

Independent Evaluation Group

Access to Information Policy

July 1, 2011



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This statement sets out the policy of the Independent Evaluation Group (IEG) of the World Bank Group on public access to evaluative material in IEG's possession. This policy supersedes IEG's earlier mix of three disclosure policies that included: Operation Evaluation Department's (OED) Disclosure Policy Statement – Final Recommendations, dated December 19, 2003; IEG-International Finance Corporation's (IEG-IFC) Disclosure Policy, dated April 2006; and text in Multilateral Investment Guarantee Agency's (MIGA) disclosure policy dated October 2007 that applies to IEG-MIGA.

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Access to Information Policy Statement for the Independent Evaluation Group¹

INTRODUCTION

The World Bank Group (WBG) has a well-established evaluation system that contributes to development learning and enhances accountability. Independent evaluation is an integral part of the WBG's governance structure. The Independent Evaluation Group (IEG)² is headed by the Director-General, Evaluation (DGE) and reports directly to the Board of Executive Directors through the Committee on Development Effectiveness (CODE). Its mandate is to assess the relevance, efficacy, and efficiency of WBG operational programs and activities and their contribution to development effectiveness.

Disclosure of evaluation reports and findings promotes transparency and accountability, facilitates the use of evaluation findings and lessons, and ensures independent reporting of evaluation results. Since 2004, IEG has disclosed its World Bank-related reports and other evaluation products under a separate disclosure policy regime than the World Bank policy,³ given the independent nature of its terms of reference. IEG-International Finance Corporation (IFC) and IEG-Multilateral Investment Guarantee Agency (MIGA) reports were likewise disclosed under separate disclosure policies; these policies had a similar presumption in favor of disclosure but have different procedures.⁴

In line with the World Bank's Policy on Access to Information (Access to Information Policy), which took effect on July 1, 2010, IEG replaced its earlier mix of disclosure policies with a single Access to Information Policy that offers greater transparency and consistency of access across the three IEG units.

1 This policy was approved by the Board on May 6, 2011.

2 See IEG's mandate and terms of reference.

3 Disclosure Policy Statement—Final Recommendations," dated December 19, 2003, and approved by the Board on January 8, 2004. The name Operations Evaluation Department (OED) was later changed to IEG.

4 In April 2006, a disclosure policy for IEG-IFC's evaluation products became effective, offering similar and coordinated disclosure criteria and processes with regard to IFC's policy. In October 2007, MIGA issued its current policy on disclosure of information, which applies to IEG-MIGA reports and evaluations. All three disclosure policies include a presumption in favor of disclosure. IFC's disclosure policy acknowledges that IEG's independence requires a disclosure regime separate from, but consistent with IFC's policy. The World Bank's Policy on Access to Information recognizes certain separate disclosure regimes of the Bank, and that the Bank does not provide access to information whose disclosure is restricted under the separate disclosure regime of the Independent Evaluation Group.

This policy shares the five guiding principles of the World Bank's Access to Information Policy:

- Maximizing access to information
- Setting out a clear list of exceptions
- Safeguarding the deliberative process
- Providing clear procedures for making information available
- Recognizing requesters' right to an appeal process.

THE POLICY

This Access to Information policy statement reflects IEG's role within the WBG. It allows access to any evaluative material in IEG's possession that is not on a list of exceptions (see below). The policy balances the need to protect IEG's relationship and deliberations with the Board of Executive Directors, and the nonpublic information that IEG receives from the WBG institutions in furtherance of IEG's mandate, with the responsibility to ensure speedy and comprehensive public access to information.

This Access to Information policy acknowledges that the documents that are made public by IEG will not include information restricted by the Bank's Access to Information Policy, or by IFC's and MIGA's Disclosure Policies.

A. General Principles

Scope: This policy applies to reports, research information, and supporting documentation originally produced by IEG while conducting its evaluations of WBG activities. It also applies to material generated by IEG advisory panels, external experts and other third parties hired by IEG. Inputs to IEG evaluations provided by other WBG entities are subject to disclosure and/or access to information policies of the respective entity. Evaluations conducted jointly with other partners will be disclosed in a manner consistent with this IEG policy.

Protecting deliberative processes: Efforts to enhance transparency and accountable reporting should be in balance with the promotion of good governance through independent evaluation at the WBG. IEG's mandate requires issuing recommendations designed to help improve the development effectiveness of Bank Group programs and activities. Disclosure should not inhibit the provision of advice or impede deliberative processes.

Board oversight of disclosure: The Board has ultimate authority over disclosure of reports IEG sends for deliberation and review. On an exceptional basis, the Board can decide not to

disclose any report that would otherwise be disclosed under this policy, if it determines that such disclosure is likely to cause harm that outweighs the benefits of disclosure.

Finalization of disclosed reports: IEG documents distributed to Executive Directors for discussion are final and disclosed in the same form as they have been issued to the Executive Directors, except edits to correct errors, clarify text, and remove any information taken from Bank Group documents that are not publicly available, in accordance with the corresponding Bank Group entity's disclosure policy.⁵

DGE responsibility: Subject to the Board's oversight, the DGE is responsible for the implementation aspects of the Access to Information Policy of the Independent Evaluation Group.

B. Exceptions

IEG will not act in a way that contravenes the policies on Disclosure or Access to Information of any of the WBG entities.

This policy is guided by, and fully consistent with, the second principle set out in the World Bank's Access to Information Policy—a clear list of exceptions. IEG, therefore, will not disclose information that falls within the following categories of exceptions:

(a) Information that falls within the “Exceptions” of the World Bank's Access to Information Policy, including: Personal Information; Communications of Executive Directors' Offices; Ethics Committee; Attorney-Client Privilege; Security and Safety; Information Restricted under Separate Disclosure Regimes and Other Investigative Information; Information Provided by Member Countries or Third Parties in Confidence; Corporate Administrative Matters; Deliberative Information; Financial Information including banking or billing information of World Bank Group entities, member countries, clients, donors, recipients, or vendors, including consultants, and the financial and deliberative information that contains or relates to such information.⁶

(b) Information for which the World Bank has exercised its prerogative to restrict access to information that it would normally disclose, in accordance with the Access to Information Policy, based on the determination that the disclosure is likely to cause harm that outweighs the benefits of disclosure.⁷

5 Documents are also edited to conform to WBG publishing standards.

6 World Bank Access to Information Policy (2010) at paras. 7-17.

7 World Bank Access to Information Policy (2010) at para. 19.

- (c) Information the disclosure of which could cause reputational or commercial injury, or pose undue liability, reputational and/or immunities risk to the WBG or its staff.
- (d) Information the disclosure of which is restricted under the IFC or MIGA policies.

C. Protecting Board and Committee Deliberations⁸

Evaluation documents distributed to the Board or a Board committee for discussion: IEG's evaluation reports distributed for discussion to CODE or a CODE subcommittee are normally disclosed after they are discussed by CODE or its subcommittee, with the following process-related exceptions:

- (a) When it is decided that an evaluation will be discussed by the Board, disclosure takes place after the Board discussion.
- (b) If neither CODE nor its subcommittee has scheduled a meeting within 30 calendar days of the distribution of the evaluation to the Executive Directors, the report is disclosed to the public after the 30 days have elapsed.
- (c) When the CODE Chair informs IEG that no discussion will take place, the report may be disclosed to the public before the 30-calendar day period has elapsed, but not before the closing date provided by the Board's Secretariat cover memorandum for raising comments on disclosure of the evaluation.

To inform Executive Directors and to ensure that they have sufficient time to raise disclosure-related questions, the cover memorandum for each evaluation includes an explicit statement that the document will be disclosed after the CODE or CODE subcommittee discussion, in line with IEG's Access to Information Policy. The memorandum sets out clearly the time limits for members of the Board to raise questions or objections to disclosure.

IEG evaluations discussed by CODE, its subcommittee, or the Board are issued with the corresponding Chairperson summary, along with management's⁹ final¹⁰ response, if management intends to provide one, so that the public can take all perspectives into account. Therefore, IEG evaluations are disclosed together with management's final response and a

⁸ References to CODE or its subcommittee equally apply to other Board committees and subcommittees.

⁹ Refers to IFC, MIGA, or World Bank management.

¹⁰ Final Management Responses are documents of the World Bank, IFC, and MIGA and are therefore subject to their respective Disclosure or Access to Information Policies.

summary of the discussion by CODE or the subcommittee; disclosure is typically withheld until these documents are available in final form, or 20 working days after the date of the Board's discussion (or CODE or CODE subcommittee discussion, if there will be no subsequent Board discussion), whichever comes first.

Evaluation documents distributed to the Board or a Board committee for information:

IEG's evaluation documents (for example, syntheses from earlier evaluations), distributed to the Board or a Board committee for information, are normally disclosed eight working days after they have been distributed to Executive Directors. This allows CODE or its subcommittee to decide if there is merit in discussing a report originally conceived for information, in which case disclosure will proceed as specified above.

Evaluation documents not distributed to the Board or a Board committee:

IEG produces a number of project-level reports (such as Implementation Completion Report Reviews) as well as derivative documents from its evaluations (such as Fast Track Briefs, Evaluation Briefs, or working papers) that are not routinely distributed to Executive Directors given their more detailed nature and/or high volume. These reports are disclosed when finalized.

POLICY IMPLEMENTATION

A. Accessing Information

IEG routinely discloses all evaluation reports covered by this policy through its external Web site. Implementation of this Access to Information Policy will expand the amount of disclosed reports and data, particularly in relation to World Bank project- and country-level evaluations.

Information that is disclosable and is not available through IEG's Web site is available on request by submitting a written request through IEG's Web site at <http://ieg.worldbankgroup.org>. IEG will acknowledge receipt of written requests within five working days, and endeavors to provide a more comprehensive response within 20 working days. IEG reserves the right to refuse unreasonable or unsupported request such as multiple requests, blanket requests, and any request that would require IEG to create, develop, or collate information or data that do not already exist or is not available in IEG's records management system. IEG may also charge reasonable fees for providing digital or hard copies, particularly if the requests are complex or time-consuming, or can't be served through information that IEG already provides free of charge.

B. Declassification of Information

All final IEG documents issued after this policy becomes effective are disclosed, as long as it is not prevented by the exceptions listed under this policy. This policy also recognizes that some types of IEG information issued prior to this policy's effective date cannot be immediately disclosed, but need not be withheld from the public indefinitely.

Information not eligible for declassification: Information provided in confidence by World Bank's member countries, clients and/or third parties, or by IFC and MIGA clients and/or third parties, is not eligible for declassification and disclosure unless such party has made the information public or expressly consented to such disclosure. Restricted information that is not eligible for declassification under the respective Access to Information and Disclosure policies of the WBG institutions is also not eligible for declassification and disclosure under this policy.

Information eligible for declassification: The following documents are declassified and made public after 5 or 20 years after the date on the document, provided they do not contain or refer to information that is not eligible for declassification as set out in Section B of this policy:

(a) **Disclosed after 5 years:**

- Implementation Completion and Results Report Reviews (ICR Reviews)
- CAS Completion Report Reviews (CASCR Reviews)

(b) **Disclosed after 20 years:** Any final, deliberative IEG documents classified as "Confidential" or "Strictly Confidential" and prepared before this policy goes into effect.

C. Appeals

A requester who is denied access to information by IEG may file an appeal if—

(a) The requester is able to establish a prima facie case that IEG has violated this policy by improperly or unreasonably restricting access to information that it would normally disclose under the policy; or

(b) The requester is able to make a public interest case to override the policy exceptions that restrict the information requested (limited to deliberative information) of this policy.

A requester who prevails on appeal is limited to receiving the information requested.

Process: Appeals of an IEG decision to deny access are referred to an Appeals Committee chaired by the DGE. Appeals must be filed, in writing, within 60 calendar days of IEG's initial decision to deny access to the requested information. The Appeals Committee makes its best efforts to reach a decision on appeals within 45 working days of receiving an appeal (delays are communicated in writing to the requester). The decision of the Appeals Committee is final. Decisions of the Board of Executive Directors are not subject to appeal; appeals of Board decisions are, therefore, automatically dismissed.

Submitting an appeal: All appeals must be submitted in writing to the IEG Strategy, Communication and Learning unit within 60 calendar days of the initial decision to deny access. Appeals received beyond the 60-day period will not be considered. Appeals may be submitted electronically through the IEG's Web site at [http://ieg.worldbankgroup.org/\[IEGAccess\]](http://ieg.worldbankgroup.org/[IEGAccess]) or in a brief letter and sent by mail to Appeals Committee c/o Senior Manager IEGCS, World Bank Group, 1818 H Street, NW, Washington, DC, 20433. All appeals must contain the following:

- (a) The original case number, provided in IEG's response to the request for information
- (b) A description of the information originally requested
- (c) An explanatory statement that sets out the facts and the grounds that support the requester's claim that (i) IEG violated this policy by improperly or inappropriately restricting access to the information requested; or (ii) for public interest reasons, an override of the policy's exceptions is justified.

Notification of decision: 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 Appeals Committee does not have authority to consider. After the Appeals Committee reaches its decision concerning the appeal, the requester is notified of its decision. If the Appeals Committee upholds the initial decision to deny access to the information requested, the notice specifies the reasons. If the Appeals Committee reverses the decision to deny access, the requester is notified of the decision and of the process for accessing the information.

If an appeal regards information from other WBG entities, IEG refers the request to the corresponding Bank Group entity for resolution.

D. Policy Effectiveness

All changes in IEG's policy and practices resulting from this policy update are effective July 1, 2011, and apply to evaluations and other products finalized or discussed by CODE or the Board after such date. IEG can delay implementation of disclosure for certain products by up to 12 months from the date the policy becomes effective if IEG believes such delay is warranted for proper implementation. The DGE will update CODE on the implementation of this policy.



Improving Development Effectiveness through Excellence in Evaluation

“Establishing the Independent Evaluation Group will have two principal benefits. It will contribute to the formation of policy and procedures by enabling us to learn more from our past experience. And it will give us a degree of conviction about the impact of what we are doing which we could obtain no other way.”

Robert S. McNamara,
President of the World Bank
1968-81