

AIC Decision on appeal #66

**CASE NUMBER AI5255
CERTAIN INFORMATION ON THE BANGLADESH SAFETY NET SYSTEMS FOR
THE POOREST PROJECT, PROJECT ID132634**

(Decision dated May 11, 2018)

Summary of Decision

- As part of its due diligence on appeals, the Access to Information Committee (“AIC”), through its secretariat, seeks the relevant business unit’s views on the possible disclosure of the requested information in light of the respective appeal. In this case, the relevant business unit informed the AIC that part of the requested information being appealed is not in the Bank’s possession, part of the information is publicly available, and part is expected to become publicly available in August 2018.
- Based on the above, with respect to the information that (a) is not in the Bank’s possession or is expected to become publicly available in August 2018, the appeal is dismissed, and (b) is already publicly available, the appeal is not considered.

The Decision

Facts

1. On September 26, 2017, the requester submitted a request (“Request”) seeking to access 12 pieces of information regarding the “Bangladesh Safety Net Systems for the Poorest Project, Project ID P132634”.
2. On February 20, 2018, the World Bank (“Bank”) provided the requester with access to certain information that is publicly available, noted that some information does not exist, noted that some information is not yet finalized, and one piece of information, namely the Operational Manual under the relevant project, was denied on the basis of the “Deliberative Information” exception under the Bank’s Policy on Access to Information, dated July 1, 2010, as amended (“AI Policy”).
3. On February 24, 2018, the secretariat to the Access to Information Committee (“AIC”) received an application (“Application”) appealing the Bank’s decision to deny public access to 10 pieces of the requested information on the basis that the Bank’s decision to deny public access “violates the AI Policy” and that there is a “public interest” case to override the AI Policy exception that restricts the requested information. The requester specifically asked for the Bank’s reconsideration to give public access to the following 10 pieces of requested information listed in the relevant part of the Application:

- (a) “The Village wise, Union wise, Upzila wise, District wise list of small-scale community level basic infrastructure (subprojects) financed to create rural employment during lean period, rainy seasons and lean periods under 3 safety net programs until 31/08/2017 as mentioned in introduction of Executive summary of E4191v2”;
- (b) “The copy of project operational manual with ECoPs as mentioned in introduction of Executive summary of E4191v2”;
- (c) “List of Upzila with poverty rate of 35% or higher based on the 2005 poverty maps where 60% of EGPP program allocations are distributed as mentioned in introduction of Executive summary of E4191v2”;
- (d) “List of Upzila with poverty rate of 34% to 21% based on 2005 poverty maps where 35% of EGPP program allocations are distributed as mentioned in introduction of Executive summary of E4191v2”;
- (e) “List of Upzila with poverty rate of 20% and below based on 2005 poverty maps where 5% of EGPP program allocations are distributed as mentioned in introduction of executive summary of E4191v2”;
- (f) “District wise , Upzila wise ,Union wise list of World Bank Safeguard policy including EMF up to 31/08/2017 for sub projects which minimize potential negative environmental impact as mentioned in 1.6 paragraph 9 of E4191v2”;
- (g) “District wise ,Upzila wise ,Union wise list of World Bank Safeguard policy including EMF up to 31/08/2017 for sub-projects which enhance positive environment impact as mentioned in 1.6 paragraph 9 of E4191v2”;
- (h) “District wise Upzila wise Union wise list of World Bank Safeguard policy including EMF up to 31/08/2017 for sub - projects which develop capacity of DDM to manage environmental impact in partnership with communities as mentioned in 1.6 paragraph 9 of E4191v2”;
- (i) “Copies of the all minutes of the meeting made up 31/08/2017 for PUBLIC CONSULTATION AND DISCLOSURES as mentioned in executive summary of E4191v2”; and
- (j) “Copy and details of 2015 household survey of five major safety net programs implemented by DDM as mentioned in ISR23337”.

Findings and Related Decision

4. The AIC reviewed the Application in accordance with the AI Policy and considered:

- (a) the Request;
- (b) the Bank's denial of access to the requested information;
- (c) the Application;
- (d) the nature of the requested information identified as responsive to the Request;
- (e) the AI Policy's *Deliberative Information* exception that justified the Bank's decision to deny public access to one piece of the requested information; and
- (f) the information provided by the relevant business units concerning the requested information.

5. The AIC also asked its secretariat to seek additional clarification from the relevant business unit with respect to the disclosure status of the Operational Manual referred to in paragraph 3(b) above. The AIC found that, with respect to the requested information referred to:

- (a) in paragraph 3(a) above, the Bank does not maintain lists of community level infrastructure sub-projects financed under the project referred to in the appeal. Thus, the Bank is not in possession of the requested information responsive to this portion of the Request;
- (b) in paragraph 3(b) above, the updated version of the Operational Manual in Bengali is publicly available at www.snsp.ddm.gov.bd . Additionally, on May 7, 2018, the relevant business unit indicated that the previous version of the Operational Manual, subject of the Request and subsequent appeal, is publicly available and can be found at:

<http://pubdocs.worldbank.org/en/665461525242208696/SNSP-DDM-Operations-Manual>

- (c) in paragraphs 3(c), (d) and (e) above, the following information is responsive to this portion of the Request:

<https://www.wfp.org/news/news-release/latest-bangladesh-poverty-maps-launched-bbs-world-bank-and-wfp>

- (d) in paragraphs 3(f), (g) and (h) above, the Environmental Management Framework (EMF) available at:

http://www.snsp.ddm.gov.bd/wp-content/uploads/2017/07/SNSP-EMF_English.pdf

(e) in paragraph 3(i) above, the minutes of consultations responsive to this portion of the Request are in Annex H to the EMF available at:

http://www.snsp.ddm.gov.bd/wp-content/uploads/2017/07/SNSP-EMF_English.pdf

(f) in paragraph 3(j) above, the report responsive to this portion of the Request is expected to be completed and made publicly available in August 2018. Thus, the Bank has not yet denied access to the information responsive to this portion of the Request.

6. With respect to the portion of the appeal for which information is not in the Bank's possession as referred to in paragraph 5(a) above and the portion of the appeal for which information is expected to be made publicly available in August 2018 as referred to in paragraph 5(f) above the appeal is dismissed on both "violation of policy" and "public interest" grounds for appealing a matter that the AIC does not have authority to consider (*see* [Bank Directive/Procedure on Access to Information](#), at Section III.D.1.a.(iii)). With respect to the portion of the appeal for which information is already publicly available as referred to in paragraph 5(b), (c), (d) and (e) above, the AIC is not considering the Appeal.