

AIC decision on appeal #89

CASE NUMBER AI7561 SOGI COUNTRY PROFILES

(Decision dated November 15, 2021)

Summary of Decision

- The Access to Information Committee (“AIC”) found that the appeal is not properly before the AIC for consideration. The appeal in this case was filed 152 calendar days after the Bank’s initial decision to deny access. Under the Bank Policy: Access to Information, July 1, 2015, Catalogue No. EXC4.01-POL.01, as amended (“[AI Policy](#)”), appeals to the AIC must be filed within 60 calendar days of the Bank’s initial decision to deny access to the requested information. For this reason, the appeal is dismissed for failure to file within the required time.

The Decision

Facts

1. On May 11, 2021, the World Bank (“Bank”) received a public access request (“Request”) seeking access to the following information (in relevant part):

(...) I see that the Environmental and Social Framework has good practice notes. Specifically, the one on Sexual Orientation and Gender Identity - SOGI - recommends that the W. Bank create “SOGI Country Profiles” to present to borrowers regarding issues that LGBTQ+ people might experience. (...) I am hereby requesting 4 copies of these resources, if possible: 1 from Latin America or the Caribbean, 1 from Africa, 1 from Asia (South or Southeast), and 1 from Europe or Central Asia. (...). (“Requested Information”).

2. On June 9, 2021, the Bank denied access to the Requested Information based on the *Security and Safety* and *Deliberative Information* exceptions under the AI Policy.

3. On November 8, 2021, the AIC, through its secretariat (“AIC Secretariat”), received an application (“Application”) appealing the Bank’s initial decision to deny access to the Requested Information. The Application challenges the Bank’s decision on “violation of policy” grounds.

Findings and Related Decision

4. In reviewing the Application in accordance with the AI Policy, the AIC considered:
 - (a) the Request;

(b) the Application;

(c) the date of the Bank's initial decision to deny access to the Requested Information; and

(d) the date when the Application was filed before the AIC.

5. In this case, the Bank's initial decision to deny access to the Requested Information was issued on June 9, 2021. The Application was filed with the AIC on November 8, 2021, i.e., 152 calendar days after the Bank's initial decision to deny access to the Requested Information. Under the AI Policy, appeals to the AIC "must be filed (...) within 60 calendar days of the Bank's decision to deny access to the requested information" (*see* AI Policy, at Section III.B.8(b)i). Accordingly, the Application is not properly before the AIC for consideration.

6. For the above reasons, and pursuant to the [Bank Directive/Procedure: Access to Information, October 18, 2019, Catalogue No. ECR4.01-DIR.123](#), at Section III.D.1.a(i), the Application is dismissed for failure to file within the required time.