



DRAFT of 12/01/10

**International Finance Corporation's**  
**~~Policy on Disclosure of~~Access to**  
**Information Policy**

~~April 30, 2006~~

, 2011

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<sup>†</sup>-An electronic version of this Policy is posted on IFC's Web site and includes links to relevant sites referred to herein.

# ~~Policy on Disclosure of~~ IFC Access to Information Policy

## Access to Information Policy<sup>2</sup>

### Section I. INTRODUCTION

1. This document sets out the policy (Policy) of the International Finance Corporation (IFC) regarding the scope of information that it makes available to the public either as a routine matter or upon request.

2. ~~IFC is an international financial institution established in 1956 by its member countries. IFC is a member of the World Bank Group<sup>3</sup> and is headquartered in Washington, D.C., United States of America. IFC, as the private sector arm of the World Bank Group, shares its mission: To fight poverty with passion and professionalism for lasting results. To help people help themselves and their environment by providing resources, sharing knowledge, building capacity, and forging partnerships in the public and private sectors.~~

~~3.~~ IFC believes that transparency and accountability are fundamental to fulfilling its development mandate. Transparency is essential to building and to strengthening maintaining public ~~trust in IFC~~ dialogue and ~~its clients~~ increasing public awareness about IFC's development role and mission. It is also critical for enhancing good governance, accountability, and development effectiveness. Openness promotes engagement with stakeholders, which, in turn, improves the design and implementation of projects and policies, and strengthens development outcomes. This Policy reaffirms and reflects IFC's commitment to enhance transparency about its activities, improve development effectiveness, and promote good governance.

4. ~~IFC encourages its clients to be more transparent about their businesses to help broaden understanding of their specific projects and of private sector development in general. In addition, IFC believes that when clients are committed to transparency and accountability they help promote the long-term profitability of their investments.~~

~~5.~~ This Policy is effective as of ~~April 30, 2006~~ \_\_\_\_\_, 2011, and supersedes the IFC Disclosure of Information Policy (~~September 1998~~ April 2006) in its entirety.<sup>4</sup> This Policy is not an express or implied waiver of IFC's privileges and immunities under its Articles of Agreement, international conventions, or any applicable law, nor does it provide any contractual or other rights to any party.

### ~~Section II. BACKGROUND~~

### Section II. THE POLICY

#### A. BACKGROUND

~~3. IFC is an international financial institution established in 1956 by its member countries. Its mission is to promote sustainable private sector investment in developing countries, helping to reduce~~

<sup>2</sup> An electronic version of this Policy is posted on IFC's Web site and includes links to relevant sites referred to herein.

<sup>3</sup> The World Bank Group consists of IFC, the International Bank for Reconstruction and Development (IBRD), the International Development Association (IDA), the Multilateral Investment Guarantee Agency (MIGA) and the International Centre for Settlement of Investment Disputes (ICSID).

<sup>4</sup> Documents prepared by IFC before ~~April 30, 2006~~ \_\_\_\_\_, 2011, or delivered to IFC pursuant to agreements entered into before ~~April 30, 2006~~ \_\_\_\_\_, 2011, will continue to be subject to the IFC Disclosure of Information Policy in effect at the time of such preparation or agreement.



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~~poverty and improve people's lives. IFC is a member of the World Bank Group<sup>5</sup> and is headquartered in Washington, D.C., United States of America.~~

~~4.6.~~ IFC seeks to provide accurate and timely information regarding its activities to its clients, partners and stakeholders (including affected communities), and to other interested parties.

~~5.7.~~ The Policy reflects the various capacities in which IFC operates, the nature of the information that it receives and prepares in connection with those diverse activities, and the level of disclosure applicable to different types of information. In particular:

- (a) As an organization owned by its member countries, IFC is accountable for the use and management of its resources in a manner consistent with its mandate and has an obligation to be responsive to the questions and concerns of its shareholders. In addition as a development organization, IFC reports regularly and systematically to the public on its activities.
- (b) In carrying out its mandate to promote the growth of private enterprise in its member countries, IFC receives from its clients and other parties information that is not publicly available for the purpose of enabling IFC to assess business opportunities, or to monitor and evaluate existing investments or ~~technical assistance and~~ advisory services. IFC respects the confidentiality of any such information.

~~(c) IFC provides technical assistance and advisory services to private entities and governments, either directly or through donor-supported facilities, in support of private sector development. Public dissemination of information relating to these initiatives, such as the results of pertinent studies or research undertaken or supported by IFC or such facilities, can enhance the development impact of these initiatives.~~

~~(d) IFC raises the monies necessary to fund loans to its borrowers by issuing securities in its own name in international markets. Accordingly, IFC discloses information concerning its financial condition and operations to purchasers of its securities and to the international markets in general.~~

~~6. IFC encourages its clients to be more transparent about their businesses to help broaden understanding of their specific projects and of private sector development in general. In addition, IFC believes that when clients are committed to transparency and accountability they help promote the long-term profitability of their investments. Accordingly, as part of the process of managing the risks and impacts of their projects, IFC requires its clients to engage with communities affected by their projects, including through the disclosure of information, in a manner that is consistent with IFC's Policy on Social and Environmental Sustainability (the Sustainability Policy) and IFC's Performance Standards on Social and Environmental Sustainability (the Performance Standards).~~

~~7. Information referred to in this Policy as being "publicly available" or "routinely" disclosed by IFC is posted on IFC's Web site (www.ifc.org). Such information and other information covered by this Policy is also available upon request. Please refer to Section IV of this Policy (Access to Information) for details on how to obtain publicly available information or how to request information from IFC. Section IV also describes a mechanism for addressing complaints from members of the public who believe that their requests for information have been unreasonably denied.~~

<sup>5</sup> The World Bank Group consists of IFC, the International Bank for Reconstruction and Development (IBRD), the International Development Association (IDA), the Multilateral Investment Guarantee Agency (MIGA) and the International Centre for Settlement of Investment Disputes (ICSID).

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### Section III. INFORMATION MADE AVAILABLE BY IFC

#### A.B. GENERAL PRINCIPLES

8. **IFC's Responsibilities.** Taking into account its roles and responsibilities, IFC makes available information concerning its activities that would enable its clients, partners and stakeholders (including affected communities), and other interested members of the public, to understand better, and to engage in informed discussion about, IFC's business activities, the overall development and other impacts of its activities, and its contribution to development. The information IFC makes available in accordance with these principles can be categorized as:

- (a) institutional information about IFC, ~~which includes; and~~
- ~~(a) project-level information described in Section III. F (Institutional Information); and~~
- ~~(b) information regarding activities investments and advisory services supported by IFC. While most~~

~~(b) 9. **Client's Responsibilities.** As part of the responsibility for disclosing information about IFC-supported activities rests with process of managing the relevant IFC client pursuant to risks and impacts of their investment projects, IFC requires its clients to engage with communities affected by their projects, including through the disclosure of information, in a manner that is consistent with the Sustainability Policy and the Performance Standards, ~~IFC makes available certain investment-specific information, including as described in Section III. C (Investment-related Information) and Section III. D (Technical Assistance and Advisory Services).~~~~

~~9.10.~~ There is a presumption in favor of disclosure with respect to the information described in *paragraph 8* above, absent a compelling reason not to disclose such information. In determining whether any particular information is to be made available by IFC as a routine matter or upon request, IFC first considers whether such information falls within the scope of IFC's responsibilities in paragraph 8 and, if so, then determines whether there is any compelling reason not to disclose all or any part of such information. In making ~~its~~this determination, IFC ~~takes into account~~considers whether the ~~general considerations described~~disclosure of information is likely to cause harm to specific parties or interests that outweighs the benefit of disclosure or contains or makes reference to information in the list of exceptions below ~~(, which are not exhaustive);.~~

#### C. EXCEPTIONS

11. In making its determination of whether or not to disclose information, IFC takes into account the following general considerations:

- (a) **Commercially Sensitive and Confidential Information.** Consistent with the practice of commercial banks and of most public sector financial institutions (for their private sector investments), IFC does not disclose to the public financial, business, proprietary or other non-public information ~~provided to IFC by~~about its clients, its member countries or other third parties. To do so would be contrary to the legitimate expectations of its clients, who need to be able to disclose to IFC detailed information without fear of compromising the confidentiality of their projects or other proprietary information in a highly competitive marketplace. Similarly, IFC does not disclose ~~legal documentation or correspondence pertaining to IFC-financed projects, including documents or information relating to negotiations between IFC and its client relating to a project.~~

~~(b) There is a need to preserve the integrity of the deliberative process and to facilitate and safeguard the free and candid exchange of ideas between IFC and its member countries, as~~

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~~well as other entities with whom IFC cooperates (such as other international organizations or bilateral agencies). Accordingly, IFC does not disclose any documents, memoranda, or other communications that are exchanged with member countries, with other organizations and agencies, or with or between members of IFC's Board of Directors (or the advisers and staff of IFC's Board members), where these relate to the exchange of ideas between these groups, or to the deliberative or decision-making process of IFC, its member countries, its Board of Directors or other organizations, agencies or entities with whom IFC cooperates.~~

~~(c) The principles set forth in paragraph 9(b) relating to the preservation of the integrity of the deliberative process and the free and candid exchange of ideas also apply to IFC's own decision-making processes and related internal documents, memoranda and other communications that are prepared for, exchanged in connection with, or derived from IFC's deliberative or decision-making processes. Accordingly, IFC does not disclose any internal documents, memoranda, or other communications that are issued by or between members of IFC's Board of Directors, the advisers and staff of IFC's Board members, members of IFC management, IFC staff, or IFC's consultants, attorneys, or agents.~~

~~(d) In limited circumstances, IFC may delay the disclosure of certain information that it would otherwise make publicly available because of market conditions or timing requirements, such as conditions relating to securities offerings or connected with a commercially sensitive transaction involving, for example, a financial restructuring.~~

~~(e) IFC may decline to disclose any documents or records that are subject to attorney-client privilege or other applicable legal privileges.~~

~~(i) Legal documentation or correspondence pertaining to IFC's investments or advisory services, including documents or information relating to negotiations between IFC and its clients or other third parties relating to such investments or advisory services; and~~

~~(ii) Board documents or papers relating to specific investments or advisory services projects.~~

~~(b) **Personal Information.** The World Bank Group's Principles of Staff Employment require IFC to establish and maintain appropriate safeguards to respect the personal privacy of staff members and protect the confidentiality of personal information about them. Accordingly, IFC does not provide access to the following information, except to the extent expressly permitted by the Staff Rules;<sup>6</sup>~~

~~(i) Personal information, including personal staff records, medical information, and personal communications (including e-mail) of the following individuals and their families: Executive Directors, their Alternates, and their Senior Advisers; the President of the IFC; the Executive Vice-President and CEO of IFC; other IFC officials; and IFC staff.~~

~~(ii) Information relating to staff appointment and selection processes.~~

~~(iii) Information relating to proceedings of the IFC's internal conflict resolution mechanisms.~~

~~(iv) Information relating to investigations of allegations of staff misconduct and personal conflicts of interest.~~

<sup>6</sup> The "Staff Rules" refer to rules set out in the Staff Manual, Section 2, which discusses the WBG's general obligations related to Staff.

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- (c) **Communications to Executive Directors' Offices.** IFC does not provide access to:
- (i) Communications within and between individual Executive Directors' offices.
  - (ii) Communications between individual Executive Directors' offices and the member country or countries they represent.
  - (iii) Communications between individual Executive Directors' offices and third parties.
- (d) **Ethics Committee.** IFC does not provide access to proceedings of the Ethics Committee for Board Officials (unless the Executive Directors initiate a decision to disclose such information).
- (e) **Attorney-Client Privilege.** IFC does not provide access to information subject to attorney-client privilege or other applicable legal privileges, including, among other things, communications provided and/or received by the General Counsel, in-house counsel, and other legal advisors.
- (f) **Security and Safety.** IFC does not provide access to:
- (i) Information whose disclosure would compromise the security of IFC staff and their families, contractors, other individuals, and IFC assets.
  - (ii) Information about logistical and transport arrangements related to IFC's shipments of its assets and documents and the shipment of staff's personal effects.
  - (iii) Information whose disclosure is likely to endanger the life, health, or safety of any individual, or the environment.
  - (iv) Information relating to arrangements for preserving the safety and security of individuals working with, or for, IFC or to arrangements related to its corporate records and information systems.
- (g) **Information Restricted Under Separate Disclosure Regimes.** IFC does not provide access to information whose disclosure is restricted under the separate disclosure regimes of the Independent Evaluation Group (IEG)<sup>7</sup>, the Compliance Advisor/Ombudsman (CAO)<sup>8</sup>, the Integrity Vice Presidency (INT)<sup>9</sup>, and the World Bank Group's sanctions process and other institutions of the World Bank Group.
- (h) **Corporate Administrative Matters.** IFC does not disclose information relating to IFC's corporate administrative matters, including, but not limited to, corporate expenses, procurement, real estate, and other activities<sup>10</sup>.

<sup>7</sup> See IEG's Access to Information Policy.

<sup>8</sup> See the Disclosure Policy of the CAO.

<sup>9</sup> See INT's Access to Information Policy. This includes information gathered, received, or generated by INT in connection with or related to inquiries, investigations, audits, or any other type of INT reviews, programs, products, or outputs, as well as any other information gathered, received, or generated by INT on a confidential basis.

<sup>10</sup> Corporate administrative matters include the pension and other retirement benefit plans of IFC.

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(i) **Deliberative Information.** IFC, like any institution or group, needs space to consider and debate, away from public scrutiny. It generally operates by consensus, and it needs room to develop that consensus. During the process it seeks, and takes into account, the input of many stakeholders; but it must preserve the integrity of its deliberative processes by facilitating and safeguarding the free and candid exchange of ideas. Therefore, while IFC makes publicly available certain decisions, results, and agreements that result from its deliberative processes, it does not provide access to the following information:

(i) Information (including e-mail, notes, letters, memoranda, reports, or other documents) prepared for, or exchanged during the course of, its deliberations with clients, member countries, or other entities with which IFC cooperates.

(ii) Information (including e-mail, notes, letters, memoranda, reports or other documents) prepared for, or exchanged during the course of, its own internal deliberations, including those issued or prepared by IFC's staff, consultants, attorneys, or agents.

(iii) For Board documents disclosed under this Policy, IFC does not disclose the following documents pertaining to Board deliberations:

1. Verbatim transcripts of Board meetings and Board Committee meetings, and the Memoranda of the President that accompany Board papers.

2. Statements of Executive Directors and staff in the context of Board meetings or Board Committee meetings.

3. Reports to the Board from its Committees (Green Sheets) if subsequent Board discussion is expected.<sup>11</sup>

4. Communications and memoranda originating in Executive Directors' offices relating to Board or Board Committee proceedings.

5. Miscellaneous memoranda or informal notes distributed to the full Board or to a Board Committee.

(iv) Studies, reports, audits, assessments<sup>12</sup> or analyses prepared to inform IFC's internal decision-making processes (such as analyses of client or country creditworthiness, credit ratings, and client or country risk assessments.)

(v) Audit reports prepared by the Internal Audit Vice-Presidency, except its finalized Annual and Quarterly Activity Reports.

(i) **Certain Financial Information.** IFC does not provide access to information related to its internal treasury operations, except as noted in *paragraph 21*.

<sup>11</sup> However, if no subsequent Board meeting is expected, the relevant Committee may decide to disclose its Report to the Board, with deliberative and confidential information removed (summary portion of the Green Sheet).

<sup>12</sup> IFC may disclose some assessments or parts of them, such as the ESIA referred to in paragraph 30(b), when the underlying information is not confidential or of a sensitive nature.

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~~(f)~~(k) Violation of National Laws or Other Applicable Regulations. IFC does not disclose information if such disclosure would violate applicable law (such as restrictions imposed by securities or banking laws) or would contravene its Articles of Agreement.

~~(g)~~(l) Investigative Information. IFC may decline to disclose information if such disclosure might prejudice an investigation or any legal or regulatory proceedings, or subject IFC to an undue risk of litigation.

~~(h) The World Bank Group Principles of Staff Employment require IFC to maintain appropriate safeguards to respect the personal privacy of staff members and to protect the confidentiality of personal information about them. Thus, individual staff records and personal medical information, as well as proceedings of internal appeal mechanisms, are not disclosed outside the World Bank Group, except to the extent permitted by the Staff Rules.~~

~~(i) IFC does not disclose information relating to arrangements for preserving the safety and security of individuals working with, or for, IFC or to arrangements related to its corporate records and information systems.~~

### ~~B. EXCEPTIONAL CIRCUMSTANCES~~

12. Prerogative to Disclose Information in the Public Interest. In exceptional circumstances, IFC reserves the right to disclose information that it would ordinarily not release to third parties. IFC may exercise this right if, in connection with ~~a~~ an IFC investment or advisory services project ~~in which IFC has invested~~, IFC's senior management determines that the disclosure of certain non-public information would be likely to avert imminent and serious harm to public health or safety, and/or imminent and significant adverse impacts on the environment.

~~40.~~13. Any such disclosure by IFC would be on the most restricted basis necessary to achieve the purpose of the disclosure, such as notice to the appropriate regulatory authorities. If the non-public information has been provided by or relates to an IFC client, IFC would make such disclosure only after informing the client of IFC's concerns and considering the client's plans to address and mitigate the potential harm involved.

### ~~C. INVESTMENT-RELATED INFORMATION~~

~~11. IFC's Investment Cycle.~~ General information describing how Restricted or Delayed Access. IFC processes an investment (e.g., loan, equity, quasi-equity, guarantee) may be found on IFC's Web site.

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~~12. In accordance with the Sustainability Policy and the Performance Standards, IFC requires its clients to engage with affected communities, including through may delay the disclosure of information, in a manner commensurate with the risks and impacts their projects pose to such communities. Prior to presenting a project to IFC's Board of Directors (or other relevant internal authority)<sup>13</sup> for its consideration, IFC makes publicly available the information described in paragraphs 13 (*Social and Environmental Information*) and 14 (*Summary of Proposed Investment*) below. IFC publicly releases this information once it has assured itself certain information that the client can be expected to undertake the project in a manner consistent with the Performance Standards and that the client has undertaken its disclosure obligations and, where applicable, conducted an effective consultation process consistent with the Performance Standards.~~

~~13. Social and Environmental Information. IFC makes publicly available the following social and environmental information:~~

- ~~(a) For each proposed investment (other than investments expected to have minimal or no social and environmental adverse impacts, or investments in financial intermediary (FI) projects<sup>14</sup>), IFC issues a brief summary of its review findings and recommendations: the Environmental and Social Review Summary (ESRS). The ESRS includes the rationale for IFC's categorization<sup>15</sup> of a project, a description of the main social and environmental risks and impacts of the project, and the key measures identified to mitigate those risks and impacts, specifying any actions that will need to be implemented to undertake the project in a manner consistent with the Performance Standards and are accordingly included in the client's Action Plan.<sup>16</sup> Along with the ESRS, IFC will make available electronic copies of, and where available, Web links to, any relevant social and environmental impact assessment documents prepared by or on behalf of the client, including the Action Plan. The ESRS is released no later than sixty days, in the case of Category A projects, and thirty days, in the case of Category B projects, prior to consideration of the proposed investment for approval by IFC's Board of Directors (or other relevant internal authority).~~
- ~~(b) Before IFC releases the ESRS, the IFC client reviews its content to verify the factual accuracy of information relating to the client and the project.~~
- ~~(c) After its initial disclosure to the public, social and environmental review information may be updated prior to consideration by IFC's Board of Directors (or other relevant internal authority) in order to reflect revised or additional information. Any such revised or additional information will be made publicly available. Such updating shall not restart the time periods referred to in paragraph 13(a) above, unless IFC determines that the previously disclosed ESRS it would be materially deficient without the additional information.~~

### ~~14. Summary of Proposed Investment~~

<sup>13</sup> Different IFC authorities have responsibility for approving certain types of projects, including IFC's Board of Directors, Management, Department Directors, etc.

<sup>14</sup> For investments in FI projects, the summary of any recommendation in relation to the social and environmental management system of the FI is found in the SPI, as described in paragraph 14(b)(xi) (*Summary of Proposed Investment*).

<sup>15</sup> As part of IFC's review of a project's expected social and environmental impacts, IFC assigns a social and environmental category (A, B, C, or FI) that is intended to reflect (i) the magnitude of impacts posed by the project and (ii) IFC's social and environmental disclosure requirements as specified in this Policy. Details of IFC's review and categorization process can be found in IFC's Sustainability Policy and the Environment and Social Review Procedure (ESRP), which is posted on IFC's Web site.

<sup>16</sup> The Action Plan is a plan prepared by the client, which may range from a brief description of routine mitigation measures to a series of specific plans and (i) describes the actions necessary to implement the various sets of mitigation measures or corrective actions to be undertaken, (ii) prioritizes these actions, (iii) includes the time-line for their implementation, (iv) is disclosed to the affected communities, and (v) describes the schedule and mechanism for external reporting on the client's implementation of the Action Plan. More details about the Action Plan may be found in the Performance Standards.

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- ~~(a) Prior to each proposed IFC investment, IFC makes publicly available a Summary of Proposed Investment (SPI). The SPI is intended to make available information about the investment to interested parties while it is still under consideration by IFC. An SPI is made publicly available once the relevant IFC department has determined that there is reasonable certainty that an investment will be forwarded to IFC's Board of Directors (or other relevant internal authority) for consideration.~~
- ~~(b) The SPI provides a brief factual summary of the main elements of the project and potential investment, and includes the following information:~~
- ~~(i) the identity of the project company;~~
  - ~~(ii) (a) information about the shareholders of the project company;~~
  - ~~(iii) (b) the total project cost, where applicable;~~
  - ~~(iv) (c) the location of the project;~~
  - ~~(v) a brief description of the project and its purpose;~~
  - ~~(vi) the amount and nature of IFC's investment in the project;~~
  - ~~(vii) the projected date for a decision on the project by IFC's Board of Directors (or other relevant internal authority);~~
  - ~~(viii) the anticipated development impact of the project;<sup>17</sup>~~
  - ~~(ix) IFC's expected development contribution;~~
  - ~~(x) IFC's categorization of the project for social and environmental purposes and, for Category C projects, a brief statement of the rationale for such categorization;<sup>18</sup>~~
  - ~~(xi) reference to the social and environmental information available for the project, including to any ESRS or, in the case of an investment in an FI project, a brief summary of any key enhancements to be made to the FI's social and environmental management system;~~
  - ~~(xii) (d) guidance on how and where information about the proposed project can be obtained locally; and~~
  - ~~(xiii) contact information as to where inquiries and comments about the project should be addressed i.e., for project related information, details of the contact person at the project company, including address, telephone number, fax and e-mail address, and for information related to IFC, contact details for IFC's Corporate Relations Unit (which will liaise, as necessary, with the relevant IFC department).~~
- ~~(c) Before IFC releases the SPI, the IFC client reviews its content to verify the factual accuracy of information relating to the client and the project.~~

<sup>17</sup> In addition, in the case of a project involving the extractive industries (i.e., oil, gas, and mining), IFC assesses the governance risks to the anticipated project benefits and summarizes its assessment in the SPI.

<sup>18</sup> For category A and B projects, this rationale will be in the relevant ESRS described in paragraph 13 (*Social and Environmental Information*).

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- ~~(d) IFC makes the SPI publicly available no later than sixty days, in the case of Category A projects, and thirty days, in the case of all other projects, prior to consideration of the investment for approval by IFC's Board of Directors (or other relevant internal authority). There may be some limited circumstances in which otherwise make publicly available because of market conditions or, legal or other regulatory requirements such as timing requirements prevent the observance of these time periods and the time periods set forth in paragraph 13(a) (*Social and Environmental Information*) above. In such cases, the Board would be informed of any delay in the release of the SPI and the relevant social and environmental information.~~
- ~~(e) Before the date upon which IFC's Board of Directors is to consider the investment, IFC, in consultation with the client, updates the SPI as necessary to reflect any significant changes to the project or to IFC's investment since the SPI's initial posting on IFC's Web site. Any such revised or additional information will be made publicly available. Such updates shall not restart the time periods referred to in paragraph 14(d) above, unless IFC determines that the changes could have a material adverse effect on the project's anticipated development impact, or could materially reduce IFC's expected development contribution or, in the case of changes related to the summary of any key enhancements to be made to the FI's social and environmental management system as described in paragraph 14(b)(xi), the previously disclosed information would be materially deficient without the additional information.~~
- ~~(f) IFC will add to the SPI the respective dates of approval of the investment, the signing of the legal documentation relating to the investment and the first disbursement of the IFC investment as such events occur.~~

### **D. TECHNICAL ASSISTANCE AND ADVISORY SERVICES**

~~15. General information regarding IFC's technical assistance and advisory services (TAAS) activities is available on IFC's Web site. Additional information may be found on the respective Web pages of individual donor-supported facilities. IFC's contributions to TAAS activities are relating to securities offerings, equity investments in publicly listed in its annual Budget and Business Plan (see paragraph 23(b)).~~

~~16. IFC makes publicly available an annual report to the donor community, which describes IFC's TAAS activities for a given fiscal year and contains information about contributions to donor-supported TAAS activities.~~

~~17. In cases where IFC prepares annual reports for its donors on the activities of a particular facility, IFC makes such annual reports publicly available, subject to the consent of the relevant donors.~~

~~18. IFC encourages the disclosure of the results of, or reports prepared in connection with, studies or research funded either directly by IFC or through donor-supported facilities, subject to the consent of any relevant donors and, where relevant, of the client for which the report was undertaken.~~

~~19. No later than thirty days after IFC's Board of Directors (or other relevant internal authority) approves the establishment and funding of a new TAAS program or facility or the renewal of such a program or facility, IFC will issue a brief summary of the main elements of the program or facility, including the following information:~~

- ~~(a) the anticipated size of the program or facility;~~
- ~~(b) a brief description of the program or facility and its purpose, including any regional focus;~~
- ~~(c) the amount and nature of IFC's contribution to the program or facility;~~

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~~(d) the anticipated development impact of the program or facility;~~

~~(e) IFC's expected development contribution; and~~

~~(f) 14. contact information regarding where at IFC inquiries and comments in connection with the program or facility should be addressed companies, purchases of shares in a private placement or a financial restructurings. This prerogative may be exercised by the director concerned, with respect to investment or project-related information.~~

### ~~E.D.~~ HISTORICAL INFORMATION

~~20.15. The same general principles that apply to proposed and existing investments (see Section III. A (General Principles)) will and advisory services apply to information held by IFC about projects in which IFC's investment has investments and advisory services that have been repaid, sold or otherwise concluded.~~

~~21. IFC does not disclose information about projects that IFC considered but in which it ultimately did not invest.~~

## Section III. INFORMATION ROUTINELY MADE AVAILABLE BY IFC

### ~~F.E.~~ INSTITUTIONAL INFORMATION

~~22.16. Corporate Governance Information. IFC makes publicly available information regarding its governance. This information includes:~~

- ~~(a) The Articles of Agreement and By-Laws of IFC are publicly available; and~~
- ~~(b) IFC's Annual Report, which is publicly available, lists its member countries and the Governors representing them. It also includes IFC's directors Executive Directors, the countries appointing or electing them, and their respective voting power.~~

~~17. Minutes Board proceedings. Except for those Board documents and records listed under the exceptions to this Policy, (Section II.C), IFC makes publicly available the following Board records at the end of the Board's deliberative process:~~

- ~~(a) minutes of formal meetings of IFC's Board of Directors (other than Executive Sessions) are publicly available after the Board has approved them. Material in such minutes that is deemed by IFC's Board of Directors to be;~~
- ~~(b) minutes of Board Committee meetings;~~
- ~~(c) summaries of discussion (related to Board meetings); and~~

~~(e) reports to the Board from its Committees (Green Sheets), with deliberative or confidential or sensitive will be redacted before disclosure. The minutes typically contain the following information: (1) names of the persons present at the meeting, (2) record of the approval removed (summary portion) of the minutes of previous formal Board meetings, (3) titles of agenda items, (4) agreements and decisions reached, and (5) names of Directors wishing to be recorded as abstaining or objecting. The Corporate Secretariat of the World Bank Group prepares these minutes.~~

~~(d) Proceedings of IFC's Board of Directors (including its committees) are otherwise confidential under the Board's Rules of Procedure. Accordingly, transcripts and Summaries of~~

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~~Discussions of meetings of IFC's Board of Directors (including its committees) are Green Sheets), if a subsequent Board discussion is not disclosed.~~

~~(e)(d) Documents prepared for the consideration of, or review and approval by, IFC's Board of Directors are not disclosed unless expressly specified in this Policy or otherwise authorized for disclosure by the Board. Furthermore, Board papers relating to specific investment projects are not disclosed because they contain confidential client information expected.~~

### **23. IFC Strategies, Budget and Policies**

18. IFC makes publicly available its Strategic Directions Paper information regarding its strategies, policies, and budget. This information may include:

(a) IFCs overall strategic directions paper, which describes IFC's strategic priorities and/or provides an update on their implementation, ~~after discussion by IFC's Board of Directors.~~ This disclosure is subject to redaction of any budgetary or other information that at the time of disclosure has yet to be considered or approved by the Board.

~~(b) IFC's Budget and Business Plan includes IFC's administrative budget and is based on the Strategic Directions Paper. It is publicly available after IFC's Board of Directors has approved the budget, subject to the redaction of any confidential or sensitive information.~~

(b) strategies related to specific sectors, regions, and/or countries.

(c) Country Assistance Strategies prepared jointly with the World Bank<sup>19</sup> are disclosed in accordance with the World Bank's Policy on Disclosure of Access to Information Policy. See the World Bank's Web site for more information.

~~(d) This this Policy, the Sustainability Policy and the Policy and Performance Standards on Social.~~

~~(d)(e) IFC's Budget and Business Plan. This includes IFC's administrative budget and Environmental Sustainability are based on the Strategic Directions Paper. It is publicly available. Other policies that are approved by IFC's Board subject to the redaction of Directors will be publicly available after their approval unless the Board decides that disclosure may have an adverse impact on the financial condition any confidential or business interests of IFC sensitive information.~~

~~(e) 19. If a policy to be approved by IFC's Board of Directors is likely to have a broad impact on IFC's operations or a direct impact on communities affected by IFC's investments and operations, the Board may approve a process for formal external consultation on such policy. The external consultation process would take place before the policy is approved by the Board, and may include the disclosure to the public of one or more drafts of such policy.~~

20. Such policies that have involved formal external consultations with affected parties, civil society groups, and other stakeholders will be made publicly available before the Board discussion, if the Executive Directors have already reviewed a draft version of the policies.

**24-21. Financial Information.** As an organization conducting business on the world's financial markets, IFC maintains sound financial management practices, including prudent policies for the disclosure of financial information about IFC. Documents related to public offerings by IFC are

<sup>19</sup> The "World Bank" refers to IBRD and IDA, collectively.

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released when the laws or regulations governing the market require that they be filed with a governmental agency. Set forth below is a description of the financial information that IFC discloses publicly on a routine basis:

- (a) Annual audited financial statements as of IFC's fiscal year-end appear in IFC's Annual Report and in IFC's annual Information Statement. The annual audited financial statements include balance sheets as of the end of the current and previous fiscal years, as well as statements of income, comprehensive income, cash flows, changes in capital stock (as of the end of the current and previous fiscal years), and capital stock and voting power (as of the end of the current fiscal year). Notes to the financial statements include information on all significant accounting policies and other disclosures that are required for financial statements prepared in conformity with the accounting principles specified in the Annual Report.
- (b) A Management's Discussion and Analysis (MD&A) is included in IFC's Annual Report and summarized in IFC's annual Information Statement.
- (c) IFC's Annual Report and annual Information Statement.
- (d) Quarterly financial statements. In interim quarters during a fiscal year (September, December, and March), IFC produces interim unaudited financial statements, which are reviewed by IFC's external auditors.

22. **Donor Contributions.** General information regarding IFC's partnership with donor governments, foundations and other entities, as well information on donor contributions to advisory services, is disclosed in IFC's annual Budget and Business Plan.

23. **Good Practice Reporting.** IFC provides investments and advisory services to private entities and governments in support of private sector development. These services may be partially funded by donor governments and other partners. As part of its investment and advisory services activities, IFC publishes a number of good practices or lessons learned reports which aim to enhance the development impact of these initiatives.

~~25-24. **Development Effectiveness Reporting.** In addition to its financial reporting, IFC will report on its- IFC reports on the development effectiveness of its portfolio at least annually.<sup>20</sup> IFC's development effectiveness. This reporting will include includes information regarding the focus of IFC's investments and TAAS activities, the development impact results of those IFC's investments and advisory services activities and the steps IFC is taking to enhance-. For investments made with and through financial intermediaries (FIs), IFC reports annually on the development impact of its development contribution. IFC will report FI portfolio, including information regarding the regions and sectors of associated sub-projects/portfolios.<sup>21</sup> IFC also reports on its own performance as a whole and provide results for related to meeting its various areas of activity. This information will be made publicly available on IFC's Web site development targets<sup>22</sup>.~~

~~26. **IEG-IFC Products.** The Independent Evaluation Group-IFC (IEG-IFC) is responsible for the independent evaluation of IFC's operations. IEG-IFC's functions and staff are organizationally independent from IFC's operational and policy departments, as well as its decision-making. IEG-IFC's work encompasses:~~

<sup>20</sup> ~~The first reporting is expected to cover 2006.~~

<sup>21</sup> IFC will also periodically disclose a listing of the name, location and sectors of high risk (category A) sub-projects that have been supported by IFC investments through private equity funds, subject to regulatory constraints and market sensitivities.

<sup>22</sup> IFC will begin this reporting when once its Development Goals are fully operationalized and implemented in IFC's systems.

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- ~~(a) evaluating operational program and activities, including investment and TAAS activities, and the strategies, policies and procedures that relate to them, with particular attention to the achievement of agreed objectives for private sector development and the effects of investment activity;~~
- ~~(b) assessing the quality and usefulness of IFC's evaluation processes and products, and participating in the formulation and continuous improvement of appropriate evaluation policies, practices and instruments; and~~
- ~~(c) identifying and disseminating lessons and making recommendations drawn from evaluation findings to contribute to improved operational performance, accountability for results, and corporate transparency.~~

~~IEG-IFC makes information publicly available in accordance with its policy on disclosure of information, which is consistent with this Policy and can be found on IFC's Web site. IEG-IFC evaluation reports that are publicly available may also be found on IFC's Web site.~~

~~**27. CAO Reports.** The Office of the Compliance Adviser/Ombudsman (CAO) has three roles with respect to IFC:~~

- ~~(a) to respond to complaints by people affected by IFC-financed projects, in a manner that is fair, objective and constructive;~~
- ~~(b) to oversee audits of IFC's overall social and environmental performance, particularly in relation to sensitive projects, to ensure compliance with IFC's social and environmental policies, guidelines, procedures and systems; and~~
- ~~(c) to provide a source of independent advice to the President of the World Bank Group and IFC management on social and environmental policies, guidelines, procedures and resources.~~

~~The CAO is organizationally independent from IFC's operational and policy departments. Information held by the CAO that relates to IFC or its activities (including investments) is subject to IFC's Policy on Disclosure of Information and the World Bank Group Staff Rules, which require that information be treated with discretion and not disclosed improperly. Within these parameters, the CAO is committed to transparency with respect to its processes and the outcomes of its interventions and, accordingly, makes details of its activities available to the public through its Web site. Additional information about the CAO's roles can be found in the CAO Operational Guidelines, which are available on the CAO's and IFC's Web sites.~~

~~**28. Fraud and Corruption Reports.** The World Bank's Department of Institutional Integrity (INT) is responsible for investigating allegations of fraud and corruption in World Bank Group operations and allegations of misconduct against World Bank Group staff. To ensure the independence of INT's activities, the Director of INT reports directly to the President of the World Bank Group. The World Bank publishes an annual report describing its overall integrity activities, including statistics reflecting investigations and sanctions as well as staff misconduct. The report is available on the World Bank's Web site.~~

~~**29.25. General Staff Information.** The Staff Manual for IFC and the World Bank includes the Principles of Staff Employment and the Staff Rules for these organizations. The Principles and Staff Rules describe the terms and conditions of World Bank and IFC employment, including policies on, among other things, compensation and conflict resolution. General Staff Information. The Staff Manual for IFC and the World Bank includes the Principles of Staff Employment and the Staff Rules for these organizations. The Principles and Staff Rules describe the terms and conditions of World Bank and IFC employment, including policies on, among other things, compensation and conflict resolution. Information about these and certain other World Bank Group staff matters, ~~including the annual staff compensation paper,~~ are available from the World Bank, subject to the World Bank~~

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~~Policy on Disclosure of~~ Bank's Access to Information Policy. Information about IFC's organization and management is included in IFC's Annual Report.

### F. INVESTMENT-RELATED INFORMATION

26. IFC's Investment Cycle. General information describing how IFC processes an investment (e.g., loan, equity, quasi-equity, guarantee) may be found on IFC's Web site at [www.ifc.org](http://www.ifc.org).

#### Pre-Approval Disclosure

27. For each proposed investment, IFC makes publicly available certain information, including relevant project, social and environmental, and development impact information. Except as noted in paragraph 14, IFC makes this information available while it is still under consideration by IFC and provides periodic updates on the investment, once made by IFC.

28. Summary of Investment Information (SII). For each proposed investment, IFC will disclose a summary of investment information, which provides a factual summary of the main elements of the project and potential investment, and will include the following project or investment information:

- (a) the identity of the project or investee company;
- ~~(#)~~ (b) information about the shareholders of the project company;
- ~~(##)~~ (c) the total project cost, where applicable;
- ~~(iv)~~ (d) the location of the project;
- (e) a brief description of the project and its purpose;
- (f) the amount and nature of IFC's investment;
- (g) the projected date for a decision on the project by IFC's Board of Directors (or other relevant internal authority);
- (h) The expected development impact of the project;
- (i) IFC's expected role and additionality;
- (j) IFC's categorization<sup>23</sup> of the project for social and environmental purposes and, for Category C or FI-C projects, a brief statement of the rationale for such categorization;
- ~~(xii)~~ (k) guidance on how and where information about the proposed project can be obtained locally;

~~Section IV~~ contact information as to where inquiries and comments about the project should be addressed i.e., for project-related information, details of the

<sup>23</sup> As part of IFC's review of a project's expected social and environmental risks and impacts, IFC assigns a social and environmental category (A, B, C, or FI-1, FI-2, or FI-3) that is intended to reflect (i) the magnitude of risks and/or impacts posed by the project and (ii) IFC's institutional requirements for social and environmental disclosure as specified in this Policy. Details of IFC's review and categorization process can be found in IFC's Policy on Social and Environmental Sustainability and the Environment and Social Review Procedure (ESRP), which is posted on IFC's Web site.

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contact person at the project company, including address, telephone number, fax and e-mail address. ~~ACCESS-TO-INFORMATION~~

(l) \_\_\_\_\_; and

(m) contact details for IFC's Corporate Relations Department (which will liaise, as necessary, with the relevant IFC department).

29. An SII is made publicly available once the relevant IFC department has determined that there is reasonable certainty that an investment will be forwarded to IFC's Board of Directors (or other relevant internal authority) for consideration and IFC has assured itself that the client can be expected to undertake the project in a manner consistent with the Performance Standards and that the client has undertaken its disclosure obligations and, where applicable, conducted an effective consultation process consistent with the Performance Standards.

30. **Social and Environmental Information.** In accordance with the Performance Standards, IFC requires its clients to engage with affected stakeholders, including through the disclosure of information, in a manner commensurate with the risks and impacts their projects pose to such stakeholders. IFC makes publicly available the following social and environmental information:

(a) For each proposed investment, other than investments expected to have minimal or no social or environmental adverse risks and/or impacts or Category FI investments, IFC discloses a summary of its review findings and recommendations, the Environmental and Social Review Summary (ESRS)<sup>24</sup>. The ESRS includes:

(i) reference to the Performance Standards and any applicable grievance mechanisms, including the CAO.

(ii) the rationale for IFC's categorization of a project;

(iii) a description of the main social and environmental risks and impacts of the project; and

(iv) key measures identified to mitigate those risks and impacts, specifying any supplemental measures and actions that will need to be implemented to undertake the project in a manner consistent with the Performance Standards;

(b) For Category FI investments, other than those expected to have minimal or no social or environmental adverse risks and/or impacts, IFC discloses:

(i) the rationale for IFC's categorization of a project;

(ii) a description of the main social and environmental risks and impacts of the FI's portfolio; and

(iii) key measures identified to mitigate those risks and impacts, specifying any supplemental measures and actions that will need to be implemented by the FI in a manner consistent with the Performance Standards.

<sup>24</sup> IFC requires clients to share the ESRS with the affected community in the relevant local language(s) in a timely and appropriate manner.

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- (c) Electronic copies or web links, where available, to any relevant social and environmental impact assessment (ESIA) documents prepared by or on behalf of the client; and
- (d) Where required by the Performance Standards, the Supplemental Environment and Social Action Plan (Supplemental Action Plan.)<sup>25</sup>

31. **Broad Community Support.** Where applicable, IFC will disclose the process outlining how it made a determination of Broad Community Support<sup>26</sup> prior to consideration of the investment by IFC's Board of Directors. IFC will update the ESRS to include this information once it becomes available to present to IFC's Board of Directors. For projects where BCS cannot be determined prior to consideration by IFC's Board of Directors, for example, because a project site is not yet defined or is a pre-development phase investment, IFC will disclose the process outlining how BCS was determined for the project as it becomes available.

32. **Timing.** IFC makes the SII and the ESRS publicly available no later than sixty days, in the case of Category A projects, and thirty days, in the case of all other projects, prior to consideration of the investment for approval by IFC's Board of Directors (or other relevant internal authority).

33. There may be some limited circumstances that may prevent the observance of these time periods (see *paragraph 14*). In such cases, the Board of Directors would be informed of any such delay in the release of the SII and the relevant social and environmental information.

34. **Early Disclosure.** For projects or investments with anticipated significant adverse social or environmental risks and/or impacts, IFC believes that disclosure should occur early in the environmental and social assessment process. For these projects, IFC will also endeavor to make available relevant social and environmental information prepared by the IFC client even before IFC has completed, or in some cases even started, its review of the investment.

35. **Client Review.** Before IFC releases the project or environmental and social information, the IFC client reviews the contents to verify the factual accuracy of information relating to the client and the project.

36. Before the date upon which IFC's Board of Directors is to consider the investment, IFC, in consultation with the client, updates the SII as necessary to reflect any significant changes to the project or to IFC's investment since the SII's initial posting on IFC's Web site. Any such revised or additional information will be made publicly available.

37. Such updates do not restart the time periods referred to in *paragraph 32* above, unless IFC determines that the changes are material to the environmental or social risks and/or impacts of the project.

### **Ongoing Disclosure**

38. **Project Information.** Throughout the life of each investment, IFC will update the SII, as necessary, to ensure the continued accuracy of the information disclosed pursuant to *paragraph 28 (e) and (f)* above.

39. **Environment and Social Information.** IFC makes available the following environment and social information, as it becomes available:

<sup>25</sup> More details about the Supplemental Action Plan may be found in paragraph 26 of the Sustainability Policy.

<sup>26</sup> More information on Broad Community Support is available in the Sustainability Policy.

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- (a) Any Supplemental Action Plan, as required by the Performance Standards after approval by IFC's Board of Directors (or other relevant internal authority), as they become available.
- (b) Any environmental and social impact assessments, as they become available.
- (c) Report on the status of implementation of the Supplemental Action Plan, where required by the Performance Standards.
- (d) Third-party monitoring reports, where required by the Performance Standards.

**40. Development Impact Information.** For each investment, other than those expected to have minimal or no social or environmental adverse risks and/or impacts, IFC discloses actual figures for the indicators tracked in its Development Outcome Tracking System (DOTS)<sup>27</sup>, as agreed with the client, other than those indicators containing confidential information. This information will be updated in the SII, as the figures become available.

**41. Client Review.** Before IFC releases its evaluative information, the IFC client reviews its content to verify the factual accuracy of information relating to the client and the project, and to ensure that it does not contain any confidential information.

### **G. ADVISORY SERVICES-RELATED INFORMATION**

**42. Launch or renewal of global or regional Advisory Services programs.** No later than thirty days after IFC's Board of Directors approval of the establishment or renewal of an advisory services program, IFC issues a summary of the main elements of the program, including the following information:

- (a) the expected total program cost;
- (b) a brief description of the program and its purpose, including any regional, country, sectoral, or thematic focus;
- (c) the amount and nature of IFC's contribution to the program;
- (d) the anticipated development impact of the program; and
- (e) IFC's expected development contribution.

**43. Summary of Advisory Services Project Information (ASPI).** For advisory services projects, IFC provides a factual summary of the main elements of the project, which will include the following:

- (a) the expected total project cost;
- (b) a brief description of the project and its purpose, including any regional, country, sectoral, or thematic focus;
- (c) the amount and nature of IFC's contribution to the project;
- (d) the anticipated development impact of the project; and

<sup>27</sup> For more information see [www.ifc.org/DOTS](http://www.ifc.org/DOTS). IFC will implement this requirement by region over a two-year period from the effective date of this Policy.



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(e) If applicable, any key measures identified to mitigate any social and environmental risks and/or impacts, specifying any actions that will need to be implemented in a manner consistent with the Performance Standards.

44. **Environment and Social Information.** Where applicable, IFC provides an update of actions taken to mitigate the risks and /or impacts identified in the ASPI.

45. **Development Impact Information.** IFC updates the ASPI with final development effectiveness ratings at project completion.

### H. RELATED THIRD-PARTIES

46. **IFC's Asset Management Company LLC (AMC).** The AMC is a wholly-owned subsidiary of IFC. It invests third-party capital, enabling outside investors to benefit from IFC's expertise as well as promoting positive development impact in the countries in which it invests.

47. Investments by AMC-managed funds are made in accordance with IFC's investment principles, including the Sustainability Policy, the Performance Standards and this Policy. Accordingly, the disclosure requirements of the Sustainability Policy and this Policy will extend to all investments managed by the AMC and appropriate disclosures will be made either through IFC's Website or through AMC's own website.

## Section IV. IMPLEMENTATION ASPECTS OF THE POLICY

### I. ACCESSING INFORMATION

48. **Where to Access Information.** General information about IFC and its activities may be obtained online at IFC's Web site, [www.ifc.org](http://www.ifc.org)~~—~~. ~~Project or investment Information regarding IFC's investments and advisory services is disclosed through IFC's Disclosure Portal at [www.ifc.org/disclosure](http://www.ifc.org/disclosure).~~

49. As IFC is part of the World Bank Group, information about IFC ~~that is identified as being "publicly available"~~ may also be obtained through the World Bank InfoShop. The InfoShop is located at 701 18<sup>th</sup> Street, N.W., Washington D.C., 20433 USA., and may be accessed online at <http://worldbank.org/infoshop>.

~~30-50.~~ This information is also available through public area computers available at the Public Information Centers (PICs), which are situated around the world in World Bank member countries. A list of the PICs is available on the InfoShop Web site.

~~31. **Submitting a Request for Information** that IFC routinely discloses pursuant to this Policy, such as the SPI for a particular proposed investment or IFC's Annual Report (including IFC's annual audited financial statements), is publicly available on IFC's Web site. IFC also discloses information by other appropriate means, depending on the nature of the information and the intended recipients.~~

51. Information that is not readily available from IFC's Web site, the InfoShop, or the PICs may also be requested ~~in writing (by e-mail, mail, or fax) from IFC.~~<sup>28</sup> ~~Information may be requested by contacting the~~ from IFC's Corporate Relations Unit of IFC Department as follows:

(a) through ~~the Web site~~ [IFC's Disclosure Portal](http://www.ifc.org/contactsdisclosure), at [www.ifc.org/contactsdisclosure](http://www.ifc.org/contactsdisclosure) and ~~the e-mail addresses provided therein;~~

<sup>28</sup> ~~Information held by IFC that was provided or prepared by another member institution of the World Bank Group is subject to that institution's policy on the disclosure of information. IFC will direct requesters to such other institution, if relevant.~~



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(b) \_\_\_\_\_ by telephone at +1 (202) ~~476~~473-3800-;

(c) \_\_\_\_\_ by fax at +1 (202) 974-4384-; or

~~32.~~(d) \_\_\_\_\_ by mail at 2121 Pennsylvania Avenue, N.W., Washington, D.C., 20433, USA. ~~IFC's Corporate Relations Unit serves as a contact point for persons seeking to obtain documents that are not routinely disclosed by IFC on its Web site. Information routinely disclosed by IFC as described in this Policy may also be requested from the relevant IFC department, with a copy of the request to the Corporate Relations Unit.~~

~~33.~~52. Requests for information must identify the specific information requested; blanket or frivolous requests for information will not be accepted. Requests for information may use blank forms ~~which are~~ available onthrough IFC's Web siteDisclosure Portal. There may be a standard charge for hard-copy documents or for documents on CD-ROMelectronic discs or drives, other than information in an SP/SLI or an ESRS.

53. Responding to Requests. In responding to requests for information, the relevant ~~investment or other~~ department determines whether information requested may be made available in accordance with this Policy and responds to such request (or if appropriate may refer the requester to IFC's client).

~~34.~~54. As necessary, staff from the Corporate Relations ~~Unit~~Department provides guidance to other departments on the interpretation of the Policy in responding to requests for information.

~~35.~~55. English is the working language of IFC, and IFC will respond to requests for information in English. However, to the extent that IFC receives requests in other languages, IFC will endeavor to be responsive in the relevant language.

56. IFC endeavors to respond to requests within thirty calendar days of receipt of a written request for information, unless additional time is required because of the scope or complexity of the information requested. If additional time is necessary, IFC will contact the requester and explain the reasons for the delay and, if possible, will provide an estimated time frame for its response.

~~36.~~57. In its response to a request, IFC will either provide all or part of the requested information or give reasons why the request has been delayed or denied, in whole or in part. If IFC receives numerous requests for the same information, IFC may ~~post-a~~make its response available on its Web site rather than responding to each individual request.

### Appeals Process

#### J. ACCESS TO INFORMATION POLICY ADVISOR

58. Appealing the Initial Denial. If a requester believes that a request for information from IFC has been unreasonably denied, or that this Policy has been interpreted incorrectly, a complaint may be submitted to IFC's ~~Disclosure~~Access to Information Policy Advisor, who reports directly to IFC's Executive Vice President.

59. Submitting an Appeal. Appeals must be submitted to IFC's Corporate Relations Department as provided in paragraph 51 (a), (c) or (d).

60. The ~~Disclosure~~Access to Information Policy Advisor will review the complaint and endeavor to respond to the requester within thirty calendar days of receipt of the complaint, unless additional time is required because of the scope or complexity of the complaint. ~~The Disclosure Policy Advisor will advise the requester and IFC of his/her conclusions in writing and will explain the reasons for such conclusions. The Disclosure~~

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**61. Scope of Review.** The Access to Information Policy Advisor's review will focus on whether the requested information falls within the scope of *paragraph 8* of this Policy and, if so, whether IFC has a reasonable basis for determining that there is a compelling reason not to disclose such information pursuant to *paragraph 9–10*.

~~37-62.~~ The Disclosure Access to Information Policy Advisor's authority does not extend to *paragraph 40 11*, the application of which is solely within IFC senior management's discretion, ~~nor to complaints from people affected by IFC-financed projects and who receive consideration by the CAO as described in paragraph 27.~~ In conducting his/her review, the Disclosure Access to Information Policy Advisor may, if he/she deems it necessary or appropriate, consult with third parties including IFC's client.

### ~~Section V. MONITORING AND REVIEW~~

~~63. IFC's Corporate Relations Unit~~ **Notification of Decision.** The Access to Information Policy Advisor will advise the requester and the relevant IFC Departments, including the Corporate Relations Department of his/her conclusions in writing and will explain the reasons for such conclusions.

#### K. ACCESS TO INFORMATION APPEALS PANEL

**64. Appealing the Access to Information Policy Advisor's Denial.** A requester, who receives a negative decision from the Access to Information Policy Advisor may appeal to the independent Access to Information Appeals Panel<sup>29</sup> within thirty calendar days of the Access to Information Policy Advisor's decision.

**65. Submitting an Appeal.** Appeals must be submitted by contacting IFC's Corporate Relations Department through the Web site at [www.ifc.org/contacts](http://www.ifc.org/contacts) or by the e-mail addresses provided therein for ACCESS TO INFORMATION APPEALS PANEL, or as provided in *paragraph 51 (c) or (d)*.

**66. Scope of Review.** The scope of review by the Access to Information Appeals Panel will be limited to whether the Access to Information Policy Advisor had a reasonable basis for his or her determination.

**67.** The Access to Information Appeals Panel will either uphold or reverse the Access to Information Policy Advisor's decision. The Access to Information Appeals Panel's decision will be final.

**68. Notification of Decision.** The Access to Information Appeals Panel will endeavor to respond to the requester within [ninety] days of receipt of the appeal, unless additional time is required because of the scope or complexity of the appeal.

### ~~Section V. MONITORING AND REPORTING~~

~~38-69.~~ **Periodic Reporting.** IFC's Corporate Relations Department will, on an ongoing basis, monitor and report to IFC senior management on the implementation of this Policy, including the types of information being requested or accessed by the public and the general responsiveness of IFC staff to requests for information. ~~In addition, after a period of time not to exceed five years from the effective date of this Policy, IFC will conduct an overall review of the implementation of this Policy and its ongoing effectiveness in meeting IFC's commitment to transparency and accountability.~~

<sup>29</sup> The Access to Information Appeals Panel comprises three outside experts on access to information in a commercial setting. The Access to Information Appeals Panel members are nominated by IFC's Executive Vice President and endorsed by IFC's Board of Directors.