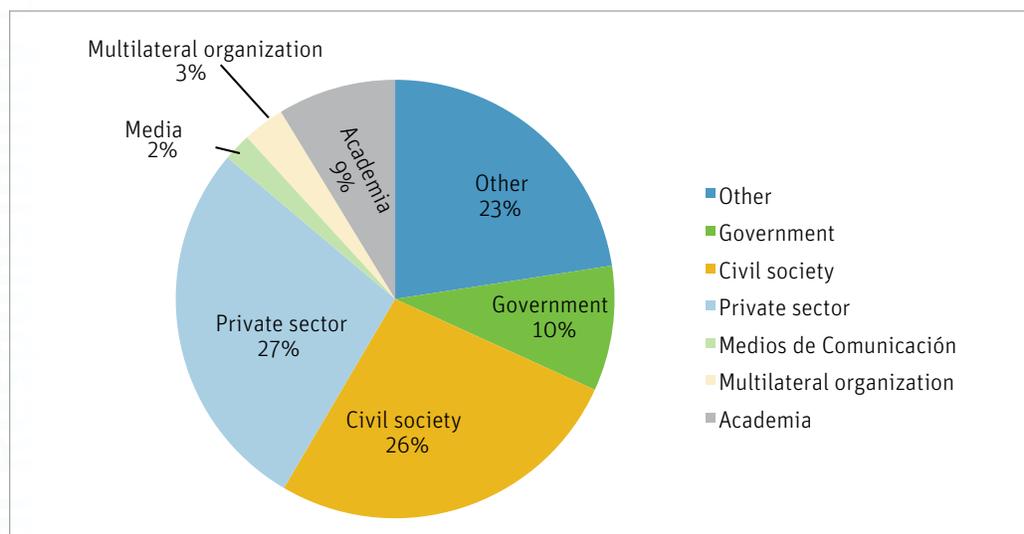
Source: Public Information Center (PIC)

<sup>28</sup> Along the same lines, SEC/ATI is asking the Bank's external stakeholders to provide their comments on how to improve the access to information webpage. From 1 January 2014, the general public is invited to visit [www.iadb.org/access](http://www.iadb.org/access) and complete the survey.

<sup>29</sup> Of the 9,292 requests, only one was denied on the basis of the exceptions to disclosure provided in the Policy.

<sup>30</sup> In 2013, the PIC worked with ITE to add a link in the online request form to the seven FAQs. In addition, the FAQs were posted on the access to information homepage. The link became operational in the second half of 2013. The FAQs include: If I do not work for the government of a borrowing member country, how can I apply for a loan or grant? How can I get a job at the IDB? How can I identify procurement opportunities or offer my services to the Bank?

**FIGURE 2:** Requests received via the online form, by category of requester



Source: Public Information Center (PIC)

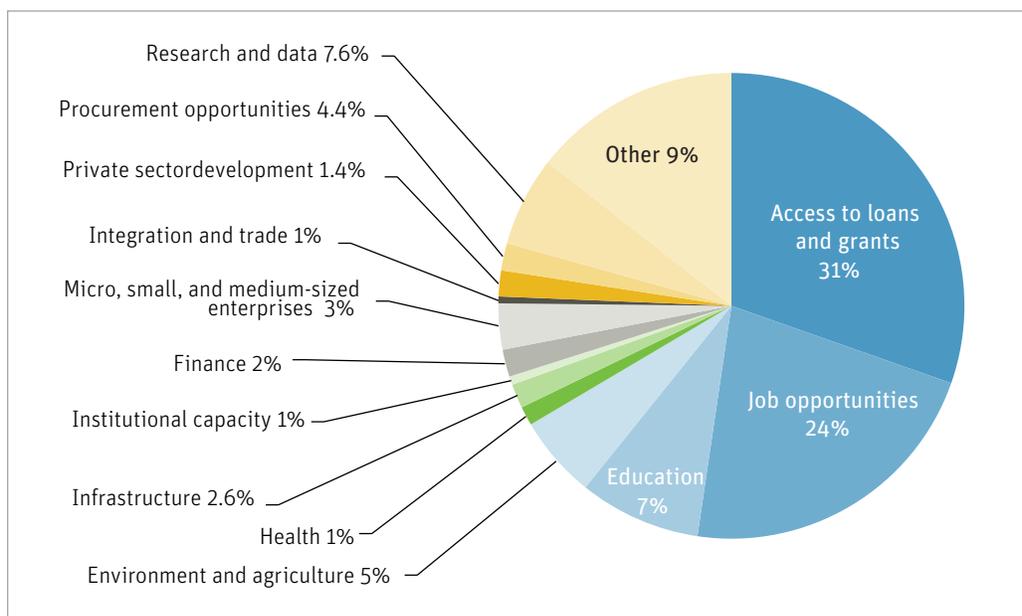
2.31 The form requires requesters to choose from 13 subject matters. Until August 2013, there was also a miscellaneous option labeled “Other.” Below is a breakdown by subject matter of requests received:

**TABLE 2:** Requests by subject matter

Subject matter	Number of requests
Access to loans and grants	1,324
Job opportunities	1,006
Education	285
Environment and agriculture	219
Health	51
Infrastructure	112
Institutional capacity	27
Finance	88
Micro, small, and medium-sized enterprises	119
Integration and trade	28
Private sector development	61
Procurement opportunities	183
Research and data	322
Other (until 20 August 2013)	390
<b>Total</b>	<b>4,215</b>

Source: Public Information Center (PIC)

**FIGURE 3: Requests received via the online form, by subject matter**



Source: Public Information Center (PIC)

#### 4. Automated system for tracking requests for information

2.32 Over the course of 2013, work was done to develop an automated system for tracking requests for information using OTRS technology.<sup>31</sup> With this system, all requests for information will be channeled exclusively through the online form. The objective of the new system is to be able to verify the processing status of any request at any time.<sup>32</sup> This system became operational on 1 May 2014.

#### 5. Automated publication compliance system

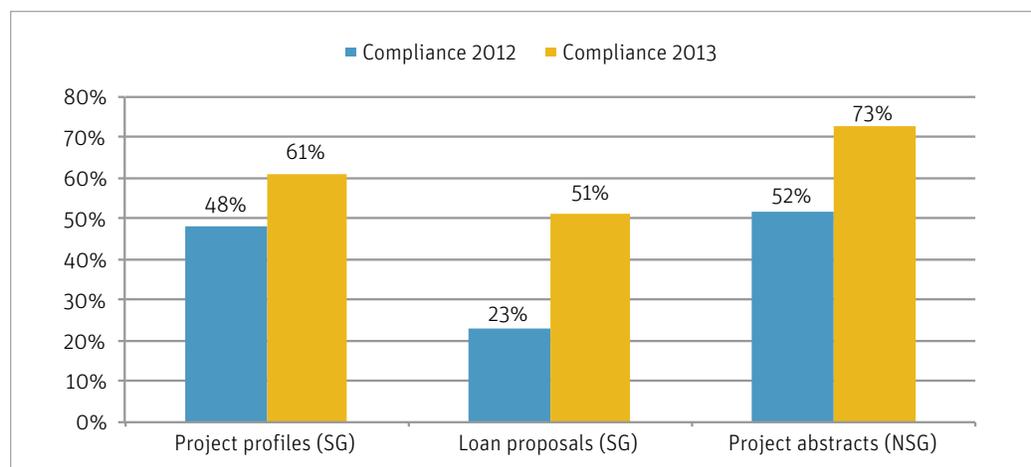
2.33 The timeliness of information disclosure is a significant issue that Management has been focusing on as part of the implementation tasks. Since mid-2012 and through 2013, SEC/ATI has been working together with ITE and in coordination with VPS and VPC to create an automated publication compliance system for certain key documents, such as loan proposals for sovereign guaranteed operations, which must be disclosed simultaneously with their distribution to the Board. The purpose of this system is to be able to generate reports on compliance with document publication deadlines. This system was deployed in October 2013.

<sup>31</sup> Open-source Ticket Request System (OTRS). This system is also used to track internal consultations for the service delivered by the SEC/ATI Help Desk to Bank staff.

<sup>32</sup> For purposes of executing this new process, work has also been done with the new OTRS system to allow the PICs in the Country Offices to enter the requests submitted in each of the respective countries.

- 2.34 The first exercises to test the system and measure its results were carried out from October to December 2013. SEC/ATI is currently working with its counterparts in VPS to ensure that all project teams are entering information in the Operations Update System (OPUS) fields in order to enable automated verification of compliance with publication deadlines.
- 2.35 In addition to establishing an automated publication compliance system and in order to facilitate the work of the VPS and VPC teams, changes were made in the Document Distribution Request (DDR) system. Specifically, a function was added that allows email reminders to be sent to the project teams, advising them to proceed with publication of their documents in compliance with the respective disclosure time frames under the Policy.<sup>33</sup>
- 2.36 In view of the fact that the automated publication compliance system has only recently been deployed and its operating performance is still being monitored, SEC/ATI proceeded with a manual review to verify the level of publication compliance in 2013. This review focused on compliance with publication time frames for project profiles and loan proposals for sovereign guaranteed operations approved in 2013. The review also covered project abstracts for non-sovereign guaranteed operations approved that year. To determine whether these documents were released within the time frame set by the Policy, SEC/ATI calculated the time elapsed between the approval date of the respective document in the case of project profiles and project abstracts, or the date of distribution of the respective document to the Board in the case of loan proposals (documents for simultaneous disclosure), and the authorization date in IDBDocs for Internet publication of the document.<sup>34</sup>

**FIGURE 4: Publication compliance**



<sup>33</sup> For example, this email is automatically sent to Project Team Leaders and their assistants as soon as the Office of the Secretary distributes a loan proposal for a sovereign guaranteed operation to the Board.

<sup>34</sup> In 2013, the Bank approved a total of 168 operations. Of these operations, it has been confirmed that all information was disclosed.

- 2.37 As observed in **Figure 4**, the publication compliance rate rose from 2012 to 2013 for all three types of documents. For project profiles, it rose from 48% to 61%; for loan proposals for sovereign guaranteed operations, it rose from 23% to 51%; and for project abstracts for non-sovereign guaranteed operations, it rose from 52% to 73%.
- 2.38 With a view to improving compliance with publication time frames, efforts in 2014 will continue to focus on training, particularly in the area of operations as indicated in paragraph 2.41. In addition, coordination work with internal stakeholders regarding Policy implementation will be intensified, particularly at the level of Publishers and Focal Points.

## F. Policy training and dissemination

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### 1. Training

- 2.39 A good understanding of the Policy’s provisions and the ability to apply procedures and use tools to correctly classify information, publish on time, and know how to handle confidentiality requests are essential for complying with the Policy. Accordingly, staff training is one of the priority activities in the context of implementation tasks.
- 2.40 In 2013, training workshops were conducted by videoconference for the 26 Country Offices, reaching approximately 400 people. Electronic Link 2 included on the Contents page of this report provides detailed information on the training sessions delivered to the Country Offices. In addition, a total of 19 training sessions were conducted at Headquarters in the form of workshops and specialized activities, reaching approximately 414 people. Details are provided in Electronic Link 3 on the Contents page of this document.<sup>35</sup> These activities included a presentation for the new executive directors and advisors.
- 2.41 Operations have been a significant focus of training efforts. Project teams must pay close attention to the Policy in the context of their operations, and it is therefore essential that they become familiar with the tools that can help them to properly apply the Policy’s provisions. With this in mind, SEC/ATI and the Office of Institutional Integrity (OII), with support from VPS, worked on preparing a workshop for Project Team Leaders in the second half of 2013 titled “Access to Information Policy and Integrity Risk Management.” The objective of this workshop is to enable Project Team Leaders to identify tools and techniques related to the Policy and integrity risk management in order to use them and

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<sup>35</sup> SEC/ATI conducted 14 training workshops between October 2012 and March 2013 in coordination with KNL. These workshops, titled Maximizing Access and Disclosure, were held for staff at Headquarters and were particularly targeted at Publishers and Focal Points, reaching a total of 180 people.

work on these issues, which are often sensitive and difficult to address with their counterparts, in the context of their projects. This training was first offered in early 2014 at Headquarters and will also be offered in the second half of 2014 for Project Team Leaders located in the Country Offices.

## **2. Dissemination of the Policy to internal and external stakeholders**

- 2.42 Dissemination activities targeting internal and external stakeholders are essential for raising awareness about the importance of the Policy. At the internal level, these activities help to build a culture of greater transparency at the Bank in the conduct of its business, while at the external level, they create awareness of how important it is for the Bank to disclose information on its operations as a way of enhancing the institution's transparency and accountability.
- 2.43 In April and October 2013, an internal dissemination initiative entitled Access Campaign was conducted in collaboration with the Focal Points. This initiative, which included the distribution of Policy materials as well as promotional items designed to disseminate the Policy, succeeded in motivating staff to become acquainted with, and more actively involved in, the Policy implementation process.
- 2.44 As part of its internal dissemination work, SEC/ATI publishes a semiannual bulletin that includes news and information on implementation activities. Two were published in 2013, one in January and the other in September, and were widely distributed both at Headquarters and in the Country Offices. These bulletins also serve to recognize noteworthy contributions by the Focal Points in promoting the Policy in their respective departments.
- 2.45 With respect to dissemination to external stakeholders, it is important to mention the Policy dissemination work that is being done in the context of the Bank's activities with civil society organizations. Activities in 2013 notably included participation in the III IDB Annual Retreat of Caribbean Civil Society Consultative Groups, held in May in Barbados, as well as participation in the XIII Annual IDB – Civil Society Meeting, held in November in Cali, Colombia. The principal message conveyed at these meetings was the importance for the Bank of maximizing access to information and how disclosure contributes to the work carried out by civil society organizations in the context of the Bank's activities. These presentations also highlighted the importance for these organizations of using the Access to Information Policy as an effective tool to help them achieve their objectives and build a dialogue with the Bank in the context of the work being carried out jointly between them and the Bank.

- 2.46 In addition, work was started in late 2013 in collaboration with VPC on developing and implementing a technical cooperation project<sup>36</sup> to strengthen the institutional capacity of civil society organizations in Caribbean countries, including use of the Policy as a tool on the part of these organizations.<sup>37</sup>
- 2.47 Multilateral development banks constitute another external stakeholder group. Maintaining an active relationship with its peer institutions is an invaluable activity for the IDB, serving as a platform both to become acquainted with the experiences and results of other institutions in implementing their policies and to underscore the importance of promoting access to information as a tool for transparency at such institutions.<sup>38</sup> Every year, the IDB participates in the IFI Working Group Meeting on Disclosure and Stakeholder Engagement. In 2012, the meeting was held in London and was hosted by the European Bank for Reconstruction and Development; in 2013, the host was the Asian Development Bank. In 2014, this annual meeting will be led by the IDB and hosted in September at its Headquarters.

## G. Information disclosure

### 1. Disclosure of information related to the Board of Executive Directors

- 2.48 An initial observation arising from application of the principle of presumption in favor of disclosure and the standard of maximum access set by the Policy is that the Bank is in a process characterized by greater public disclosure of information, particularly with respect to key Board-related documents.<sup>39</sup>
- 2.49 By way of confirming this increase in disclosure of Board-related information, it is interesting to note that the volume of documents classified as public in the DDR system has grown significantly under the new Policy, from 615 in 2011 to 1,599 in 2012.<sup>40</sup> In 2013, the number of public documents exceeded 1,900, showing that the volume of information publicly disclosed through this system is very significant and has risen with respect to the number of public documents in the first year of the Policy. **Figure 5** illustrates the growth in disclosure of this type of information from 2011 to 2013:

<sup>36</sup> RG-T2393.

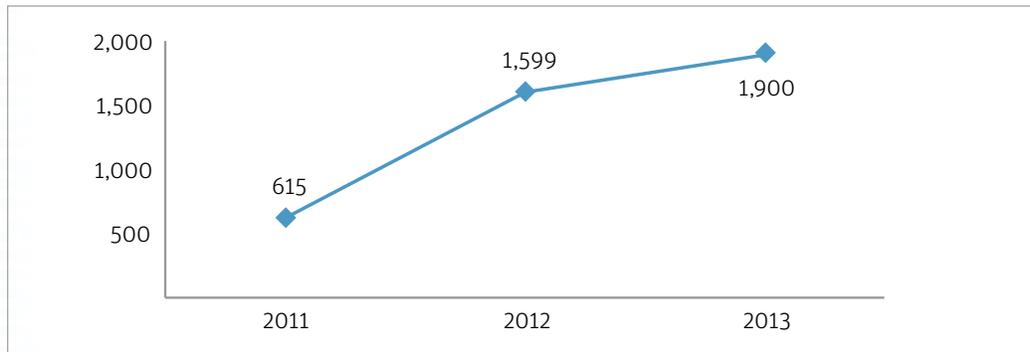
<sup>37</sup> This project is currently in the approval stage.

<sup>38</sup> In 2013, SEC met with members of the African Development Bank, the Asian Development Bank, and the Caribbean Development Bank to share good practices with implementation of access to information policies at their respective institutions.

<sup>39</sup> Including, inter alia, loan proposals for sovereign guaranteed operations, country strategies, operational policies, and evaluation documents.

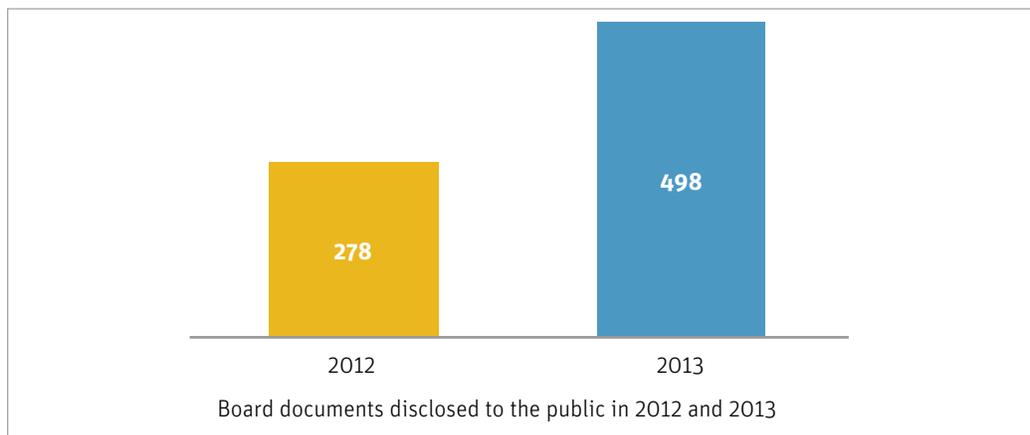
<sup>40</sup> Source: DDR.

**FIGURE 5:** Public documents in the DDR system



2.50 Greater disclosure of Board information is essential for the Bank’s public audience and external counterparts. It not only allows the Bank to maximize access to information in line with the principle of maximum access but also simultaneously helps to enhance the Bank’s decision-making transparency and improve accountability in the Bank’s operations. Board information encompasses Board agendas, minutes, and committee chairperson reports. Figure 6 illustrates the significant increase in the disclosure of this type of information from 2012 to 2013:

**FIGURE 6:** Board documents disclosed to the public



Source: IDBDocs.

**2. Disclosure of information on private sector projects**

2.51 In line with the conclusions adopted by the PEC and in the framework of the OVE recommendations, Management has been exploring alternatives for greater disclosure of the results of non-sovereign guaranteed operations than is currently the case, while respecting the confidential nature of private information.<sup>41</sup>

<sup>41</sup> Policy and Evaluation Committee (PEC), minutes of the 15 February 2013 meeting, [PEA/13/8](#).

- 2.52 It should be noted that, through the Development Effectiveness Overview (DEO), the Bank currently discloses information on results obtained in private sector loan operations, particularly those projects that support priorities under IDB-9. In addition, the Bank discloses information on the annual performance, effectiveness, and impact of MIF projects and activities,<sup>42</sup> including the results of the Social Entrepreneurship Program. Furthermore, through MapAmericas, the Bank also discloses information on non-sovereign guaranteed projects and lines of credit under the Trade Finance Facilitation Program. On a complementary basis, the external website of the Structured and Corporate Financing Department (SCF) provides information to external audiences on the expected and/or achieved results of operations approved by the Bank.
- 2.53 In the area of implementation of the NSG Development Effectiveness Framework and in an effort to advance towards greater disclosure of information on the results and achievements of private sector projects, the Vice Presidency for Private Sector and Non-sovereign Guaranteed Operations (VPP) is working on preparing a consolidated report on the private sector activities of SCF, the Opportunities for the Majority (OMJ) Sector, and the Inter-American Investment Corporation (IIC). Through this report, the Bank will provide an annual analysis of the effectiveness and impacts of the projects and activities of the four private sector windows. This information will include lessons learned through impact evaluations and other reviews of the project portfolio in this sector.
- 2.54 In addition, VPP is consulting with comparators on good practices for the disclosure of project results and the application of access to information policies for NSG projects (SCF and OMJ). These consultations are being used to evaluate the possibility of establishing the disclosure of performance indicators for newly approved projects by means of the new system for monitoring NSG development effectiveness (SCF and OMJ), deployed in November 2013.<sup>43</sup>

### 3. Exception to disclosure related to “Country-specific information”

- 2.55 One of the exceptions to disclosure is categorized as “country-specific information.” Under this exception, the Bank may not disclose information contained within certain country-specific documents produced by the Bank if such information has been identified in writing by the relevant country as confidential or potentially damaging to its relations with the Bank. Application of this exception involves the partial or full nondisclosure of information.
- 2.56 In the context of the OVE evaluation, the PEC had an opportunity to discuss this exception and its application. For this purpose, Management prepared a document entitled “Analysis of information disclosure and exceptions to the Access to Information Policy,”<sup>44</sup> which served as background for a discussion of this issue.

<sup>42</sup> This information is included in the MIF’s Development Effectiveness Overview.

<sup>43</sup> This option would require client consent and a full year of data collection before becoming operational.

<sup>44</sup> Document [GN-1831-39](#).

- 2.57 In the context of this discussion, Management reported on the way in which this exception has been used, the documents with respect to which it has been invoked, and the outcomes in terms of the disclosure of information. In the 2011-2013 period, the “country-specific information” exception was invoked on 12 occasions, involving project documents, country strategies, and documents related to the allocation and use of the Fund for Special Operations, with various outcomes in terms of the non-disclosed information.<sup>45</sup>
- 2.58 In some cases, use of the exception resulted in the nondisclosure of all the information, while in others it led to partial nondisclosure. In addition, with respect to documents for which the request was for full nondisclosure, the outcomes varied. In some cases, the information was subsequently disclosed to the public, while disclosure is still pending in others.
- 2.59 In most of the cases in which the exception was used for sovereign guaranteed loan proposals, not all the information contained in the documents was affected. In those cases, the underlying approach was to selectively redact the information that was to be excluded,<sup>46</sup> thus creating public versions.<sup>47</sup> These versions included a nondisclosure notice for purposes of informing the public,<sup>48</sup> and the Board was similarly informed of the confidentiality invoked by the country.<sup>49</sup>
- 2.60 Considering that this exception allows the possibility of invoking confidentiality with respect to all the information and that it is impossible in such cases to selectively redact the information that is to be excluded, the Guidelines created a tool in favor of disclosure, which calls for publication of a summary version of the confidential document, which should be agreed upon with the respective country.
- 2.61 Moreover, in two cases in which the exception was applied to all the information contained in a country strategy document, the documents were ultimately released to the public, which in practice meant a delay in disclosure of the information.

<sup>45</sup> In 2013, this exception was invoked on six occasions. On three of those, it was used in respect of information contained in loan proposals for sovereign guaranteed operations. On the other three occasions, it was applied in respect of a country strategy, a project profile, and a document related to the allocation and use of the Fund for Special Operations.

<sup>46</sup> The Guidelines establish provisions for preparing public versions of documents in which information subject to confidentiality has been excluded. Document [GN-1831-36](#).

<sup>47</sup> In these cases, selective redaction helps to avoid full nondisclosure of the information and is thus used as a tool promoting disclosure.

<sup>48</sup> Under the Guidelines, in cases in which the borrower has invoked partial confidentiality of the information, a public version must be published that excludes the relevant information and the public must be advised of this redaction by means of a notice of nondisclosure.

<sup>49</sup> The Board is made aware of this by means of an information note that is included in the loan proposal document distributed to the Board.

#### 4. Disclosure of historical information (e-Archives)

- 2.62 The disclosure of historical information is a vital component of any multilateral institution, and the Bank is not an exception. Ensuring that historical information is made available to the entire general public is a priority for the Bank. Accordingly, it has adopted several measures to make this a reality.
- 2.63 In 2013, the Records Management Section (ACP/REC) processed 41 requests received by the PIC. As a result, 150 historical records were sent to the corresponding units for approval and publication. The majority of the requested records were loan contracts, project completion reports, loan proposals, consultant reports, and environmental impact assessments.
- 2.64 The processing of these requests shows ongoing improvement at the Bank in terms of both transparency and openness. As the Bank continues to move forward with this Policy, ACP/REC expects to be able to process many more documents and historical records and make them available to the public, ultimately by externally deploying the Bank's e-Archives.



*Marcelo Cerna, Chief of the Access to Information Section, moderated a panel on “Transparency of Civil Society Organizations: Progress and Benefits,” at the Thirteenth IDB – Civil Society Meeting in Cali, Colombia.*

## Chapter 3: Borrower Disclosure Practices

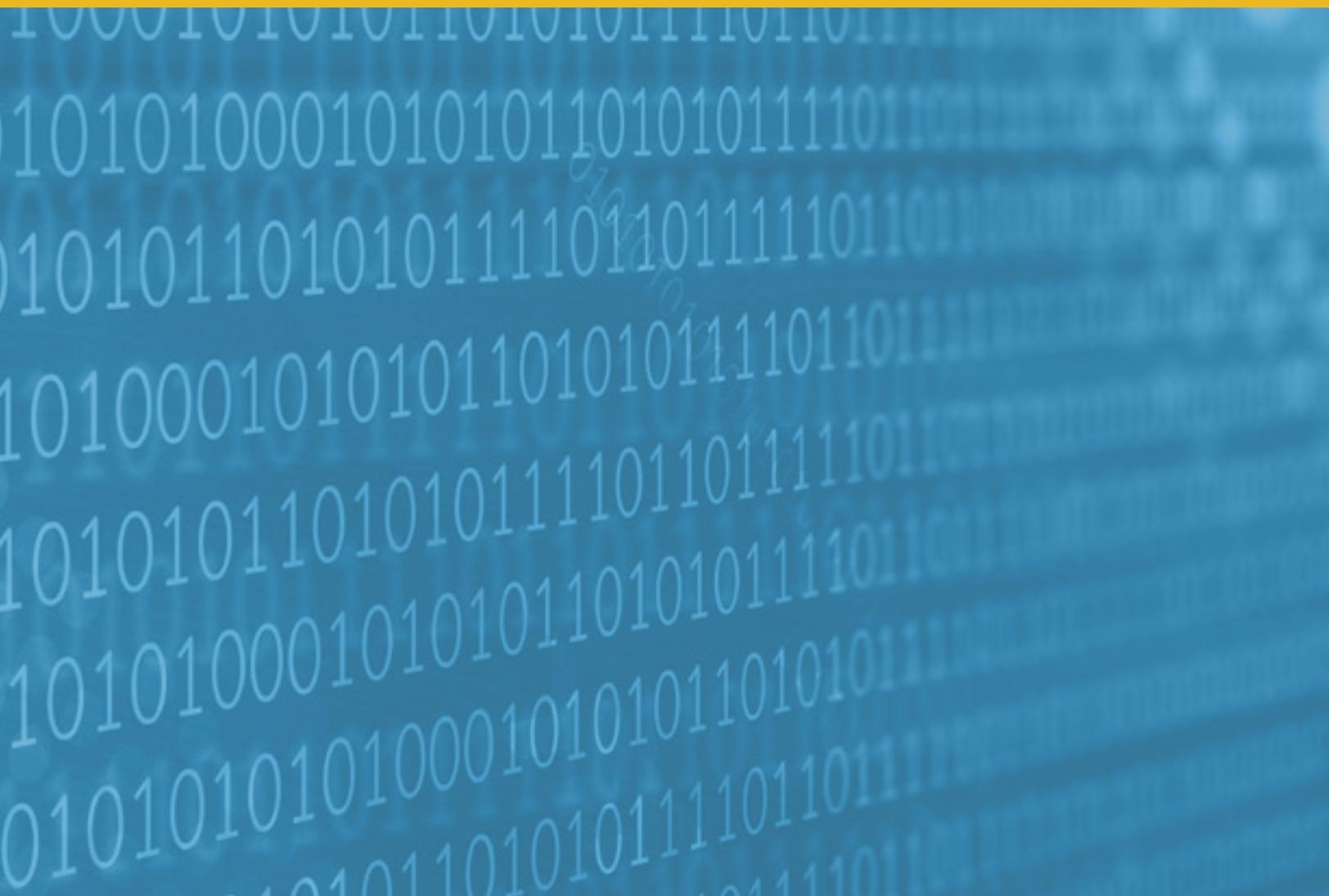
- 3.1 Paragraph 5.2 of the Policy provides that the disclosure practices of borrowers with respect to environmental and social assessments related to Bank-financed projects will be reviewed.
- 3.2 In 2013, the Board approved 3 category “A” projects and 51 category “B” projects. These projects required disclosure of the environmental impact assessments or other environmental and social evaluations by the borrower and the Bank.<sup>50</sup> The environmental impact assessments of the category “A” and “B” projects that required them were disclosed by the borrowers via the websites of the respective ministries, a national newspaper, or other public venues, in accordance with the information provided by the respective Project Team Leaders and the information contained in the Environmental and Social Management Reports for these operations. Likewise, for the category “B” projects that required other types of environmental or social analyses, the information was disclosed by the executing agency, using these same disclosure channels. Furthermore, in the case of projects that, due to their nature or the execution status of their works, required disclosure over time of environmental information, such disclosure was to proceed in accordance with the Bank’s Environment and Safeguards Compliance Policy and Access to Information Policy.
- 3.3 Lastly, it is important to recall that the respective borrowing member countries have internal regulatory frameworks that require them to disclose environmental information.

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<sup>50</sup> In accordance with the guidelines of the Environment and Safeguards Compliance Policy (OP-703) and the Access to Information Policy (OP-102).



*Training carried out with the Legal Department on the Access to Information Policy.*



## Chapter 4: Implementation Challenges

- 4.1 Three challenges are identified below that are to be addressed for effective implementation of the Policy:

### **A. Innovate systems to promote efficient disclosure**

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- 4.2 Considering that the first principle underlying the Policy is maximum access and systems are essential tools for disclosing information in compliance with the time frames provided in the Policy. Although progress has been made under the implementation process in developing and applying various systems associated with this process, greater disclosure can be facilitated by moving towards more integrated systems that bring greater efficiency to the disclosure of information. Systems such as OPUS, IDBDocs, and DDR play a key role in the application of the Policy. However, the fact that these systems currently operate independently detracts from the fluidity of the disclosure process. As indicated in paragraphs 2.21 and 2.22 of this report, SEC/ATI is working with various stakeholders associated with the systems changes being promoted by the Bank so as to highlight the importance of access to information issues, with a view to better integrating these systems and optimizing the disclosure process.

### **B. Increase engagement with the Policy**

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- 4.3 A constant challenge in the context of Policy implementation tasks is to raise the level of engagement and collaboration of staff at all levels of the Bank. In this regard, it is important to intensify awareness of the significance of this issue, so as to help to create and inhabit an internal culture that views information disclosure as an asset that adds value to daily staff activities. Promoting a culture that encourages the disclosure of information will help not only to enhance transparency at the Bank but also to strengthen the Bank's management capacity and governance as it pursues its objectives as a development institution.
- 4.4 While progress has been made along these lines by conducting large training workshops on an ongoing basis, as well as by carrying out internal dissemination activities and reinforcing coordinated work in the various departments, still more active staff participation is needed. The challenge today is how to change the perception of Policy compliance from a burden to a means of providing value

added. The task ahead is to create strategies for integrating the value of disclosure and transparency into the day-to-day activities of every staff member.<sup>51</sup>

### **C. Use the Policy as an effective tool for enhancing transparency**

- 4.5 Transparency, access to information, and social participation mechanisms are essential instruments for fostering an active citizenry and promoting effective development in line with the Bank’s objectives to reduce poverty and social inequality in the region’s countries. In this regard, a medium- to long-term challenge is to ensure that the Policy is used as an effective tool to maximize the impact of Bank-financed projects, enhancing transparency and improving accountability at the Bank.
- 4.6 In the short term, activities are being pursued to more broadly disseminate the Policy to external stakeholders, especially civil society organizations, in the context of the VPC agenda. Civil society is a relevant actor in terms of demand for information on Bank projects and activities. Therefore, in addition to the Bank’s recent Policy dissemination actions in the form of seminars and presentations for civil society organizations, the immediate challenge is to assist these organizations in using the Policy as a tool for achieving their objectives and impact strategy. This tool, together with the access to public information laws of the region’s countries, will help empower external stakeholders to build a dialogue on development in the countries. In this regard, SEC/ATI will be collaborating with the Institutional Capacity of the State Division of the Institutions for Development Sector to generate knowledge on the contribution that access to public information laws make to transparency and efficiency in public administration.

<sup>51</sup> For example, by including Policy compliance as part of the goals of the respective units/departments or framing Policy compliance as a component that contributes to staff performance, making it mandatory to receive training on the Policy, or making it mandatory to use the records management system that replaces IDBDocs.



*Access to Information bags await participants arriving for a Departmental presentation on the Access to Information Policy.*





*Access to Information had an active presence in the events of the Thirteenth Annual IDB - Civil Society Meeting held on 13-15 November, 2013 in Cali, Colombia.*

## Chapter 5: Trends and Best Practices in the Region in Active Transparency

- 5.1 In recent decades, the countries in the region have made strides in adopting regulations aimed at fostering transparency and access to information, with major trends emerging, such as the obligation of States to provide information to the public on a proactive basis. This active transparency obligation, together with multiple other parameters developed at the regional and international levels, has served as a reference point and been incorporated into the regulatory frameworks for access to information at international financial institutions (IFIs).
- 5.2 With democracy becoming consolidated in the countries of the Americas, the region has experienced major shifts in terms of citizen participation, transparency, and the fight against corruption. In particular, a transition has been taking place from a culture of secrecy and silence on government activities to the development of a more open and participatory society in which citizens can take part in decisionmaking processes and other matters of public interest. This democratic control by citizens fosters transparency in State activities and promotes the accountability of State officials in relation to their public actions.<sup>52</sup>
- 5.3 At present, at least 20 IDB member countries in the Americas have laws on access to public information,<sup>53</sup> while others have some type of regulation in place, even if not laws in the strict sense of the term, or are in the process of enacting legislation.<sup>54</sup> In addition, significant advances have been made in developing the right of access to information through national and international doctrine and through good practices adopted by the various countries in implementing and applying such rules, thus creating a dynamic regulatory framework around this issue.
- 5.4 Under this framework, the right of access to information should be governed by the “principle of maximum disclosure,”<sup>55</sup> which has been incorporated by IFIs into their information policies. This principle implies that transparency and access to

<sup>52</sup> Inter-American Court of Human Rights. Case of Claude Reyes et al. v. Chile. Merit, Reparations, and Costs. Judgment of 19 September 2006. Series C, No. 151, paragraphs 86 and 87.

<sup>53</sup> Belize, Brazil, Canada, Chile, Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Trinidad and Tobago, United States, and Uruguay.

<sup>54</sup> Argentina, Bahamas, Barbados, Bolivia, Costa Rica, and Venezuela have access to information bills at various stages of approval.

<sup>55</sup> Inter-American Court of Human Rights. Case of Claude Reyes et al. v. Chile. Merit, Reparations, and Costs. Judgment of 19 September 2006. Series C, No. 151, paragraph 92.

information are the rule, and confidentiality is the exception. The exceptions to this rule must “be set forth in a law, be interpreted restrictively, satisfy legitimate objectives, and be necessary in a democratic society.”<sup>56</sup>

- 5.5 Following the principle of maximum disclosure, the internal legal frameworks of the region’s countries have established specific obligations on the part of the State with the aim of providing access to public information to any citizen upon request, along with a complementary obligation of active transparency that consists in providing the public with the greatest possible amount of information without the need for a request. This obligation means, “even in the absence of a specific request, public bodies should disseminate information about their functions on a routine and proactive basis.”<sup>57</sup>
- 5.6 In this regard, IFIs have adopted regulations aimed at creating greater transparency and accountability regarding the management of their funds,<sup>58</sup> while also assuming active transparency obligations. Thus, in addition to responding to specific requests for access to information, they routinely and proactively disclose a wide range of information through their websites and other communication platforms.
- 5.7 At present, all legislation in the region on access to information includes active transparency obligations to varying degrees. In most cases, this type of legislation establishes minimum lists of specific information that the States are required to make and keep available to the public. Thus, in many countries, national legislation requires proactively disclosing the compensation received by officials in the various public administration agencies,<sup>59</sup> as well as publishing a directory of government employees and civil servants, including non-private, official telephone numbers and email addresses.<sup>60</sup> The publication of this type of information is an important good practice to be applied in the exercise of active transparency.

<sup>56</sup> Inter-American Commission on Human Rights. Office of the Special Rapporteur for Freedom of Expression. [The Inter-American Legal Framework regarding the Right to Access to Information](#). Second Edition. OAS/Ser.L/V/II. CIDH/RELE/INF. 9/12. 7 March 2011.

<sup>57</sup> Organization of American States (OAS). General Assembly. [Model Inter-American Law on Access to Information](#). Article 12. GA Resolution/RES. 2607 (XL-O/10). 8 June 2010; Permanent Council of the Organization of American States. Committee on Juridical and Political Affairs. [Commentary and Guide for Implementation for the Model Inter-American Law on Access to Information](#). OAS/Ser.G. CP/CAJP-2841/10. 23 April 2010.

<sup>58</sup> Cf. World Bank Policy on Access to Information, 1 June 2013; International Finance Corporation Access to Information Policy, 1 January 2012; The European Bank for Reconstruction and Development Public Information Policy, July 2011; African Development Bank Group Disclosure and Access to Information Policy, May 2012; Asian Development Bank Public Communications Policy, 25 October 2011; Caribbean Development Bank Information Disclosure Policy, September 2011.

<sup>59</sup> Countries such as Chile, Dominican Republic, Ecuador, Honduras, Peru, and Uruguay establish this type of obligation.

<sup>60</sup> Countries such as Colombia, El Salvador, Guatemala, and Paraguay establish this obligation.

- 5.8 National laws are also consistent in stating that information provided on a proactive basis must be complete, up-to-date, accessible, and intelligible.
- 5.9 Accordingly, national regulatory frameworks contain detailed provisions as to what information will be subject to the active transparency obligation in order to ensure that the information is as complete as possible. Furthermore, all countries in the region establish the obligation to proactively update information, in some cases stipulating specific time frames for such updates that range from realtime disclosure of certain information to annual updates of contents.<sup>61</sup> Nevertheless, keeping information complete and up-to-date continues to be one of the challenges in terms of active transparency. This is true both at the regional level and for IFIs, which need to keep up-to-date information on their projects, as well as on the proceedings of their boards of executive directors and other institutional activities.
- 5.10 In addition, published information must be easy to understand and accessible to users. Accordingly, various laws in the region provide that information must be disclosed in a manner that allows for ease of use and understanding and ensures that the public is informed correctly and clearly.<sup>62</sup> National laws emphasize the importance of promoting and using information technologies and websites as the primary means of complying with active transparency obligations<sup>63</sup> and thus ensuring the broadest possible access to the information. In line with this trend, IFIs proactively publish a great deal of information by technological means. This is the case at the Bank, which discloses most of its information through its website, giving users broad and continuous access to such information.
- 5.11 In addition to disclosure through new technologies, there are obligations in place in the region designed to make information proactively available to the public using physical, remote, or local communication platforms.<sup>64</sup> In this respect, it should be taken into consideration that access to information is an essential vehicle for exercising other rights, particularly the rights of many individuals who lack the means to use new technologies, which necessitates finding effective ways of complying with the active transparency obligation in such circumstances.

<sup>61</sup> Legislation in countries such as Brazil, Belize, Canada, Chile, Colombia, Trinidad and Tobago, and the United States provides specific time frames for updating information.

<sup>62</sup> Cf. Republic of Ecuador, Basic Law on Transparency and Access to Public Information, Article 7; United Mexican States, Federal Law on Transparency and Access to Public Government Information, Article 7.

<sup>63</sup> Laws in countries such as Brazil, El Salvador, and the United States, as well as in Chile, the Dominican Republic, Panama, Peru, and Uruguay contain provisions in this regard.

<sup>64</sup> Cf. United Mexican States, Federal Law on Transparency and Access to Public Government Information, Article 9; Republic of Colombia, Law on Transparency and on the Right to Access to National Public Information, Article 7; Brazil, Law 12,527 on Access to Information, Article 8, paragraph 2.

- 5.12 To this end, the laws in the region have enshrined the duty to provide access to information to specific population sectors and different ethnic and cultural groups in various languages as well as in alternative formats that such groups can understand.<sup>65</sup> For example, legislation has expressly established obligations such as to proactively publish information for indigenous and Afro-descendant communities that can contribute to their socioeconomic development and welfare.<sup>66</sup> Thus, by ensuring the appropriateness of the formats and languages in which the information is presented, the laws help to guarantee both the information's usefulness and compliance with the purpose of its disclosure. In addition, regulations in the region have been addressing the need to guarantee accessibility of content for people with disabilities through adapted communication platforms.<sup>67</sup>
- 5.13 Implementing provisions aimed at facilitating the accessibility of information is one of the principal challenges that the region faces in terms of access to information. It is also a challenge for IFIs, which could adapt the formats of the information they provide to ensure that they address the special needs of their users, particularly within communities that may be affected by their projects. Lastly, it should be noted that by proactively publishing information on their operations, IFIs have significantly contributed to the effectiveness and sustainability of the programs they finance, while reinforcing the essential role of transparency in enhancing their credibility and development effectiveness.

<sup>65</sup> Cf. Republic of Colombia, [Ley de Transparencia y del Derecho de Acceso a la Información Pública Nacional](#), Article 8.

<sup>66</sup> Cf. Republic of Nicaragua, [Ley de Acceso a la Información Pública](#), Article 25.

<sup>67</sup> Cf. Brazil, [Ley No. 12.527 sobre Acceso a Información](#), Article 8, paragraph 3, VIII; Republic of Colombia, [Ley de Transparencia y del Derecho de Acceso a la Información Pública Nacional](#), Article 8.



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