

## **International Finance Corporation Access to Information Appeals Panel**

Decision on Appeal #1

Request IFCH-1954538691

*(Decision Dated September 19, 2025)*

### **Summary of Decision**

1. Under its Access to Information Policy (“AIP”), the International Finance Corporation (“IFC”) pledges to make available to the public information either as a routine matter or upon request that enables people to better understand and engage in informed discussion about IFC activities. In Paragraph 8 of the AIP, this information is categorized as (a) institutional information about IFC or (b) project-level information regarding investments and advisory services supported by IFC. In this case, the IFC’s Access to information Advisor (“AIP Advisor”) upheld the initial decision to deny the requester’s request for information on the basis that it did not fall within the scope of Paragraph 8 of the AIP, and for being a blanket request lacking specificity under Paragraph 53 of the AIP.
2. The Access to Information Appeals Panel (“AIP Panel”) affirms the AIP Advisor’s decision to deny the request because it agrees that the information sought exceeds the scope of Paragraph 8 of the AIP. The AIP Panel notes that it does not agree with the AIP Advisor’s determination that this request was a blanket request lacking specificity, a rationale that was only raised on appeal and is outside the scope of the AIP Advisor’s bases for deciding an access to information appeal. However, since the AIP Panel finds the request outside the scope of Paragraph 8 of the AIP, this finding does not affect its final determination.

### **Facts of the Request**

3. On May 19, 2025, the requester filed a Request for Information to the IFC through the IFC Disclosure Portal seeking “access to letters sent by the IFC in January 2025 in reply to requests made under the AI policy.”
4. On June 9, 2025, IFC Corporate Relations replied and declined to provide the information requested. The reply stated that the IFC does not publish responses to information access requests from individuals, although “[c]onsistent with paragraph 58 of the AIP, if IFC receives numerous requests for the same information, IFC may make its response available on its website rather than responding to each individual request.”
5. On June 12, 2025, the requester appealed the decision to the IFC AIP Advisor.
6. On July 11, 2025, the AIP Advisor upheld the decision to decline the request, stating that (a) the information requested was not within the scope of Paragraph 8 of the AIP (institutional information about IFC, or project-level information regarding investments and advisory

services supported by IFC), and (b) the request constitutes a blanket request for a broad category of records, which is unacceptable under Paragraph 53 of the AIP.

7. On July 29, 2025, the requester appealed the AIP Advisor's decision to the IFC AIP Panel.

#### Summary of Requester's Appeal Argument

8. On appeal, the requester first argues that the IFC's denial of his request violates the IFC AIP. Specifically, the requester states that the IFC's response violates:
  - a. Paragraph 3 (the AIP "reaffirms and reflects IFC's commitment to enhance transparency about its activities, improve development effectiveness, and promote good governance");
  - b. Paragraph 8 ("IFC makes available information concerning its activities"); and
  - c. Paragraph 10 ("[t]here 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").
9. Second, the requester argues the IFC's response violates Paragraphs 10 and 53 of the AIP because it does not contain the reasons for the denial. The requester states that Paragraph 10 of the AIP "indicates that the assessment of whether there is a compelling reason to not to disclose will be based on harm to specific parties, taking into account the exceptions. These exceptions are found in Section C of the Policy. In the June 9 reply, however, Corporate Relations make no reference to any justification set out in paragraph 10 for denying the request." The requester later cites to Paragraph 58 of the AIP, which states that "[i]n 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." Requester avers that the IFC response does not contain these reasons.
10. Third, the requester argues that the IFC response conflates its discretionary proactive publication policy for repeated requests, as per Paragraph 58 of the AIP, with his specific request for this information, which does not pertain to Paragraph 58 of the AIP and thus should have been handled via the normal AIP standards.
11. The requester ends by asking for his request to be reprocessed and requests reasons for any further denial.

#### AIP Panel Findings and Rationale

##### *Validity of the Appeal*

12. Upon receipt of a negative determination from the AIP Advisor, the requester filed the appeal within thirty calendar days through the proper channels, as required in Paragraphs 65 and 66 of the AIP. Therefore, the AIP Panel finds that this appeal is timely, and the AIP Panel can review the AIP Advisor's decision.

### *Scope of Review*

13. The AIP Panel is limited to determining whether the AIP Advisor had a reasonable basis for their determination. As per Paragraph 62 of the AIP, the AIP Advisor's review focuses on whether the requested information is within the scope of Paragraph 8 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 10."

### *Findings and Related Decision on the Scope of the Information Request (Paragraph 8)*

14. Due to the commercially and financially sensitive nature of its work, the IFC has a narrower access to information policy than other parts of the World Bank. Instead of making any reasonably-described record available to anyone unless disclosure is prohibited or would result in some specified harm, Paragraph 8 of the AIP provides for the disclosure of only those records that shed light on what the IFC is and does: descriptive information about the IFC ("institutional information" described in Paragraphs 17-27 of the AIP), investment information (described in Paragraphs 30-32 of the AIP), and information concerning the IFC's advisory services (described in Paragraphs 43-46 of the AIP), even if no harm would result from the record's disclosure.
15. The parameters of Paragraph 8 of the AIP set the threshold for disclosure, and are limited to either institutional information about IFC, or project-level information regarding investments and advisory services supported by IFC that are not already public and accessible on the IFC website. Therefore, the requester's assertion that the IFC denial of the requested information violates the transparency and disclosure pledges as per Paragraphs 3, 8, and 10 of the AIP is invalid because requester is assuming those paragraphs somehow supersede the limited information categories available for disclosure as set out in Paragraph 8 of the AIP.
16. The AIP Panel finds that the information requested "letters sent by the IFC in January 2025 in reply to requests made under the AI policy" does not fall into any of the enumerated record categories under Paragraph 8 of the AIP.
17. To ensure that its determination was based on sound reasoning, the AIP Panel reviewed IFC's responses to access to information requests for the period specified (January 2025) by the requester. Upon reviewing, the AIP Panel discovered that the responses were not in a traditional letter format as sought by the requester, but instead were inputs into text boxes that are then conveyed to the requester via email. After reading the materials, the AIP Panel reached the conclusion that the contents of the text boxes did not fall within the scope of Paragraph 8, and only contained information that the IFC routinely makes publicly available as per Paragraphs 17-48 of the AIP.
18. The Panel also holds that the AIP does not impose a duty on the IFC to publish its responses to access to information requests and as such, the IFC is not obligated under the policy to publish its responses either routinely or by request.

*Findings on Specificity and Breadth of the Request (Paragraph 53)*

19. Having found that the information requested is not covered by Paragraph 8 of the AIP, the AIP Panel's determination of the reasonableness of the other basis for the AIP Advisor's determination (that the request was not specific enough and was overly broad, as described in Paragraph 53 of the AIP) is unnecessary.
20. However, it appeared to the AIP Panel that this request sought a specific and limited set of information that was easily identifiable and locatable and thus was not a blanket or objectively frivolous request as per Paragraph 53 of the AIP.
21. In addition, the AIP Panel notes that since Paragraph 53 of the AIP is a basis for refusing to consider a request, it should be asserted at the initial response stage of a request and not at an appellate stage. In other words, once the request has been considered, it is too late to assert that it will not be under Paragraph 53.
22. Finally, the AIP Advisor's scope of review is limited to only Paragraphs 8 and 10, so asserting a denial based on Paragraph 53 is outside the scope of their authority in the AIP.

**AIP Panel Determination**

Accordingly, the AIP Panel concludes that the AIP Advisor had a reasonable basis for their determination. The AIP Panel's Decision is final.