



**Bank Information Center Comments on the
Proposed Changes to the African Development Bank Group
Policy on Disclosure of Information
November 2003**

In September 2003, the African Development Bank Group (AfDB) posted a draft of its revised Policy on Disclosure of Information on its website for public comment. Please accept this document as our submission to the review process. We thank you for this opportunity and look forward to seeing these points reflected and responded to when the AfDB provides feedback to external actors on the outcome of its consultation process.

The AfDB espouses the goal of being “at the forefront of International Financial Institutions transparency.”¹ While the AfDB’s draft Policy has taken some important steps in this direction, expanding the range of information made available to the public, it still falls short of the standards set by many of the other Multilateral Development Banks (MDBs) in some important areas. At a minimum, the AfDB should use the Disclosure Policy review to bring its standards in line with best practice established by other institutions in the MDB community. Furthermore, in several instances, the draft Policy fails to reflect the transparency principles endorsed by the AfDB and other MDBs.

Section one highlights areas where the AfDB’s draft Disclosure Policy falls short of the minimum transparency standards already applied at other MDBs and offers recommendations regarding information that the AfDB should proactively disclose in order to redress these discrepancies. Section two discusses aspects of the draft Policy that fail to conform to the AfDB’s stated commitments to transparency and accountability. It describes the importance of developing measures to monitor and enforce the implementation of AfDB transparency standards. Section three provides recommendations regarding how the AfDB can increase the ability of citizens to easily access information from the Bank.

Thank you once again for this opportunity to comment.

¹ African Development Bank Group Policy on Disclosure of Information, September 2003, paragraph 1.5

Section 1: AfDB Standards Compared to other MDBs

The following recommendations refer to ways in which the Bank can better meet the transparency standards in place at other donor institutions.

1.1 Policy and Strategy Documents

- **Drafts of proposed AfDB policies and strategies should be released for public comment at least 45 days prior to Board discussion.**
- **External comments on a given policy or strategy should be publicly available on the Bank's website throughout a review or formulation process.**

The AfDB's draft Policy states that "Draft [Country Strategy Papers or] CSPs will be released via the Bank Group website at least three weeks prior to formal Board discussion"² and that:

Draft policy papers will be released through the Internet and the Bank website at least three weeks prior to formal Board discussion. ... Prior to submission of operational and sector policy papers to the Boards of Directors, staff may discuss such papers in draft form, as appropriate, with institutions and individuals outside the Bank Group with specialized knowledge of specific issues (in particular relevant and competent NGOs and specialized agencies of the United Nations) and may share such drafts with them.³

Although the AfDB's Disclosure Policy makes notable progress by requiring the disclosure of draft policies and country strategy papers, it does not require systematic external consultation on draft documents, leaving the solicitation of public comments to the discretion of staff and neglecting to describe how comments received will be incorporated into revised policies or strategies. Additionally, in light of the significant communication and information technology obstacles facing many citizens in the AfDB's regional member countries, disclosing draft documents only three weeks in advance of their review by the Board of Directors will not allow for meaningful public comment or participation. Finally, the AfDB Policy does not make any commitment to disclosing a summary of the comments received on draft papers. In these three areas (proactive solicitation of external comments; adequate commenting period; and feedback to external actors) the AfDB draft Policy fails to meet the minimum standards established by the European Bank for Reconstruction and Development (EBRD).

The EBRD's Policy states:

In the spirit of its willingness to listen and be receptive to comment, the EBRD will release *(draft) sectoral policies* before final approval by the board of directors... Such (draft) sectoral policies will be posted on the EBRD's website for a period of 45 calendar days, during which time the public will be invited to send comments to the Bank. In this regard, management will proactively stimulate stakeholders' interest in, and contributions to, the drafting process of these policies. A summary of such comments will be made available to the Board of Directors for Committee discussion before final approval of policies. After the

² *African Development Bank Group Policy on Disclosure of Information*, September 2003, paragraph 3.3.

³ *African Development Bank Group Policy on Disclosure of Information*, September 2003, paragraphs 3.20-3.21.

policy's approval the summary will be posted on the Web site.⁴

The policies and strategies of public institutions should be the product of an open and public dialogue. They should be subject to public scrutiny during their conception, drafting, implementation and review. Comment periods on draft documents should be structured to allow sufficient time for external input in advance of decisions and to reflect that input throughout the revision or formulation process.

1.2 Project Preparation

- **Disclosure requirements for information on prospective projects should apply equally to the AfDB's private and public sector operations, i.e. information briefs should be developed and disclosed at least six months prior to the presentation of a project to the Board of Directors.**

The AfDB's draft Policy makes clear commitments to the early disclosure of Prospective Project Briefs for public sector operations, but neglects to include any provision for the disclosure of similar project information on private sector operations. The AfDB's proposed Policy states:

The Prospective Project Brief (PPB) *on public sector projects*, a Bank Group document designed to make project information available to interested parties while a project is still under preparation will be published. It is intended that the PPB facilitate consultation with peoples who would be affected by Bank group operations at an early stage in the project cycle.⁵

This represents significant backsliding from the Bank's current Disclosure Policy which makes reference to Private Sector Investment Briefs. At a minimum, the new Disclosure Policy should reinstate requirements for the disclosure of Private Sector Investment Briefs (or the current equivalent of PPBs for private sector operations). Without a provision in place to release information early in the preparation of private sector projects, the AfDB's Disclosure Policy will not meet the standards of other MDBs. The Asian Development Bank, European Investment Bank, EBRD, and World Bank Group all disclose some project information on their private sector operations prior to Board approval.

Affected populations, civil society organizations and other interested parties should have the information that they need to meaningfully participate in the design of a project financed by the AfDB, be it a public or private sector operation. Citizens should receive timely information in order to allow them to input into decisions before they are made. Given that projects change throughout their preparation, public financial institutions should require the disclosure of information on public and private sector operations as they evolve.

1.3 Environmental Documentation

- **The AfDB should require the disclosure of the complete Environmental and Social Management Plan for Category 2 projects at least 120 days prior to Board presentation, consistent with requirements for the disclosure of other environmental information.**

⁴ *Public Information Policy*, EBRD April 2003, page 2 (emphasis added).

⁵ *African Development Bank Group Policy on Disclosure of Information*, September 2003, paragraph 3.14 (emphasis added).

We applaud the AfDB's inclusion of social assessments in project preparation, reflected in the draft Policy's requirements for the disclosure of Environmental and Social Impact Assessments. This is consistent with recommendations under consideration at the World Bank Group to include comprehensive social assessments in the preparation of proposed projects.⁶ Furthermore, we acknowledge the AfDB's commitment in its draft Disclosure Policy to release all environmental information 120 days prior to Board presentation of the project.⁷

Despite these two improvements in the Disclosure Policy, the draft does not meet minimum disclosure standards for Category 2 environmental information.

The AfDB's draft Policy states:

For category 2 projects...an Environmental and Social Management Plan (ESMP) has to be prepared and incorporated in the loan documents. A summary of the ESMP is released to the public through the PIC at least 30 days prior to Board presentation.⁸

By requiring the disclosure of only a summary ESMP, the AfDB's Policy falls short of the World Bank's standards to disclose a full environmental management plan prior to Board approval. The World Bank's Policy on Environmental Assessment states that:

for Category B projects that are proposed for IDA funding and that will have a separate EA report ... (a) the EA report [which may be an Environmental Management Plan] must be made available in a public place accessible to affected groups and local NGOs and must be officially submitted to the Bank; and (b) once the Bank officially receives the report, it will make the report available to the public through its InfoShop.⁹

Information on the environmental and social impacts of Bank operations is directly relevant to the wellbeing of affected populations. Citizens should have access to complete information about the expected impacts of a given operation and proposed mitigation measures, in advance of decisions on the project, so that they may influence the project's design and anticipate its effects on their lives.

1.4 Governing Bodies

- **The AfDB should develop and disclose a 6-month work plan for its Board of Directors.**
- **The AfDB should develop and disclose a monthly calendar that lists scheduled Board discussions. This calendar should be regularly updated and made available in a timely manner.**
- **The AfDB should disclose contact information, including phone numbers and email addresses, of its Executive Directors.**

The AfDB draft Policy does not require the disclosure of any information about the subjects of upcoming meetings at the Board of Directors or Board of Governors, nor does it mandate the provision of basic information, such as a list of Executive Directors, on its website.

⁶ See *A Review of IFC's Safeguard Policies*, Compliance Advisor/ Ombudsman, January 2003, page 9.

⁷ *African Development Bank Group Policy on Disclosure of Information*, September 2003, paragraph 3.27.

⁸ *African Development Bank Group Policy on Disclosure of Information*, September 2003, paragraph 3.28.

⁹ *Bank Procedure 4.01 Environmental Assessment*. World Bank, January 1999, paragraph 9.

The WBG has begun to make the proceedings of its Board of Directors more transparent. It now discloses the Board's semi-annual work program and a monthly update of the Board's schedule "containing matters that are planned for consideration by the Executive Directors" over the course of the upcoming month.¹⁰ The Inter-American Development Bank makes a similar recommendation in its draft Disclosure Policy, currently under review. It states: "The Board of Executive Directors approves an annual work program for the Board and for the Committees of the Board, which will be available to the public, as will the three-month work programs."¹¹ Furthermore, many of the MDBs, including the WBG, European Investment Bank and Inter-American Development Bank, disclose contact information for their Board members.

1.5 Archives

- **The AfDB's should develop a clear archives policy that meets the minimum mandatory transparency standards set by other donor institutions.**

The AfDB's draft Policy states that the Bank's archives will remain inviolable.¹² This Policy does not meet the minimum disclosure standards set by other donor institutions. For instance, archived documents at the Asian Development Bank are automatically declassified five years after issuance, with the consent of the relevant government.¹³ Furthermore, with some exception, the World Bank makes available "historical information that was not publicly available at the time of its issuance, but would be publicly available under [the 2002 Information Disclosure] policy" after five years.¹⁴

Archived documents provide an important source of information for the assessment of the Bank's development impacts in the countries and sectors in which it operates. Restricting access to the Bank's archive of operational and policy documents limits the ability of interested citizens to evaluate patterns in Bank lending or to study trends in the Bank's performance, particularly with regard to the institution's goal of contributing to poverty alleviation in Africa.

Section 2: Implementing Transparency Principles

The following recommendations refer to ways in which the AfDB can better realize the transparency principles already endorsed by the Bank and other donor institutions.

2.1 Enhanced Dialogue on Policy Formulation and Review

- **The AfDB should release background materials relevant to the development or review of a policy or strategy, including Management evaluations of existing policies and strategies.**
- **Before a policy or strategy review commences, the AfDB should release information on the review process, including an explanation of whether or not the review will be web-**

¹⁰ *Policy on Disclosure of Information*. World Bank, 2002, paragraph 64.

¹¹ *Revised Draft Disclosure of Information Policy*, Inter-American Development Bank, August 4, 2003 page 9.

¹² *African Development Bank Group Policy on Disclosure of Information*, September 2003: paragraph 2.3.

¹³ *Policy on Confidentiality and Disclosure of Information*, Asian Development Bank, page 21.

¹⁴ *World Bank Policy on Disclosure of Information*, paragraph 78.

based, if it will involve face-to-face consultations, and how citizens can expect to participate.

The AfDB's draft Disclosure Policy states that the Bank is interested in "enhancing and broadening dialogue on institutional policy formulation and reform and the design of sound strategies." Furthermore, it wishes to "improve the quality of Bank Group operations through affording a reasonable opportunity for public consultation and comment."¹⁵ Other institutions endorse similar principles regarding the importance of external stakeholder participation in the review of a policy or strategy. The Asian Development Bank's Disclosure Policy states: "Increased disclosure of information encourages debate and dialogue on policies and operations, which, in turn, results in an increase in flow of information back to the Bank, providing new and varied perspectives."¹⁶

If the AfDB seeks to realize its objective of meaningful public participation in policy and strategy formulation and review, it must provide the public with complete information necessary to participate in an informed discussion. If external stakeholders are not able to review background materials related to a policy or strategy, they cannot effectively dialogue with Bank staff. Furthermore, the review process itself must be transparent. External actors are more likely to participate in a policy or strategy formulation or review if they can anticipate the steps in the process and understand how their input will be addressed as the new document is developed.

2.2 Effective Monitoring of Project Implementation

- **During project implementation, the AfDB should develop and disclose staff project reviews and supervision reports (such as aide-memoires and back-to-office reports), and should require the disclosure of regular environmental and social monitoring reports.**

In its draft Disclosure Policy, the AfDB states that "the Information Disclosure Policy will allow interested members of the public to monitor the outcomes of specific investments and will in part help to assure that benefits reach the intended beneficiaries." The Compliance Advisor/Ombudsman (CAO) of the International Finance Corporation (IFC) and the EBRD have made similar statements regarding project supervision, especially in regard to monitoring social and environmental impacts and development effectiveness during project implementation.

In its recent review of the IFC's Safeguard Policies, the CAO recommended that the "IFC should be clearer at the outset of a project about what specific sustainable development impacts it expects to achieve and then measure itself against them and report on it."¹⁷ This finding highlights the importance of making project information public, not only in the design and preparation phases of an operation, but throughout the project cycle.

Furthermore, the EBRD recently adopted a measure that would require the disclosure of freestanding social and environmental monitoring reports for specific projects. The EBRD's 2003 Environmental Policy states:

For all categories of projects where significant environmental, safety, health or social issues have been raised, or where the affected public is particularly interested, the EBRD will encourage or require project

¹⁵ *African Development Bank Group Policy on Disclosure of Information*, September 2003: paragraph 2.2.

¹⁶ *Policy on Confidentiality and Disclosure of Information*, Asian Development Bank, 1994, page 13.

¹⁷ *A Review of IFC's Safeguard Policies*, Compliance Advisor Ombudsman January 2003, page 4.

sponsors to commit to on-going information and communication programmes. For example, ... project sponsors will be asked to provide a summary on the environmental status and implementation of project environmental requirements for publication on the Bank's website, attached to the Project Summary Document for the project.¹⁸

In contrast to the transparency principles listed above, the AfDB does not make any commitments to disclosing information during project implementation, which would help to ensure adequate monitoring and supervision of the project.

Citizens should have the information that they need to develop a comprehensive understanding of the intended impacts of a given project and how the project will affect their lives. Without information about projects during their implementation, affected communities and interested parties are unable to monitor the development effectiveness of Bank activities or the success of measures designed to mitigate environmental and social risks. Public access to regular evaluations of project performance and social and environmental impacts throughout the project cycle would provide transparent benchmarks against which to measure project performance. This information will help ensure that citizens are able to hold both the Bank and borrower accountable for meeting the standards and fulfilling the commitments identified during project preparation and approval.

2.3 Transparency of Legal Covenants

- **The AfDB Disclosure Policy should, at a minimum, strongly encourage the disclosure of legal agreements between member governments and project sponsors, to which the AfDB is not party but which are signed in relation to Bank-financed operations, such as Power Purchase Agreements (PPAs), Production Sharing Agreements (PSAs) or Host Government Agreements (HGAs).**
- **The environmental and social obligations of recipients of AfDB financing should be covenanted in loan, grant and investment agreements, and those documents should be disclosed.**

Contracts between governments and private companies signed in relation to AfDB operations, such as Power Purchase Agreements (PPAs), Power Sharing Agreements (PSAs), and Host Government Agreements (HGAs), contain essential information about the economic and financial structure of projects and the allocation of risks. The disclosure of this information is of critical interest to the citizens on whose behalf governments negotiate contracts. Although these agreements are not AfDB documents, the Bank should proactively pursue its objective of "encouraging member states to make information available to the public"¹⁹ by stating its preference that contracts signed between member governments and other parties in relation to AfDB projects be disclosed. In its investigation report on the Bujagali Hydropower Project in Uganda, the World Bank's Inspection Panel argued that the disclosure of such contracts is necessary to achieve meaningful public participation and development effectiveness: "It seems evident that, as claimed, full disclosure of the PPA is vital if the intent is to place the public in a position to analyze, understand and participate in informed discussion about viability of the Project and its impact on the economy and well-being of [citizens]."²⁰

¹⁸ *Environmental Policy*, EBRD, 2003, page 21.

¹⁹ *African Development Bank Group Policy on Disclosure of Information*, September 2003, paragraph 2.2

²⁰ *Inspection Panel Investigation Report, Uganda: Third Power Project, Fourth Power Project, and Bujagali Hydropower Project*, World Bank, May 30, 2002, page 102.

Legal covenants between the AfDB and public or private sector recipients of financing contain information about the obligations of borrowers and private sector project sponsors that is often of significant consequence to affected communities. In its review of the International Finance Corporation's (IFC's) Safeguard Policies, the Compliance Advisor/Ombudsman recommended that the IFC use its legal leverage to enforce private sector compliance with social and environmental standards: "Environmental and social issues should be included in legal covenants. Similar to the World Bank and private banks, IFC should consider suspending loans or withdrawing from projects whose environmental or social performance present unacceptable risks to IFC."²¹ The disclosure of legal covenants containing information on the social and environmental obligations of private sector project sponsors would strengthen the AfDB's legal leverage and enhance accountability to affected populations.

However, the AfDB's draft Disclosure Policy does not clearly address the disclosure of investment agreements entered into with private sector project sponsors or recognize the importance of mandating public access to agreements signed between governments and corporations in relation to AfDB operations. The proposed Policy states: "After loan and grant agreements are signed and declared effective, they will be available upon request through the PIC, and Field Offices...Agreements between other parties in relation to a Bank-financed project will be released if the parties consider them public documents or have authorized release."²²

2.4 Accountable Decision-Makers

- **The proceedings of the AfDB's Board of Directors should be a matter of public record, with certain exceptions made for executive sessions. Transcripts, minutes and summaries of Board discussions should be publicly available on the Bank's website and in hard copy by request.**
- **Written statements of Executive Directors should be disclosed and available in national languages for the Directors' in-country constituents.**

As the AfDB recognizes, "The Bank and the Fund are directly accountable to their shareholders and State Participants and indirectly accountable to the legislatures and taxpayers of such shareholders and State Participants. Transparency of operations is an important element in ensuring this accountability."²³ If the Bank is serious about ensuring accountability, then its transparency standards must apply not only to the operations and activities of its staff, but also to the operations of its governing bodies—those "shareholders and State participants" who oversee the day-to-day decisions of the institution. Governors and Executive Directors are selected by member governments and are supposed to reflect the will of the governments that they represent. By extension, they are acting on behalf of the citizens of those countries. Citizens should therefore have access to information about how they are being represented in the governing bodies of the African Development Bank.

Although the AfDB's draft Disclosure Policy has taken a positive step in requiring the disclosure of the "Summing Up by the Chairperson of the Boards of Directors of their discussion of the CSP and the CSP update"²⁴ such limited transparency of Board discussions does not fulfill the principles of accountability described above and in the Bank's own Policy.

²¹ *A Review of IFC's Safeguard Policies*, Compliance Advisor Ombudsman, January 2003, page 53.

²² *African Development Bank Group Policy on Disclosure of Information*, September 2003, paragraph 3.48.

²³ *African Development Bank Group Policy on Disclosure of Information*, September 2003, paragraph 1.7.

²⁴ *African Development Bank Group Policy on Disclosure of Information*, September 2003, paragraph 3.5.

2.5 Disclosure Policy Compliance

- **The AfDB should follow the lead of sister institutions and appoint an Information Ombudsman or a similar semi-independent body able to monitor Disclosure Policy compliance, ensure that staff disclose information except when a compelling reason is provided not to disclose, and provide an impartial opinion on the interpretation of constraints to disclosure.**

Similar to other MDBs, the draft Disclosure Policy of the AfDB articulates that information will be disclosed “in the absence of a compelling reason not to do so.”²⁵ It is not clear, however, how the AfDB will monitor this commitment. Furthermore, it is not clear how the Bank will assure consistent interpretation of a “compelling reason” not to disclose. Although the Bank’s Policy lists a number of constraints, most of these could be broadly applied to almost all types of documents produced by the AfDB. When requests for information are made, and where the Disclosure Policy does not provide clear instruction, it is normally left to the discretion of Bank staff to decide to disclose or not to disclose. The AfDB has not specified how it will ensure that staff do not abuse their discretion to the detriment of the Bank’s stated goal of greater transparency.

While as yet untested, the European Investment Bank (EIB) has subjected its Disclosure Policy to oversight by the European Ombudsman. The EIB policy states: “Failing a reply within the deadline prescribed in Article 13 of the Code of good administrative behavior or in the event of a total or partial refusal following a complaint, the applicant shall be free to contact the European Ombudsman.”²⁶ In addition, the United Nations Development Programme (UNDP) Public Information Disclosure Policy provides for the establishment of an Oversight Panel, consisting of three UNDP professional staff members and two members from the non-profit sector, to consider appeals regarding access to information.²⁷

Section 3: Access to Information

Information disclosure is meaningless unless affected communities are able to easily access that information in a timely manner, in a format that is most useful to them, and in a language that they understand. The AfDB’s draft Disclosure Policy notes that information will be made available through the Bank’s Public Information Center (PIC) in Tunis, unspecified field offices, and on the Bank’s web site, which is in the process of being redesigned. The draft Policy also states that “reasonable user fees would be established” and that “this policy will become a component part of the Bank Group’s Communication Strategy which is in the process of being prepared.”²⁸ Many of the following recommendations may already be under consideration in the Bank’s Communication Strategy, but as we have not yet had the opportunity to review a draft of the Strategy, we would like to highlight several important issues here for consideration.

²⁵ *African Development Bank Group Policy on Disclosure of Information*, September 2003, paragraph 2.3.

²⁶ EIB “Public Access to Information – Rules on Public Access to Documents,” Article 8.

²⁷ *UNDP Public Information Disclosure Policy*, 1997, paragraphs. 20-23.

²⁸ *African Development Bank Group Policy on Disclosure of Information*, September 2003: paragraph 5.2.

3.1 Information Dissemination

- **The AfDB should work with the World Bank and other development agencies to establish information centers in all AfDB borrowing countries. All public documents related to AfDB operations in a given country should be readily available through these information centers and citizens should be able to access hard copies free of charge. Centers should be staffed by knowledgeable individuals who are able to answer questions about the disclosure of AfDB information. Centers should also provide public access to the AfDB's external website, where individuals should be able to find electronic copies of AfDB documents and other information on AfDB operations in a given country.**
- **The AfDB should make use of existing in-country information dissemination mechanisms, like radio, newspapers, and other public fora to announce new projects or policies at the initial stages of development or review and to ensure that affected communities and journalists are aware that documentation on a given operation or policy has been released.**

The AfDB's Disclosure Policy should not only focus on whether or not certain information is disclosed, but also how that information is made available to the public. The World Bank recently conducted a thorough review of its information dissemination practices and developed a strategy to *Strengthen Public Information Centers*.²⁹ The strategy will create a cadre of public information officers – largely based in borrowing countries – which will be responsible for: guiding Bank staff on the implementation of the Disclosure Policy; helping to monitor compliance; providing library and information services to staff, and; advising on document translation. The public information officers will also be expected to develop outreach efforts to improve document dissemination and ensure that adequate and responsive facilities are available in-country to meet the needs of interested citizens. The World Bank has also expressed an interest in exploring opportunities to share its Public Information Centers with other bilateral and multilateral donors.

3.2 Translation

The AfDB should develop a translation strategy to be implemented in conjunction with a new Disclosure Policy. The following measures should be included in the translation strategy:

- **Basic information related to the institution as a whole, such as policies and sector strategies, should be translated into a range of international languages.**
- **Basic country-specific documents, such as country strategies, should be translated into national languages.**
- **Project information should be available in national languages and, where necessary, should be translated into the local languages of affected communities.**
- **The AfDB should adopt a list of documents that will be translated without exception and make resources available to translate additional information upon request.**

The AfDB's draft Disclosure Policy does not make any reference to the languages in which disclosed information will be translated and made available to the public. In contrast, the World Bank Group (WBG) has recently developed a *Translation Framework*³⁰ that outlines the WBG's strategy for translating key operational document into national and local languages.

²⁹ *Strengthening the World Bank's Public Information Centers*. World Bank, August 6, 2003.

³⁰ *A Document Translation Framework for the World Bank Group*. World Bank, August 6, 2003.

3.3 Process Guarantees

- **The AfDB should adopt clear process guarantees, especially regarding the rights of citizens to receive responses to requests for information from the Bank in a language they understand; to receive acknowledgement of receipt of letters and requests within a specified amount of time; to receive the information they have requested in any form in which it is maintained at the institution, be it print or electronic; and to receive instructions on how to proceed if people feel that they are being wrongly denied information.**
- **The AfDB should also disclose a complete directory of staff contact information, including office mailing addresses, phone and fax numbers and email addresses. This information should be available on the Bank’s website.**

The draft AfDB Disclosure Policy makes some specific time commitments to disclosing project and policy information; however, it does not articulate any guarantees that requests for information be managed in a timely fashion or in a manner that best helps people to understand why information is kept confidential, when a request is denied.

In contrast, other MDBs have made these procedural commitments explicit. For example, the Asian Development Bank’s Disclosure Policy states that the Bank will “provide a response to [an information] request either by providing such information or indicating the reasons such information cannot be provided, within 22 working days of the receipt of the request by the Bank.”³¹

Citizens should be able to anticipate when project and policy information will be disclosed by the AfDB. When citizens request information, they should expect to receive a response from the Bank within a reasonable period of time and, where applicable, they should be fully informed as to why their requests have been denied.

Conclusion

While we recognize that the AfDB’s proposed new Policy on Disclosure of Information reflects improvements on many of the Bank’s previous transparency standards, we note that the AfDB remains behind other international financial institutions in some important respects. We urge the Bank to take this opportunity not only to bring its Disclosure Policy up to par with the policies of other institutions, but to take significant steps beyond the minimum disclosure standards set by those institutions and strive to fulfill its goal of being a leader in transparency.

Once again, we appreciate this opportunity to comment on the AfDB’s transparency standards. We look forward to seeing how our recommendations are incorporated into the draft Disclosure Policy.

Questions and comments can be directed to:

Nikki Reisch
Africa Program
nreisch@bicusa.org
202-624-0635

Jen Kalafut
Transparency Program
jkalafut@bicusa.org
202-624-0631

³¹ *Policy on Confidentiality and Disclosure of Information*. Asian Development Bank, August 1994: page. 29.