

Comments on the Approach Paper and Consultation Plan “Toward Greater Transparency: Rethinking the World Bank’s Disclosure Policy”

May 20, 2009

Submitted by

Japan Center for a Sustainable Environment and Society (JACSES)

1. Revision Process

- **Disclosure of Draft Policy Papers:** The Approach Paper only provides a concept and framework for the new policy, and is not an appropriate paper for external stakeholders to provide detailed comments. Therefore, at least one draft policy paper should be made available to the public before the Board consideration, and the final draft policy paper should also be disclosed at the same time of its circulation to the Board.
- **List of All Types of Documents:** It is unclear what type of documents the Bank handles in the lending process, and the Approach Paper fails to provide sufficient information for external stakeholders to deliver their opinions during the process. The Bank should disclose a comprehensive list of all types of documents which are created and possessed by the Bank, so that external stakeholders can provide meaningful comments to the policy revision. For reference, the ADB disclosed a list of major documents at the revision process of PCP.
- **Rationales of Bank Responses:** The Consultation Plan states that “the Bank will synthesize the comments received during consultations and post a summary of how Management proposes to address the key issues raised.” In order to promote meaningful discussion, the comments-responses matrix should include rationales and reasons why the Bank would/would not reflect these comments.

2. Disclosure of Specific Documents

- **Transcripts of Board Discussion:** The Bank is an international institution using public money, and should be accountable to the public. The information of all decision making process including transcripts of Board discussion should be made available to the public.
- **Policy Formation/Revision:** In the process of the formation/revision of the Bank policy, at least one draft policy paper should be disclosed to seek comments from the public. Especially for the policy related to safeguard, disclosure and sector, draft policy papers should be disclosed at least twice to seek comments from the public; once at a series of public consultations and once at the same time of the circulation of a draft policy paper to the Board.
- **Agreements:** The Bank fails to reflect the recommendation of Extractive Industries Review: “the WBG should promote the disclosure of production-sharing agreements, host-country agreements, power purchase agreements, economic and financial assessments, environmental and social assessments, monitoring and evaluation results, and information on accident prevention and

emergency response.” These agreements related to extractive industries should be disclosed to the public.

- **Documents under Technical Assistance:** Feasibility study report, master plan and other documents under Bank’s technical assistance should be made available to the public. It is a vital opportunity for stakeholders to provide comments to the analysis included in these documents. For reference, Japan International Cooperation Agency (JICA) discloses all reports under JICA’s technical assistance.
- **Environmental Monitoring (progress) Report:** The Bank fails to include social and environmental monitoring (progress) report in the Positive List (Annex C). Social and environmental monitoring (progress) report is vital document, from which stakeholders understand the adequacy of project implementation. For reference, ADB discloses the monitoring report under the PCP. Therefore, the Bank should also disclose social and environmental monitoring (progress) report, as soon as the Bank receives the document.
- **Aide Memoire:** In order to ensure the informed participation of affected people in implementation stage of the Bank funded project, it is crucial to disclose information on ongoing issues and the Bank’s position in Aide Memoire. Therefore, Aide Memoire should be included in the Annex C as a publicly available document.
- **Evaluation Document:** The Bank fails to include Project Performance Assessment Reports (PPARs), Impact Evaluation Reports (IERs) and Country Assistance Evaluations (CAEs) in the Annex C. The 2002 Policy requires the Bank to disclose these documents, and it should be sustained.

3. Translation

- **Translation of Important Documents:** The Bank fails to include requirements of translation for several important documents in the Approach Paper. In order to ensure the informed participation of affected people, all Project Information Documents (PID), social and environmental-related documents including EIA, resettlement plan, indigenous peoples plan and social and environmental monitoring (progress) report should be translated into languages understandable to affected people. The Bank’s safeguard policies and the new disclosure policy should be translated into major languages spoken in developing member countries.

4. Implementation Framework

- **Partial Disclosure:** If there is a part which cannot be disclosed in a document and such information can be eliminated, the Bank should disclose the rest of the document, after excluding the confidential information. The partial disclosure rule should be adopted in the new Policy.
- **Time Limit for Response to Request:** The Bank should set a time limit to provide inquired information to requesters. ADB has a time limit, and must respond to requesters no later than 30 working days.

- **Composition of Appeal Panel:** The Bank proposes to establish a panel to address appeals from information requesters. However, it fails to make it accountable to judge the Management decision. At least more than half of the panel members should be outside experts, not the Bank staff.

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