



# **CARIBBEAN DEVELOPMENT BANK INFORMATION DISCLOSURE POLICY**

**October 2011**

## ABBREVIATIONS

BMCs	-	Borrowing Member Countries
Board/the Board	-	Board of Directors
CDB	-	Caribbean Development Bank
CSPs	-	Country Strategy Papers
E-mail	-	Electronic mail
IDC	-	Information Disclosure Committee
IDH	-	Information Disclosure Handbook
IDP	-	Information Disclosure Policy
NPRS	-	National Poverty Reduction Strategy
SSPs	-	Sector Strategy Papers

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**CARIBBEAN DEVELOPMENT BANK**  
**INFORMATION DISCLOSURE POLICY**

**1. INTRODUCTION**

1.01 The Caribbean Development Bank (CDB) is committed to an active public information disclosure policy (IDP), aimed at improving access to information<sup>1</sup> in relation to its mission and activities and in support of its role, function and purpose of contributing to the harmonious economic growth and development of its member countries in the Caribbean and promoting economic cooperation and integration among them.

1.02 The objective of CDB's IDP is to support the Bank's commitment to increasing the transparency of its operations, and to meet a growing public interest in its activities.

1.03 The policy provides CDB with a framework within which the wide range of information collected and generated about its activities and projects in support of development programming can be disclosed. CDB recognises that as a custodian of public funds, transparency of operations facilitates public oversight of Bank-supported operations and enhances good governance, accountability and development effectiveness.

1.04 In line with current international best practices on information disclosure, this policy is based on a presumption of disclosure of any information in CDB's possession that is not on the list of exceptions. Under this policy, information will be made accessible to the widest external audiences possible to provide opportunity to increase public exposure and broaden stakeholder understanding of CDB's activities. This policy is therefore expected to generate an open and much strengthened engagement between CDB and its stakeholders.

1.05 While developing this IDP, CDB has taken into account its obligation as a responsible institution, to respect confidentiality of certain information. Given the nature of CDB's work, this IDP is designed to balance the need for openness and transparency with the need for confidentiality. Confidential information would include information that would cause harm to CDB's interest, its beneficiaries or cooperating institutions or would violate agreements with third parties. It also includes information that would invade the privacy or endanger the independence of its staff. Documents and records that are subject to legal privilege, or whose disclosure might prejudice services will not be disclosed to the public. The final determination as to what information may be disclosed to the public shall rest with CDB.

**GUIDING PRINCIPLES**

1.06 This policy is based on five guiding principles:

(a) **Maximising Access to Information**

CDB recognises the fundamental importance of transparency and accountability in the development process. Accordingly, the Bank would disclose any information in its possession that is not on a list of exceptions. Further, so long as CDB is not legally

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<sup>1</sup> For the purposes of this policy document, "information" means documents of any type (for example, paper, emails, electronic, photograph, film, sound recordings, videotapes) prepared or received by CDB in the course of its official business. The terms "disclose", "provide access" and "make publicly available" (and their variants) are used interchangeably in this policy statement.

obligated to non-disclosure, and has not received information with the understanding that it will not be disclosed, certain categories of information on the list of exceptions will not remain restricted indefinitely and will be disclosed in accordance with timelines and procedures for release.

(b) **Setting out a Clear List of Exceptions**

CDB may, in exceptional circumstances, decide not to disclose information that would be normally accessible if it determines that the harm that might occur by doing so will outweigh the benefits of access. CDB may also, in exceptional circumstances, make available to the public information ordinarily excluded from disclosure when it determines that the benefit would outweigh the potential harm.

(c) **Safeguarding the Deliberative Process**

This policy will strike an appropriate balance between the need to grant the public maximum access to information in the Bank's possession, and the Bank's obligation to respect confidentiality, particularly during deliberative processes.

(d) **Providing Clear Procedures for Making Information Available to the Public**

CDB will employ all practical means to facilitate access to information. Guidelines for maximising access to information will include clear and cost-effective procedures and timelines for processing requests and will be based on use of a system for classifying information according to its accessibility over time.

(e) **Recognising Requesters' Right to an Appeal Process**

This policy will provide persons with legitimate concerns about CDB's level of disclosure, the means to appeal decisions denying access to information and with time-bound responses through an appeals mechanism.

1.07 This policy statement is divided into four parts. Following this introduction – Section 1, Section 2 sets out the core policy, Section 3 sets out how CDB handles information relating to member countries and other parties, and Section 4 sets out the implementation aspects of this Policy.

## **2. THE POLICY**

2.01 CDB allows access to any information in its possession that is not on the list of exceptions (set out in Section 2, Part A, of this policy statement). In addition, over time, CDB declassifies and makes publicly available certain information that falls under the exceptions (as set out in Section 4, Part E, of this policy statement).

2.02 Notwithstanding the broad intent of this policy, the Bank reserves the right, under exceptional circumstances, to disclose certain information covered by the list of exceptions, or to restrict access to information that it normally discloses (as explained in Section 2, Parts B and C, of this policy statement).

### **A. THE EXCEPTIONS**

2.03 While CDB is committed to disclosing as much information as possible, the Bank does not provide access to information whose disclosure could cause harm to specific parties or interests. The following categories of information/documents will not be accessible because the Bank has determined that the potential harm caused by their disclosure outweighs the benefit to be derived from accessibility.<sup>2</sup>

#### **Personal Information**

2.04 CDB establishes and maintains appropriate safeguards relating to Board members, members of Management and CDB staff and consultants. Accordingly, CDB does not provide access to documents that contain or refer to the following:

- (a) personal information, including personal staff records, medical information, and personal communications (including through e-mails that are not classified as “public” according to CDB’s classification system) of the following individuals and their families; Directors, their Alternates and their Advisers; the President of the Bank; other CDB officials; staff; and consultants engaged by the Bank;
- (b) information relating to processes of staff appointment and selection and performance evaluation;
- (c) information relating to proceedings of CDB’s internal conflict resolution mechanisms; and
- (d) information relating to investigations of allegations of staff misconduct and personal conflicts of interest.

#### **Legal, Disciplinary or Investigative Matters**

2.05 CDB will not disclose:

- (a) information subject to attorney-client privilege including, among other things, communications provided and/or received by the General Counsel and other legal advisors, legal advice and matters in legal dispute or under negotiation including disciplinary and investigatory information generated in or for the Bank;

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<sup>2</sup> In this policy statement, the information that falls under the exceptions is also referred to as “restricted information”.

- (b) documents, reports or communications in circumstances where disclosure would violate applicable law, or could subject the Bank to litigation risk. In the context of litigation, the Bank will require that its privileges and immunities under the Agreement Establishing the Bank be respected; and
- (c) information subject to protection of its sources of information, or the identity of any Whistle Blower or those cooperating with Bank investigations of fraud, corruption or misconduct in its financed activities, except as otherwise provided under any applicable Bank policy.

### **Information Provided by Member Countries, Private Sector Entities or Third Parties in Confidence**

2.06 CDB has an obligation to protect information that it receives in confidence.

- (a) CDB will not provide access to information provided to it by a member country, private sector entity or third party entity on the understanding of confidentiality, without the express permission of that member country, private sector entity or third party.<sup>3</sup>
- (b) CDB will also not make publicly available documents that contain proprietary information, such as trade secrets or pricing information, without the express permission of the owner of such information. Materials held by CDB in which other parties hold the copyright may be made available for review, but copying or distributing of such material may be limited to respect the rights of the copyright holder.
- (c) CDB will not make publicly available private sector documents, including loan appraisal reports, financial, business or proprietary information of private entities received by CDB in the analysis or negotiation of loans unless permission is given by those private entities to release such information.

### **Country-Specific Information**

2.07 CDB will not disclose:

- (a) information that is contained within country-specific documents produced by CDB if it has been identified in writing by countries as confidential or potentially damaging to its relations with the Bank; and
- (b) financial information that if disclosed would or would be likely to materially prejudice the ability of a member country government to manage its economy.

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<sup>3</sup> When a member country, private sector entity, or third party provides financial, business, proprietary, or other non-public information to CDB with the understanding that it will not be disclosed, CDB treats the information accordingly. This includes information, data, reports and analysis (including holdings, positions and performance information), deliberations, and any other work product generated as a result of, or in response to, the confidential information received.

### **Deliberative Information**

2.08 Except as provided for explicitly in this policy, information about deliberations between CDB and its clients or third parties, the Board of Directors (referred hereafter to as the Board), the Board of Governors and member countries, as well as information pertaining to CDB's own internal deliberative process, will not be disclosed. Records of Board deliberative processes including Board statements, documents and proceedings are protected by the Rules of Procedures of the Board except to the extent that the Board authorises their disclosure. CDB does not provide access to the following:

- (a) information (including electronic mail (e-mail), notes, letters, memoranda, draft papers and reports, or other documents) prepared for, or exchanged during the course of CDB's deliberations with member countries or other entities with which CDB cooperates;<sup>4</sup>
- (b) information (including e-mail, notes, letters, memoranda, draft reports or other documents) prepared for, or exchanged during the course of its own internal deliberations including documents pertaining to Board deliberations:
  - (i) verbatim transcripts of Board meetings and Board Committee meetings, and the Memoranda of the President that accompany Board papers.
  - (ii) statements of Directors and staff in the context of Board meetings or Board Committee meetings;
  - (iii) reports to the Board from its Committees if subsequent Board discussion is expected<sup>5</sup>; and
  - (iv) miscellaneous memoranda or informal notes distributed to the full Board or to a Board Committee.
- (c) statistics prepared or analyses carried out solely to inform CDB's internal decision-making processes (such as analyses of country creditworthiness, credit ratings and risk, aide mémoires, and supervision reports);
- (d) information related to procurement processes which involve pre-qualification information submitted by prospective bidders, proposals or price quotations, or records of deliberative processes; and
- (e) audit reports prepared by Internal Audit.

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<sup>4</sup> If a member country or a third party has not classified the information given to CDB and, to CDB's knowledge, the member country or third party concerned has not made the information public, then such information is considered to be deliberative under paragraph 2.08 of this policy statement. If CDB believes that such information was given by the member country or third party (explicitly or implicitly) in confidence, the information is classified accordingly and restricted from disclosure pursuant to paragraph 2.06 of this policy statement.

<sup>5</sup> If no subsequent Board meeting is expected, CDB makes publicly available Reports to the Board from its Committees, with deliberative information removed.

## **Financial Information**

2.09 CDB will not provide access to the following financial information<sup>6</sup>:

- (a) internal financial information not yet in the public domain which if disclosed may affect CDB's activities in capital and financial markets or to which such markets may be sensitive including, but not limited to, liquidity, investments, estimates of future borrowings and redemptions of borrowings, contributions by individual donors, financial forecasts and credit assessments and data on investment, hedging, borrowing and cash management transactions generated by or for the Bank's treasury operations, expected rates of interest, rates of return and financial ratios and documents dealing with financial matters not yet approved by the relevant CDB authorities;
- (b) documents, analyses, correspondence, or other information used or produced to execute financial and budgetary transactions, or to support the preparation of internal and external financial reports;
- (c) details of individual transactions under loans and trust funds, information regarding amounts overdue from borrowers, or actions taken before any loans are placed in nonaccrual status; and
- (d) banking or billing information of CDB's entities, member countries, clients, donors, recipients, or vendors, including consultants.

## **Corporate Administrative Information**

2.10 CDB does not provide access to:

- (a) information relating to its corporate administrative matters, including, but not limited to corporate expenses, procurement, real estate, and other activities;<sup>7</sup> and
- (b) information dealing entirely with corporate administration or operating systems which has no direct effect outside the institution, or corporate documents written by staff to their colleagues, supervisors or subordinates, unless those documents are intended for public circulation in accordance with Bank policies.

## **Security and Safety**

2.11 CDB does not provide access to:

- (a) information that could compromise the security or safety of CDB staff and their families, contractual employees and outside contractors; CDB assets; or the national security of member governments;

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<sup>6</sup> Certain financial information is eligible for declassification and disclosure over time, as indicated in Section 4, Part E, of this policy document.

<sup>7</sup> Corporate administrative matters include pension and other retirement benefit plans of CDB, which are governed by the Board of Trustees

- (b) information about logistical and transport arrangements related to CDB's shipment of its assets and documents and the shipment of staff's personal effects; and
- (c) information whose disclosure is likely to endanger the life, health, security, or safety of any individual, or the environment.

### **Communications Between the Bank and Directors**

2.12 CDB shall not disclose communications between the Bank and Directors except to the extent authorised by the President and the Director.

### **Electronic Mail**

2.13 E-mail, which has become the Bank's predominant medium of communication, is treated as follows:

- (a) e-mails that contain or convey decisions or outcomes and that are filed in the Bank's records management system and classified as "Public" are publicly available;
- (b) e-mails that are filed in the Bank's records management system but classified as "Official Use Only," "Confidential," or "Strictly Confidential" are not publicly available unless the information content of the e-mail becomes eligible for declassification and disclosure over time; and
- (c) the Bank does not provide access to e-mail that resides outside its records management system (including e-mail that does not pertain to official matters and e-mail containing personal information or communications of Bank staff and other officials; see also paragraphs 2.04 (a) and 2.08 (a) and (b) of this policy statement).

## **B. CDB'S PREROGATIVE TO DISCLOSE RESTRICTED INFORMATION**

2.14 CDB reserves the right to disclose information on the list of exceptions earlier than as required under this policy. This may include certain corporate administrative information (paragraph 2.10), deliberative information (paragraph 2.08), and financial information (paragraph 2.09 (a), (b), and (c)) information on the list of exceptions earlier than as required under this policy. This prerogative will be exercised by the proposed Information Disclosure Committee (IDC) in exceptional circumstances based on the general rule that the overall benefits of such disclosure outweigh the potential harm and so long as CDB is not legally or otherwise obligated to non-disclosure and has not been provided information with the understanding that it will not be disclosed.

2.15 In exercising this prerogative, the following applies:

- (a) Board approval for early disclosure of Board papers or Board records classified as "confidential" or "strictly confidential";<sup>8</sup>

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<sup>8</sup> The "Confidential" classification shall be applied to information or material the unauthorised disclosure of which could be reasonably expected to cause damage to the work of CDB. The "Strictly Confidential" classification shall apply only to information or material the unauthorised disclosure of which reasonably could be expected to cause exceptionally grave damage to or impede the conduct of the work of CDB. (Source: United Nations. Archives and Records Management Section Guideline on Information Sensitivity, Classification and Handling)

- (b) the written consent of the party concerned for early disclosure of information provided to CDB in confidence by a member country or third party entity; and
- (c) the approval of IDC for early disclosure of any other documents on the list of exceptions.

**C. CDB's PREROGATIVE TO RESTRICT ACCESS**

2.16 CDB also reserves the right to withhold information which it would otherwise disclose. This prerogative will be exercised by CDB in exceptional circumstances based on the general rule that the overall benefits of such withholding outweigh the potential harm of disclosure. CDB will issue a statement whenever this prerogative is used. The prerogative of CDB to withhold information that is not on the list of exceptions will be informed by advice from, and consultations with: the Board, with respect to Board records; the relevant Vice-President concerned, with respect to Board papers; and the relevant Director, with respect to any other information.

### **3. INFORMATION RELATING TO MEMBER COUNTRIES AND OTHER PARTIES**

3.01 CDB takes the following approach to disclosing information related to Borrowing Member Countries (BMCs)/borrowers:

- (a) ***Country-specific operational documents prepared by CDB that are routinely discussed with BMC/borrower*** (for example, Country Strategy Papers (CSPs), Project Appraisal Documents, Economic and Sector work). Before finalising the document, CDB requests the BMC/borrower concerned to identify whether the document contains any confidential information or information whose disclosure may adversely affect relations between CDB and the BMC/borrower. CDB, as it considers appropriate, makes adjustments to the document to address the matters of concern. The aide-mémoire of project missions may be made publicly available if both the Bank and the country/borrower agree.
- (b) ***Simultaneous disclosure of certain Board documents at the time of distribution to the Board.*** Information sent by Management to the Board for information and classified as “Public” under CDB’s new Information Security Classification System (see Section 4, Part D of this policy) will be disclosed at the time it is distributed to the Board. Included among documents are country-owned documents, prepared or commissioned by a BMC/borrower that are made public as a condition of doing business with CDB and with the understanding that CDB will make them available to the public.<sup>9</sup>
- (c) ***Country-specific documents prepared by CDB that are not routinely discussed with the BMC/borrower.*** The Vice-President (Operations) may consult the BMC concerned if the Vice-President believes that the documents contain confidential information relating to the country. CDB, as it considers appropriate, makes adjustments to the document to address the matters of concern.
- (d) ***Other documents prepared by BMCs/borrowers that are in CDB’s possession.*** Countries often give CDB information that does not fall into one of the above categories (for example, information on a country’s macroeconomic context, governance issues or sector or institution-specific analyses). CDB does not disclose the material without obtaining the country/borrower’s written consent if the country/borrower has assigned an information classification that restricts public access.
- (e) ***Documents prepared jointly with Partners.*** CDB makes available to the public the final documents that it prepares jointly with partners after reaching agreement on such disclosure with the partner concerned.<sup>10</sup>
- (f) ***Documents prepared by CDB staff for a fee (“fee-based services”).*** CDB makes such documents available to the public only after the country (or other third-party) authority concerned has granted its written consent to disclose.

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<sup>9</sup> Examples of such documents include: National Poverty Reduction Strategy Papers and Environmental Assessments.

<sup>10</sup> Bank staff explain CDB’s IDP to the potential partner before initiating work and obtain the potential partner’s agreement to the disclosure of the joint product. Documents prepared jointly with partners are not subject to public access if they include, or are based on, information that is restricted under Section 2, Parts A and B, of this policy statement.

#### **4. IMPLEMENTATION ASPECTS OF THE POLICY**

##### **A. INFORMATION DISCLOSURE COMMITTEE**

4.01 This policy provides for the establishment of an IDC, an administrative body that reports to CDB's Management. The IDC will be created before the IDP becomes effective. The IDC advises Management on the application of this policy to complex issues, reviews proposals to disclose information that is on the list of exceptions, receives and rules on appeals under this policy statement, establishes service fees and service standards, and issues guidelines to staff on policy implementation.

4.02 The IDC will also have the authority to interpret this policy in line with the policy's guiding principles, and to uphold or reverse prior decisions to deny access, with the exception of decisions made by the Board. The IDC will have the authority to reject unreasonable, or unsupported requests for information; and any request that would require CDB to develop and compile information or data that does not already exist.

##### **B. INFORMATION DISCLOSURE HANDBOOK**

4.03 To effectively deliver on the policy, a clear implementation framework will be developed in the form of an Information Disclosure Handbook (IDH). This IDH is key to optimum implementation of the policy to guide staff and stakeholders on all issues related to information disclosure. It will outline the workflow arrangements for making operational information available to the public in accordance with the policy. It will clarify processes and procedures for classification and declassification of documents, and the appeals mechanism. It would elaborate on best practice for disclosure of information in a systematic and timely manner. Various methods and processes of disseminating information will also be described for different target groups. All departments and units will have a role to play in the implementation process and disclosure of information will be mainstreamed into work programmes.

##### **C. ACCESSING INFORMATION**

###### **Information on Request**

4.04 Information that may be disclosed under this policy will be made available to the public on CDB's corporate website. Information available to the public that is not on CDB's corporate website is available on written request submitted by electronic means, mail or fax.

###### **Timelines for Response to Requests**

4.05 CDB seeks to be responsive to requests and acknowledges receipt of written requests for information within five (5) working days and to provide a comprehensive response within twenty (20) working days. Additional time may be needed in circumstances that require review by the IDC, internal CDB Units or the Board.

###### **Translations**

4.06 English is the official working language of CDB. However, translation into French of some strategic and policy documents is facilitated.

### **Proactive Disclosure**

4.07 CDB routinely will disclose a wide range of documents through its corporate website – [www.caribank.org](http://www.caribank.org) – as soon as the documents are finalised and approved for disclosure. Under this policy, CDB significantly increases the amount of information it makes available to the public, particularly information related to projects under implementation and to the actions of the Board.

### **Board Proceedings**

4.08 Board records<sup>11</sup> refer to records of the Board or Board Committee discussions. Because the Board makes decisions primarily through consensus (rather than by vote), it is important that Directors be able to engage in frank dialogue, candidly expressing their views while remaining open to compromise in order to reach consensus at the end of the process. If the view of each Director is immediately known to the public, it may put undue pressure on Directors, and could also politicize CDB’s decision-making process. Therefore, this policy provides for the following:

- (a) final decisions and outcomes of the Board’s deliberative process be disclosed, and
- (b) deliberative Board records not be disclosed unless they become eligible for declassification in accordance with the proposed declassification timelines.<sup>12</sup>

Some Board discussions which deal with issues that fall under the list of exceptions of this policy are classified as “Confidential” or “Strictly Confidential” and are not disclosed unless they become eligible for declassification under the declassification schedule provided under paragraph 4.14 of the policy statement. Minutes of Board meetings and Minutes of Board Committee meetings prepared on or after (the effective date of this policy), are posted after confirmation of the Board at its next scheduled meeting.

4.09 Board papers distributed for discussion or consideration (decision) by the Board are made publicly available after Board approval. However, Board papers whose preparation may have involved consultation with affected parties, civil society groups, and other stakeholders are posted before the Board discussion. These include the following:

- (a) operational policy papers and sector strategy papers that are prepared following a public consultation process, if the Directors have already reviewed a draft version of the paper<sup>13</sup>;
- (b) country strategy papers and project appraisal documents, if the member country consents to such early disclosure;
- (c) Board papers distributed for discussion by a Board committee are posted at the end of the Committee’s deliberation if a subsequent Board discussion is not anticipated; and

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<sup>11</sup> For the purposes of this policy, “Board records” refers to records of the Board or the Board Committee discussions such as verbatim transcripts, minutes, supplemental minutes, statements of individual Directors, and Chairman’s Concluding Remarks. Not all of these records are prepared following every Board meeting.

<sup>12</sup> This policy also proposes to declassify most of the restricted Board records after a lapse of 5, 10, or 20 years. See Appendix 1)

<sup>13</sup> If a draft version has not been previously reviewed by the Board, the paper is made available to the public at least two weeks before the Board discussion if the Board approves such early disclosure.

(d) Board papers distributed to the Board for information are posted upon distribution.

#### **Unreasonable or Unsupported Requests**

4.10 CDB reserves the right to refuse unreasonable or unsupported requests, including any request that would require CDB to create, develop, or collate information or data that does not already exist or is not available in CDB's enterprise content management system.

#### **Service Fees**

4.11 Information is made available in digital form free of charge on CDB's corporate website. CDB may charge a reasonable fee for any request for hard copies of information that is not routinely posted.

### **D. CLASSIFICATION**

4.12 Based on this policy, all information produced or received by CDB will be classified as either "Public" or belonging to one or more restricted/non-public classification levels, such as "Official Use Only", "Confidential", or "Strictly Confidential".<sup>14</sup>

#### **Information that CDB Creates**

4.13 CDB will adopt an information classification system which would require designation and clear labeling of all information produced by CDB at the time of its creation as either "Public" or "Restricted." In the spirit of disclosure, the majority of the information is available to the public and is classified "Public" subject to the list of exceptions. Restricted information will relate to information under the list of exceptions and will be further classified into three categories namely; "Official Use Only", "Confidential" and "Strictly Confidential". Restricted information may however, at some stage be subject to declassification. Each document will clearly indicate the date on which such document can eventually be disclosed upon declassification. Draft papers are treated as deliberative documents.

#### **Information that CDB Receives**

4.14 Information received by CDB from its clients and development partners will on receipt be classified according to CDB's information classification system on the basis of the classification level ("Public" or "Restricted"). CDB requires that member countries or third parties assign appropriate information classification to information that they provide to CDB. If CDB receives information in confidence from a member country or a third party, the recipient department or unit ensures that such information is (a) appropriately classified in accordance with the provider's expectation, using CDB's information classification levels and (b) filed in the Bank's records management systems. CDB will not make public such information without the written consent of the concerned party. If a member country or third party fails to assign an information classification and if, to the Bank's knowledge, the information has not already been made publicly available by the member country or third party, the Bank considers the information to be, as relevant, deliberative information or information provided in confidence.

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<sup>14</sup> The IDH will provide guidance on procedures for classification, filing, declassification and archiving of documents.

## **E. DECLASSIFICATION AND ARCHIVES**

4.15 CDB recognises that the classification of information as non-public under the exceptions listed in Section 2 of this policy may change over time, thus the implementation of this policy will also include a system for declassification as outlined in Appendices 1 and 2 of this policy.

### **Information Eligible for Declassification**

4.16 The classification level assigned to information/documents will determine the schedule for disclosure, including the declassification of records under a three-tiered timeline after five, ten or twenty years. Information classified under the strictest confidentiality standard of the classification system will not be disclosed even after 20 years.

4.17 Requests for information created before the effective date of this policy and not available on CDB's corporate website will be reviewed by CDB on the basis of the procedures for classification and declassification referred to herein and their corresponding timelines. A list of documents that are declassified and made public is available at Appendix 1.

4.18 The IDH provides a list of the documents falling under each level of classification together with the timelines and procedures for classification and declassification. In addition, a systematic way of archiving elaborated in the IDH will facilitate smooth declassification, and protect information that should not be disclosed.<sup>15</sup>

### **Information not Eligible for Declassification**

4.19 The information that is restricted from disclosure under the list of exceptions set out in paragraphs 2.04 and 2.12 of this policy and the financial and deliberative information that contains or relates to such information, is not declassified or made publicly available.

## **F. APPEALS MECHANISM**

4.20 The IDC will be the first stage of appeal. Its role will include considering and responding to legitimate concerns regarding failure to provide information eligible for disclosure. In situations where a complainant is dissatisfied with the decision of IDC, the complainant may lodge a further appeal within a stipulated time frame to CDB's external Appeals Panel<sup>16</sup>. This is the second and final stage of appeal. The decisions of the external Appeals Panel will not be re-considered by any other Appeals Committee, authority or jurisdiction of CDB.

4.21 All appeals must be submitted in writing to CDB's corporate website within 60 calendar days of the decisions to deny access. Appeals received beyond the 60-day period for filing are deemed out of time and are not considered.

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<sup>15</sup> A Records Retention and Document Destruction Policy identifies official copies for records management purposes and sets out the type and age of documents whose hard copies can be destroyed after a certain period of time. The archiving process involves scanning documentation to ensure information is stored in both soft and hard copy.

<sup>16</sup> The external Appeals Panel will comprise of three experts on information disclosure policies and practices. These experts will be appointed by the President of CDB and endorsed by CDB's Board.

4.22 Requesters are notified if the appeal is dismissed: (a) for failure to file within the required time; (b) for failure to provide sufficient information that would reasonably support the appeal; or (c) for appealing a matter that the IDC or Appeals Panel does not have authority to consider. If the decision to deny access is reversed, the requester is notified of the decision and of the process for making the information available.

**G. POLICY EFFECTIVENESS AND EVALUATION**

4.23 This Policy becomes effective six (6) months after Board approval and will be reviewed periodically.

**INFORMATION ELIGIBLE FOR DECLASSIFICATION**

The following Board documents are declassified and made publicly available five, ten or twenty years after the date on the document<sup>[1]</sup>, *provided that they do not contain or refer to information that is not eligible for declassification as set out in paragraph 4.19 of this policy statement:*

**AFTER FIVE YEARS**

- Board minutes prepared five years prior to the effective date of this policy.
- Minutes of Board Committee meetings prepared before the effective date of this policy.
- Chairman’s Concluding Remarks of Board meetings prepared five years prior to effective date of this policy.
- Board papers that were prepared before the effective date of this policy and are classified “Official Use Only”.
- Final documents listed in Appendix 2 of this policy statement that were prepared before the effective date of this policy, and classified as “Official Use Only.” (Draft documents and other deliberative documents, although classified as “Official Use Only,” are considered to be deliberative information and are declassified only after 20 years.)

**AFTER TEN YEARS**

- Statements of Directors and staff in the context of Board meetings or Board Committee meetings.
- Reports to the Board from its Committees.
- Miscellaneous memoranda or informal notes distributed to the full Board or to a Board Committee.

**AFTER TWENTY YEARS**

- Board papers that are classified as “Confidential”
- Final documents listed in Appendix 2 of this policy statement that were prepared before the effective date of this policy, and classified as “Confidential” or “Strictly Confidential.”
- Financial information restricted under paragraph 2.09 (a), (b), and (c), unless the information pertains to the exceptions set out in paragraphs 2.04-2.07, 2.09 (d), 2.10-2.12 of this policy statement.
- Other documents in the possession of CDB’s Records Management Centre, unless the documents pertain to the exceptions set out in paragraphs 2.04-2.07, 2.09 (d), 2.10-2.12 of this policy statement, including any deliberative or financial information containing or referring to those exceptions.

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<sup>[1]</sup> In applying these declassification schedules, the relevant date for unpublished documents is the date when the document was created; the relevant date for published documents is the date of publication. The declassification schedules set forth in this section must be read holistically to ensure that the document concerned is declassified appropriately. For example, although an “Official Use Only” Board paper may be declassified after 5 years, Memoranda of the President (which may also be classified as “Official Use Only” Board papers) are declassified only after 20 years.

**DECLASSIFICATION SCHEDULE FOR CERTAIN HISTORICAL DOCUMENTS  
CREATED BEFORE THE EFFECTIVE DATE OF THIS POLICY**

Pursuant to paragraph 4.18 of the policy statement, the final documents listed in this Appendix, if they were created before the effective date of this policy are eligible for declassification according to the following schedule:

- (a) 5 years after the date of a document classified as “Official Use Only,” and
- (b) 20 years after the date of a document classified as “Confidential,” or “Strictly Confidential.”

These documents are eligible for declassification if they do not contain or refer to information that falls under an exception that is not eligible for declassification (see paragraph 4.19 of this policy).

**A. OPERATIONAL DOCUMENTS PREPARED BY CDB**

- Country Strategy Papers and related information
- Economic and Sector Work
- Environment and Social Documents
- Sector Studies
- Sector Policies
- Project Appraisal Documents
- Project Completion Reports
- Policy-Based Loans Appraisal Reports
- Project Profile
- Project Pipeline
- Annual Portfolio Performance Review
- Evaluation and Oversight Reports on the effectiveness of CDB’s assistance in a given member country
- Sector Strategy Papers (SSPs), draft SSPs
- All other operational policy and strategy papers

**B. FINANCIAL INFORMATION**

- Annual Budget Document

**C. DOCUMENTS PREPARED BY CDB IN COLLABORATION WITH THE MEMBER COUNTRY**

- National Poverty Reduction Strategy Papers (NPRS)
- Monthly Progress Reports for NPRS
- Country Poverty Assessments (CPAs)
- Monthly Progress Reports for CPAs