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Enabling poor rural people
to overcome poverty

IFAD Policy on the Disclosure of Documents (2010)

Note to Executive Board representatives

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Executive Board — 100th Session
Rome, 15-17 September 2010

For: Approval

Recommendation for approval

The Executive Board is invited to approve the following decision:

“The Executive Board of IFAD,

Having considered the IFAD Policy on the Disclosure of Documents (2010),

1. Decides to:
 - (a) Adopt the IFAD Policy on the Disclosure of Documents (2010) as set out in this document;
 - (b) Adopt the proposal for the IFAD Policy on the Disclosure of Documents (2010) to become effective not later than 1 January 2012;
 - (c) Adopt the implementation procedures as outlined in annex V;
 - (d) Authorize Management to implement the IFAD Policy on the Disclosure of Documents (2010) in line with the proposed implementation procedures.
2. Management will inform the Governing Council of the changes to the IFAD Policy on the Disclosure of Documents (2010). It will also monitor the policy’s implementation and keep the Board informed of progress made in this respect.
3. The IFAD Policy on the Disclosure of Documents (2010) shall supersede all previous disclosure policies of the Fund.”

IFAD Policy on the Disclosure of Documents (2010)

I. Introduction

1. The IFAD Policy on the Disclosure of Documents was first adopted by the Governing Council in February 1998 for an interim phase of 18 months, that is, from July 1998 to December 1999. At the end of this period, the Executive Board was authorized by the Governing Council to adopt a final policy.¹
2. On the basis of the initial policy, the Board has periodically adopted and reviewed (respectively in 2000, 2003, 2006 and 2009) the Fund’s disclosure regime, in response to requests from Member States and the public for greater access to documents and information on IFAD’s activities.
3. Today, the Fund discloses a range of information, through a variety of channels. This includes documents submitted to the plenary sessions of its governing bodies, information notes on projects being developed for Board presentation, agreements for approved loans and grants, and project/programme design documents.
4. The Consultation on the Eighth Replenishment of IFAD’s Resources requested the Executive Board to amend the IFAD Policy on the Disclosure of Documents, to enable project design documents to be disclosed prior to the Executive Board session at which the project is to be considered. The Consultation also directed the Executive Board to review policy provisions with regard to the disclosure of previously undisclosed documents.
5. This proposal to amend the IFAD disclosure policy responds to the agreement reached at the Consultation on the Eighth Replenishment of IFAD’s Resources. In

¹ EB 2000/69/R.13/Rev.1.

addition, it seeks to align the policy with evolving best practices at other international financial institutions (IFIs). Accordingly, Management recommends to the Executive Board that IFAD adopt the principle of a "presumption of full disclosure" in its disclosure policy.

6. Adopting a full disclosure policy will require IFAD to upgrade its information and communication technology and also have dedicated staff to manage the disclosure of a much larger volume of documents and data. Currently, given the limited volume of documents that are routinely disclosed, the disclosure of documents is managed by the Communications Division (COM) as part of its regular work.
7. Management estimates that additional budgetary resources will be required to meet approximately US\$836,000 in capital expenditures and US\$606,700 in annual recurrent costs. Subject to the Board's approval, Management will include these amounts in IFAD's programme of work and administrative budget submission for 2011 as a separate item.

II. Documents disclosed under the current policy

8. Under IFAD's current disclosure policy, the following documents are disclosed to the public at the same time that they are made available to Executive Board representatives and Governors:
 - All documents submitted to the Governing Council (including its Replenishment Consultations);
 - All documents submitted to the Executive Board (including the Evaluation Committee);
 - Information/status notes on projects being developed for presentation to the Executive Board following internal approval of the inception memorandum;
 - Agreements for loans and grants once they are signed and effective;
 - Amendments to loan and grant agreements once signed and countersigned;
 - Previously undisclosed documents that are eligible for disclosure under the current policy (upon request or as necessary).² (See annex I for a list of documents currently disclosed.)
9. Moreover, all evaluation reports and documentation submitted to the Evaluation Committee are made available to the general public on the website of the IFAD Office of Evaluation (IOE), which is part of IFAD's corporate website. The complete list of evaluation documents that are currently disclosed is provided in annex II.
10. In addition, as approved in September 2009,³ project/programme design documents are disclosed to the public in their original language prior to the Executive Board session at which the project/programme is to be considered.

III. Towards a policy of presumption of full disclosure

11. Management believes that given IFAD's 12 years of experience with disclosing documents and the need to align the IFAD policy with evolving best practice in this field, the Fund should now adopt a policy of "presumption of full disclosure of documents produced by IFAD" (hereinafter referred to as "full disclosure"). IFAD's proposed new disclosure policy is reviewed against the practices of other IFIs in annex VI.

² EB 2006/89/R.5/Rev.1.

³ EB 2009/97/R.33.

12. Management proposes that 2011 be used to prepare the information and communication technology infrastructure and recruit the staff required for the implementation of the new disclosure policy. The new policy will then come into effect not later than 1 January 2012.
13. The adoption of such a policy is expected to result in a number of advantages. First, full disclosure will affirm IFAD's commitment to transparency and good governance and IFAD will be seen by all its stakeholders as adhering to the best practices of other IFIs.
14. Second, full disclosure will enhance IFAD's information and knowledge sharing with its Member States, development partners and the public.⁴ In time, this is expected to enhance IFAD's development impact as the lessons learned from its wide experience will be shared with a much larger audience. The potential for replicating IFAD's development projects is also expected to increase and the development process strengthened.
15. Third, IFAD's own ability to learn from its operations is likely to be enhanced once it is in a position to receive the more comprehensive feedback made possible by full disclosure.
16. As with the practice of other institutions, some documents will not be disclosed (see annex III), primarily for confidentiality reasons. In line with its full disclosure policy, the Fund will, however, try to keep such cases to an absolute minimum. Annex V outlines the appeals process stipulated under the policy.
17. The implementation procedures for the new disclosure policy are elaborated in annex V. These designate COM as the primary organizational unit responsible for implementing the policy. The procedures further detail the composition and modus operandi of the Disclosure Committee that will entertain appeals regarding documents that are not disclosed.
18. The IFAD Policy on the Disclosure of Documents (2010) does not automatically amend, alter or affect in any way the IFAD Evaluation Policy with regard to the disclosure of documents originating from the IFAD Office of Evaluation (IOE). Nonetheless, the Evaluation Policy does refer to IFAD's disclosure policy as guiding the dissemination of IOE documents. The Board may therefore wish to review the implications that the revised policy could have for IOE's disclosure and dissemination practices, as set forth in the IFAD Evaluation Policy.

IV. Budgetary implications of a full disclosure policy

19. Full disclosure of documents will require a robust information and communication technology foundation. Although IFAD continuously upgrades such infrastructure, the implementation of the full disclosure policy will nonetheless require a specialized upgrade. It will also require dedicated staff to manage the full disclosure of documents and respond to specific requests and queries.
20. Management estimates that the implementation of a full disclosure policy will entail a capital outlay of US\$836,000 in 2011 to upgrade the information and communication technology infrastructure. In addition, annual recurrent expenditures are estimated at approximately US\$606,700 per year, imputable in part to the need to have dedicated staff to manage the disclosure of documents and

⁴ EB 2009/98/INF.6.

in part to the maintenance needs of the new infrastructure. The details of the cost estimates are provided in annex IV.⁵

21. Subject to the approval of the Board, Management intends to include the additional costs of adopting a full disclosure policy as a separate budget item in its submission of the 2011 programme of work and administrative budget.⁶

V. Previously undisclosed documents eligible for disclosure

22. Documents previously undisclosed that are eligible for disclosure under the IFAD Policy on the Disclosure of Documents (2010) shall be made available to the public upon request.
23. In an effort to promote transparency, while bearing in mind the resource implications of applying full retroactive disclosure to governing body documentation produced before the adoption of the original disclosure policy (over 14,000 documents), Management proposes that previously undisclosed agendas adopted by the plenary sessions of the Governing Council (including its Replenishment Consultations) and the Executive Board (including the Evaluation Committee) be made available on IFAD's external website. Requests for the disclosure of documentation relative to such agendas may then be submitted to ifaddisclosure@ifad.org (see annex V). The requested documents shall be disclosed through the most appropriate channel.

VI. Language of disclosure

24. It is proposed that documents will be disclosed only in their original language, with the exception of documents already processed in IFAD's four official languages. Accordingly, no new translations or editing shall be undertaken for the purpose of implementing the full disclosure policy.

VII. Appeals process

25. Third parties that believe that the Fund has denied or restricted access to information can submit a request to appeal the decision.
26. The request of appeal can be based on the grounds that: (a) a third party has been denied the disclosure of a previously undisclosed document eligible for disclosure under the IFAD Policy on the Disclosure of Documents (2010) or a document contained in a previously undisclosed agenda; or (b) a third party considers that the Fund has violated the terms of its disclosure policy by improperly or unreasonably restricting information that should be disclosed under its terms.
27. The appeal process is detailed in annex V.

⁵ The World Bank Group has estimated that the implementation of its new disclosure policy will require additional resources in the order of US\$4.5 million in capital investments and up to US\$4.5 million for recurrent budget expenditures. The initial costs of the Disclosure Implementation Working Group for the year 2010 are estimated at around US\$1.2 million. These costs stem from the internal organizational changes needed in order to implement the policy. The changes are expected to include the creation of a working group to develop a detailed implementation plan, finalize requirements in terms of IT systems, develop guidelines and provide training for all Bank staff. Moreover, the Bank has proposed an appeal process for requesters who believe that the Bank has unreasonably denied access to information.

⁶ The additional budgetary amount cannot be included in the budget document prior to the Board's approval of the proposal for full disclosure. Therefore, it will not be reflected in the budget document being presented to the Board in September 2010.

Request decision

Decision .../...

IFAD Policy on the Disclosure of Documents

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Having considered the IFAD Policy on the Disclosure of Documents (2010),

1. Decides to:
 - (a) Adopt the IFAD Policy on the Disclosure of Documents (2010) as set out in this document;
 - (b) Adopt the proposal to have the IFAD Policy on the Disclosure of Documents (2010) become effective not later than 1 January 2012;
 - (c) Adopt the implementation procedures as outlined in annex V;
 - (d) Authorize Management to implement the IFAD Policy on the Disclosure of Documents (2010) in line with the proposed implementation procedures.
2. Management will inform the Governing Council of the changes to the current IFAD Policy on the Disclosure of Documents.
3. Management will monitor the policy's implementation and keep the Board informed of progress made in this respect.
4. The IFAD Policy on the Disclosure of Documents (2010) shall supersede all previous disclosure policies of the Fund.

Currently disclosed documents

Governing body documents

- All documents submitted to the plenary sessions of the Governing Council (including its Replenishment Consultations) and the Executive Board (including the Evaluation Committee)
- Summary records/minutes of the sessions of the Governing Council (including its Replenishment Consultations) and Executive Board (including the Evaluation Committee)

Legal documents

- IFAD's basic documents
- IFAD loan, grant and financing agreements with borrowers and recipients, and guarantee agreements

Financial documents

- IFAD audited financial reports
- IFAD Annual Report

Regional and country strategic documents

- Regional and subregional strategic opportunities papers/programmes
- Country strategic opportunities papers/programmes (COSOPs) as approved by the Executive Board

IFAD-financed project and programme documents

- Final design report

Information and documents currently disclosed by the IFAD Office of Evaluation (IOE)

- Evaluation reports (for individual projects, grants and country programmes) and thematic and corporate-level evaluations
- Evaluation profiles
- Evaluation insights
- Methodological framework for project evaluation
- An explanation of IOE's role and function
- IOE's current work programme and administrative budget
- The report "Towards a New Approach to Communicating Learning Generated through Evaluation – Making Learning Work"
- Guide for Project Monitoring and Evaluation
- IFAD Evaluation Policy (adopted by the Executive Board in 2003)
- Annual reports on results and impact of IFAD operations
- Documented work undertaken for the Independent External Evaluation of IFAD

Proposed exceptions

Information that shall not be disclosed includes:

- (1) Personal information such as personal staff records, medical information and personal communications of the President of IFAD, other IFAD officials, and IFAD staff; and personal communications of Executive Directors, their Alternates and their senior advisors;
- (2) Information, decisions and/or recommendations originating from the Sanctions Committee or any other internal body established in IFAD that makes decisions or recommendations on confidential issues.
- (3) Confidential legal advice provided by the Office of the General Counsel (LEG) to the governing bodies and to Management.
- (4) Human Resources Division (HRD) files, draft documents and e-mail communications.
- (5) Audit Committee documents with the exception of the annual investigation reports.
- (6) Documents related to security and safety arrangements for IFAD and its staff.
- (7) Information restricted under the separate disclosure regime of IOE.
- (8) Internal financial information.
- (9) Information provided by Member States or third parties in confidence.
- (10) Deliberative processes¹ or information that has been identified as sensitive by the government of the country concerned
Verbatim deliberations of governing bodies, and verbatim deliberations of internal administration and deliberative processes.²
- (11) Procurement processes involving prequalification.
- (12) Analysis of country credit worthiness and credit ratings.

¹ Disclosed documents shall be limited to the results of deliberations, and shall not include the deliberative processes that took place before the results or decisions were reached, unless otherwise decided (annex I).

² In order to protect the integrity of such deliberative processes and to encourage openness in exchanges and written submissions. Release of such document will require the specific authorization of the body concerned.

Estimate for capital and recurrent costs of adopting full disclosure

1. Full disclosure of documents requires a robust information and communications technology foundation. Although the Fund continuously upgrades its information and communication technology infrastructure, the implementation of the full disclosure policy will require a specific upgrade, involving:
 - Creating connectors and bridges between and among the Fund's corporate systems (for example, linking documents, records and various operational systems);
 - Developing applications to allow automatic profiling of data and implementing a public records repository to allow seamless disclosure of content;
 - Equipping the corporate website with a content management system and electronic work flow.
2. In order to contain the overall information and communication technology cost of implementing the full disclosure policy, the technical solutions indicated above will make use of existing infrastructure resources. While these should be sufficient during the initial stage, the need for additional resources will need to be assessed once these solutions have been fully rolled out.
3. In addition, to maximize the synergy of the information and communication technology infrastructure components, the application serving the seamless categorization process and the public repository will form the foundation of a new electronic information distribution system which will contribute to increased institutional efficiency and effectiveness. It should be noted that the solution envisaged will not provide for the retroactive disclosure of any past documents or data, apart from the agendas of official meetings.

Cost estimate for full disclosure

(In United States dollars)

<i>Component</i>	<i>Cost</i>
Capital expenditure	
Equipping corporate website with content management system and integration with corporate systems	486 000
Digital profiling system	180 000
Public records repository	120 000
Reporting orchestrator	50 000
Total	836 000
Recurrent expenditure^a	
Public information officer – oversees the implementation of the disclosure policy, reviews and responds to requests ^b	166 000
Web assistant – responsible for making content available on the website and making past governing body agendas available on the web	96 700
Web infrastructure maintenance	234 000
Incremental application maintenance for dataset disclosure	50 000
Awareness-building and training ^c	60 000
Total	606 700

^a These estimates are subject to annual revision and adjustment based on (i) demand; (ii) advances in technology; and (iii) evolving good practice.

^b Depending on the volume of requests for disclosure, a writer/editor may need to be employed to ensure that the content made available on IFAD's website meets minimum standards.

^c It is estimated that this may decrease by 50 per cent in 2014.

Implementation procedures

To implement the IFAD Policy on the Disclosure of Documents (2010), IFAD will adopt the following procedures (hereinafter referred to as the "implementation procedures").

1. COM, with the support of the Office of the Secretary (SEC), shall be responsible for coordinating the implementation of the disclosure policy.
2. Requests to disclose documents eligible for disclosure that are not available on IFAD's external website or documents contained in previously undisclosed agendas shall be submitted via e-mail to ifaddisclosure@ifad.org, or via postal mail to:

IFAD
Communications Division
Re: Disclosure
Via Paolo di Dono 44
00142 Rome
Italy

3. COM, with the support of SEC, shall have the authority to review the request and confirm to the requester whether or not the documentation can be disclosed in accordance with the disclosure policy, within 10 working days of receipt. The document may subsequently be disclosed using the most appropriate channel.
4. In the event that the request is not approved, the requester may appeal to the Disclosure Committee (hereinafter referred to as the "Committee").
5. An appeal may also be initiated by:
 - (a) a third party who has been denied the disclosure of a previously undisclosed document eligible for disclosure under the IFAD Policy on the Disclosure of Documents (2010) or a document contained in a previously undisclosed agenda; or
 - (b) third party who considers that the Fund has violated the terms of its disclosure policy by improperly or unreasonably restricting information that should be disclosed under its terms.
6. The Committee shall be composed of: a Programme Management Department (PMD) Director; Director, COM; and one senior representative from each of the following offices: Office of the Chief Development Strategist (CDS), SEC and LEG. COM shall designate a representative who shall serve as secretary to the committee. The Committee shall be chaired by the CDS representative and decisions shall be taken by consensus and considered final.
7. The Committee shall review the appeals during its scheduled quarterly meetings and inform the requester of its decision within 10 working days of the meeting.
8. In identifying the documents subject to disclosure, due consideration shall be given to protecting the confidential nature of information that, if disclosed, could be potentially detrimental to the interests of others or the Fund, as well as to safeguarding proprietary and financial information whose disclosure could interfere with IFAD's ability to carry out its activities.
9. Accordingly, before disclosing documents, appropriate attention shall be paid to identifying text or data that is confidential or may adversely affect the relationship between IFAD and the borrower and/or recipient, if disclosed. If appropriate, IFAD may consult with the borrower and/or recipient and/or other third parties, and/or make adjustments to documents to address issues of concern to the borrower and/or recipient, before the documents are disclosed.
10. In the event that IFAD is not the sole owner of the documents or information, authorization shall be sought before disclosing such documents or information.

IFI comparison chart

<i>Issue</i>	<i>IFAD's proposed new policy (2010)</i>	<i>World Bank new policy</i>	<i>International Monetary Fund (IMF) new transparency policy</i>	<i>Inter-American Development Bank (IDB) proposed new policy</i>	<i>African Development Bank Group (AfDB) Policy on Disclosure of Information</i>	<i>Asian Development Bank (AsDB) Public Communications Policy of the Asian Development Bank – Disclosure and Exchange of Information</i>
1. Stated presumption in favour of disclosure?	Yes	Yes	Only regarding specific categories of documents	Yes	No (disclosure of all information on its operations and activities unless there are compelling reasons not to do so)	Yes, the presumption applies in the absence of certain legal and practical constraints
2. Policy contains "positive list" of documents or information that may be disclosed?	No (list included as annex)	No (list included as annex)	Yes (included as part of policy)	No (list included as annex)	Yes (included as part of policy)	Yes (included as part of policy)
3. Create/increase budget for implementation	Yes, (US\$836,000 in capital expenditures and US\$606,700 in annual recurrent costs)	Yes (US\$4.5 million for capital budget and average. increase of US\$3.5 million per year onwards)	No	Yes	N/A	Yes (one time cost of approximately \$203,000 and recurring costs of approximately \$208,000 per annum)
4. Standard deadline for response to requests?	Yes	Yes	Yes	Yes	No	Yes
5. Confidentiality for "deliberative processes" (e-mail, verbatim transcripts of Management and Board meetings), internal audit department reports?	Yes	Yes	Yes (in archives policy)	Yes	Yes	Yes
6. Ability to deny "blanket requests"?	Yes, with explanation	Yes, with explanation	N/A	Yes	N/A	Yes
7. Review/appeals mechanism when information denied?	Yes (Disclosure Committee)	Yes (two-step appeals mechanism)	No	Yes (review mechanism)	N/A	Yes (Public Disclosure Advising Committee)
8. Disclose financial sector assessments or audited financial reports?	Yes	Yes	Yes (financial sector stability assessments)	Yes	No	Yes

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9. Disclose e-mail containing key process decisions or outcomes after they are classified in records management system as “public”?	Yes	Yes	No	Yes	N/A	No
10. Disclose all documents prepared jointly with other partners?	Yes, with authorization of the partner	Yes, final versions, after obtaining agreement of the partner	No	Yes	Yes, but some may be precluded on an ad hoc basis	Yes, unless partner objects
11. Disclose final decisions of project appraisals/reviews or of project concept review meetings and decision meetings?	Yes	Yes, with country's non-objection	N/A	Yes	N/A	N/A
12. Disclose project design documents or loan proposals/technical cooperation plans of operations at time of distribution to Board?	Yes	Yes, with country's non-objection	N/A (but Use of Fund Resources, Policy Support Investment and article IV documents disclosed only after decision)	No	Yes (“prospective project brief”)	No
13. Disclose midterm reports or key decisions at end of supervision missions and project midterm reviews?	Yes	Yes	N/A	Yes (sovereign guaranteed fund projects only)	N/A	N/A
14. Disclose minutes of Board meetings?	Yes	Yes	Yes, but only after five years	Yes	Yes (upon approval by the Board)	Yes (upon approval by the Board)

Note: N/A = Not applicable