

## PROPOSED REVISION TO THE DISCLOSURE POLICY

### QUESTIONS & ANSWERS

1. *What are the main differences between the proposed policy and the existing policy in the Bank's approach to disclosure of information?*

- The principal difference is that we want to change our basic approach to disclosing information. Under the existing policy, the Bank spells out the information that it makes available to the public, essentially a “positive list” approach. Our proposal now is to make information in the Bank’s possession publicly available, subject to a list of exceptions.
- Under the proposed approach, more types of information would become available. Much of this information would be routinely posted on the Bank’s external website. We would also provide more clarity on what information is not disclosed.
- We will ensure that all documents created or received by the Bank—including those received from member countries or third parties—will be classified as “Public,” “For Official Use Only,” “Confidential,” or “Strictly Confidential,” according to the sensitivity of their content. This will make it clear how these documents should be handled.
- Under the existing policy, all proceedings of the Board and its committees are confidential unless the Board specifically authorizes disclosure. The proposed policy would define the types of information relating to Board proceedings that would not be disclosed, or would become publicly available after defined time periods. All other information would be publicly available at the end of the Board’s deliberative process.
- We would create an administrative appeals mechanism—a panel of senior Management staff with authority to review and uphold or reverse previous decisions to deny access to information (except disclosure decisions taken by the Board).

2. *What types of information would become available that have not been available under the existing policy?*

- We would provide greater transparency about projects being prepared or projects under implementation by disclosing certain deliberative information at key decision points of the project cycle—for example, Quarterly Management Reports, Implementation Status and Results reports (excluding staff comments), Country Portfolio and Performance Reviews, and mission aide-mémoire.

- The new policy would also provide greater transparency about documents prepared by staff for consideration by the Board and its committees—what we call “Board papers.” All Board papers that are initially classified as “Official Use Only” would be declassified and disclosed at the end of the Board’s deliberative process. Some Board documents classified as “Confidential” or “Strictly Confidential” may be declassified and disclosed after defined timelines.
- We would disclose most economic and sector work reports, including Country Procurement Assessments and Country Financial Accountability Assessments.
- We would also declassify and disclose some information that is restricted under the exceptions after the lapse of defined time periods. Examples of such information are: Country Policy and Institutional Assessment ratings, audits conducted by the Internal Audit Department, and internal correspondence filed in the Bank’s internal records management system. The timelines we are considering are either a uniform period of 20 years for most historical information, or a differentiated structure of 5, 10, or 20 years for different types of documents (20 years is the standard in most international organizations).

3. *What criteria would the Bank use in deciding what types of information should be classified as confidential, i.e., listed as exceptions?*

- In deciding the types of information that should fall under the list exceptions, the Bank would adhere to generally accepted norms on confidentiality—for example, confidentiality of personal information about staff, confidential information given to the Bank by outside parties with the understanding that it would not be disclosed, security information, or information that is subject to attorney-client privilege.
- The Bank has a legal and moral obligation not to disclose information that it receives from member governments or third parties on a confidential basis, without the express permission of the owner of the information.
- The Bank also requires the space to have a free and candid exchange of ideas with member countries or other partners, and within the Bank itself, before decisions are reached. Therefore the Bank would not disclose information relating to its deliberations, except for final decision documents on Bank-supported operations at key milestones.
- In addition, the Bank would reserve the right not to disclose information—even information that it would normally disclose—if it determines that the disclosure is likely to cause serious harm to the interests of the Bank, a member country, Bank staff, or third parties, and that this potential harm outweighs the benefits of disclosure.

4. *What information on the list of exceptions would remain confidential beyond 20 years?*

- Information provided by member countries or third parties on an explicit basis of confidentiality, unless the owner of information has provided express permission to disclose.
- Internal e-mails other than those filed in the Bank's internal records management system.
- Personal information of the World Bank President, Bank staff, or Executive Directors and their staff, as described in para. 13 of the Approach Paper.
- Bank corporate procurement and security information, as described in para. 15 of the Approach Paper.
- Information related to attorney-client relations (under attorney-client privilege), investigations carried out by the Bank's Department of Institutional Integrity, and proceedings of the Bank's Sanctions Board, as described in para. 16 of the Approach Paper.

5. *The proposed policy would apply to new information generated or received by the Bank. How will the Bank manage requests to disclose information it now has that was prepared under more restricted versions of the policy?*

- We are developing timelines and procedures to declassify and disclose certain categories of existing documents. To the extent possible, these procedures and timelines would conform to those being developed for the proposed policy. For example, the Bank may adopt a uniform 20-year period to declassify most operational information, as the United Nations and other international organizations do. Some types of documents may become available after 5 or 10 years.

6. *Would implementation of the proposal involve additional service fees for obtaining publicly available information?*

- More information would be available on the Bank's website, where access would remain free of charge.
- Other information that is readily accessible in the Bank in electronic format would also remain available free of charge, upon request.
- We would make hard copy documents available free of charge to a requester on his/her own country. When the request would require the Bank to photocopy, scan, or otherwise extract and collate information, we would continue to charge reasonable fees.

- We are considering a differentiated fee structure for students, academics, and NGOs as opposed to commercial, for-profit entities.

7. *Will the Bank strengthen the Public Information Centers and related systems to facilitate the implementation of the new policy?*

- Operational staff will be trained in the classification of documents; systems will be developed to acknowledge and track requests for information within defined times; and PIC and InfoShop staff will be trained in new procedures to respond promptly to requests for information.

8. *How does the proposed policy relate to the Bank's Governance and Anticorruption (GAC) Strategy?*

- A core aspect of the GAC strategy is to increase the Bank's transparency in conducting its business, especially by making available information on project implementation.
- The proposed policy would contribute to such transparency by allowing the disclosure of decision documents at key milestones of the project cycle, during both preparation and implementation.

9. *What is meant by disclosure of information?*

- Disclosure of information means making available to the public electronic or paper documents or other records in the Bank's possession. Publicly available information may be disclosed by the Bank on its external website, or it may be made available upon request to the Bank's InfoShop, the country Public Information Centers (PICs), or the Bank's Archives unit.