

**WORLD BANK POLICY ON ACCESS TO INFORMATION
PROGRESS REPORT**

OCTOBER THROUGH DECEMBER 2010

LEGAL VICE PRESIDENCY

March 28, 2011

ABBREVIATIONS AND ACRONYMS

ACS	Administrative and Client Services Network
AFR	Africa Regional Vice Presidency
AI	Access to Information
AIC	Access to Information Committee
CAS	Country Assistance Strategy
CFR	Corporate Finance and Risk Management Vice Presidency
DECDG	Development Data Group
EAP	East Asia Regional Vice Presidency
ESW	Economic Sector Work
EXT	External Affairs Vice Presidency
GSD	General Services Department
HQ	World Bank Headquarters
IFC	International Finance Corporation
ISG	Information Solutions Group
ISR	Implementation Status and Results Report
LCR	Latin America and Caribbean Regional Vice Presidency
LEG	Legal Vice Presidency
LEGIP	Information Policy Unit, LEG
OIS	Office of Information Security
OPCS	Operations Policy and Country Services Vice Presidency
PAD	Project Appraisal Document
PD	Program Document
PIC	Public Information Center
SEC	Corporate Secretary Vice Presidency
VP	Vice President
VPU	Vice Presidential Unit

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This report is endorsed by the Access to Information Committee. LEG (Information Policy Unit) prepared this report with contributions from ISG (Archives Unit, and Solutions Design and Implementation Unit), EXT (Operational Communications Unit), and SEC (Policy and Operations Unit).

The many World Bank units involved in the various preparation and implementation aspects of the Policy on Access to Information are recognized in first progress report, *World Bank Policy on Access to Information Progress Report – November 2009 through September 2010*, dated December 16, 2010.

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EXECUTIVE SUMMARY

1. As part of the World Bank's commitment to the success of its new Policy on Access to Information ("AI Policy"), the Bank has committed to issuing periodic reports on the AI Policy's implementation, with greater frequency in its early stages. The Bank issued its first progress report in December 2010. The first report covered the preparation period of November 2009 through June 2010, and the first three months of implementation from July 1, through September 30, 2010 ("First Quarter").¹ This second progress report reviews the implementation results for the period of October 1, through December 31, 2010 ("Second Quarter").
2. The Bank has continued to make significant strides towards increasing public access to information that is in the Bank's possession. The public, in response, has demonstrated growing interest in the types of information released by the Bank. In the Second Quarter, the Bank posted 2,682 new documents and reports in the Bank's *Documents and Reports* public database. In contrast with the First Quarter, the number of simultaneously disclosed Board documents increased by 42 percent; the number of visits to the *Documents and Reports* database increased by 46 percent; and the number of documents downloaded by the public increased by 11 percent. Since the introduction of the AI Policy in July 2010, the public has viewed more than two million pages in the *Documents and Reports* database.
3. In addition to proactive disclosures, the Bank has continued its commitment to disclosing information on request. Public access requests for Bank held information are mainly handled by the Archives Unit, the InfoShop and the Public Information Centers ("PICs"). In addition to these main resource points, the Bank also responds to public requests for specific types of information through various other resource points such as the DEC Open Data helpdesk and Bank libraries. This Report focuses on the public access requests handled by the Archives Unit, InfoShop and PICs. In the Second Quarter, the Bank handled 209 public access request cases (some of which were received in the First Quarter), completing 74 percent by the end of the Second Quarter period. Of the public access requests that had adequate information to enable the units to fulfill or deny the requests, the Bank fulfilled (in whole or in part) 80 percent, and denied (in whole) 20 percent.
4. Of the requests that were completed in the Second Quarter, 76 percent were completed within the AI Policy's 20 working day standard, averaging 10 working days. The remaining requests that required additional time for completion averaged 48 working days, and involved special circumstances that justified the additional time (e.g., the requests required additional information or clarification from requesters, required extensive review, and/or required internal/external consultations).

¹ *World Bank Policy on Access to Information Progress Report – November 2009 through September 2010*, dated December 16, 2010.

5. Of the 25 public access requests that were denied (in whole or in part), 56 percent (14 cases) were denied because the information is covered by one or more of the following four AI Policy exceptions: “Information Provided by Member Countries or Third Parties in Confidence,” “Corporate Administrative Matters,” “Personal Information,” and “Deliberative Information.” Eight percent of the requests (two cases) were restricted from public access as a result of the Bank’s exercise of its prerogative to restrict access to information normally disclosed. Approximately a third of the denials (nine cases) were for other reasons, majority of which was because the requested documents were not found to be in the Bank’s possession.

6. Only one denial was found to require follow-up and further training of the staff concerned. The request was denied for being “unreasonable,” though the case notes suggest that the information would be covered by one or more of the AI Policy exceptions, and thus, the AI Policy exception should have been the basis for the denial. The matter has been referred to the business unit concerned for follow-up.

7. Under the AI Policy, the Bank reserves the right, in exceptional circumstances, to disclose information covered by the “Corporate Administrative Matters,” “Deliberative Information,” and “Financial Information” (other than banking and billing) exceptions, if the Bank determines that the overall benefits of such disclosure outweigh the potential harm to the interests protected by the exceptions. In the Second Quarter, the Access to Information Committee (“AIC”) considered seven public access requests for this purpose, and exercised the prerogative to disclose in two cases (29 percent).

8. The AIC also serves as the body that considers first level appeals. In the Second Quarter, the AIC considered three appeals. The AIC upheld the Bank’s decision to deny access in two cases. The third case required consultation with internal business units, and remained under consideration at the end of the Second Quarter. The processing time for the two appeals decided in the Second Quarter averaged 20 working days. No appeal was filed before the AI Appeals Board.

9. In the Second Quarter, the access to information learning program continued to promote staff knowledge necessary for the successful implementation of the AI Policy agenda. Significant focus was given to the mandatory AI e-learning program, sponsored by LEG, OPCS, ISG, EXT, and GSD. As of December 31, 2010, the AI e-learning program achieved an 84 percent completion rate, representing nearly 16,000 Bank staff, consultants and contractors. Some staff are still learning the various aspects of the Bank’s new access to information agenda and systems. Improving overall staff knowledge and consistency in records management continues to be a crucial area of focus.

10. The next AI Policy progress report will cover the quarterly period of January 1, through March 31, 2011.

WORLD BANK POLICY ON ACCESS TO INFORMATION

PROGRESS REPORT OCTOBER THROUGH DECEMBER 2010

I. INTRODUCTION

1. **Purpose of this Report.** As part of the World Bank's commitment to the successful and transparent implementation of its new Policy on Access to Information ("AI Policy"), the Bank issued its first progress report in December 2010 ("First Progress Report"), which covered more than seven months of preparation, and the first quarter period of implementation (from July 1, 2010 through September 30, 2010) ("First Quarter").² This report ("Report") reviews the AI Policy implementation results for the period of October 1, to December 31, 2010 ("Second Quarter"), including the public access requests that were received during the First Quarter and completed in the Second Quarter.

2. **Structure.** Section II of this Report discusses the availability of, and the public's access to, information, and the Bank's responsiveness to public access requests. Section III discusses the decisions of the Access to Information Committee ("AIC") in the exercise of the Bank's prerogative to disclose restricted information. Section IV discusses the appeals process and the decisions of the AIC on appeals.

3. Annex A provides the list of Board documents that were *simultaneously disclosed* in the Second Quarter.³ Annex B lists the public access requests before the AIC in the Second Quarter, and their outcomes as of December 31, 2010. Annex C lists the appeals before the AIC in the Second Quarter, and their outcomes as of December 31, 2010.

II. ACCESS TO INFORMATION BY THE PUBLIC

A. Proactive Disclosures

4. **Documents and Reports.** In the Second Quarter, the Bank publicly released 2,682 Bank reports and documents through the Bank's *Documents and Reports* database. In addition, the Bank proactively declassified and released 50 restricted documents, consisting of 36 Memoranda of the President, 12 President's Reports, one economic and sector work ("ESW") report, and one technical annex.

5. **Public Interest in Newly Disclosed Documents.** The *Documents and Reports* database received 268,967 visits in the Second Quarter, a 46 percent increase in contrast with the First Quarter.⁴ Users downloaded 198,467 documents in the Second Quarter, an 11 percent

² *World Bank Policy on Access to Information Progress Report – November 2009 through September 2010*, dated December 16, 2010 (hereinafter *First Progress Report*).

³ See paragraph 6 of this Report for discussion on simultaneously disclosed documents.

⁴ The *Documents and Reports* database received 184,318 visits in the First Quarter.

increase in contrast with the First Quarter.⁵ The number of pages viewed remained the same, with over a million pages viewed for each period.

6. **Simultaneous Disclosure.** Under the AI Policy, the Bank may disclose operational policy papers, sector strategy papers, Country Assistance Strategy papers (“CASs”), Project Appraisal Documents (“PADs”) and Program Documents (“PDs”) before Board discussion.⁶ This is commonly referred to as “simultaneous disclosure.” CASs, PADs, and PDs may be simultaneously disclosed before Board discussion if the client gives its written consent to such early disclosure. In the Second Quarter, the Bank simultaneously disclosed 27 Board documents, a 42 percent increase in contrast with the First Quarter.⁷ Simultaneously disclosed Board documents are posted in *Documents and Reports*, as well as a dedicated *Simultaneous Disclosure* webpage. The *Simultaneous Disclosure* webpage was the eighth most visited page in *Documents and Reports* in the Second Quarter, viewed 961 times in the English website.

7. **Implementation Status and Results Reports.** The Bank publicly released 598 Implementation Status and Results Reports (“ISRs”) in the Second Quarter, increasing nearly 720 percent in contrast with the First Quarter.⁸ The documents were posted on both the Bank’s *Projects Database* and the *Documents and Reports* database.

8. **Board Records.** The Bank released 58 Board records in the Second Quarter, relatively consistent with the total number of Board records released in the First Quarter. Table 1 summarizes the disclosure status of Board records that were prepared in the Second Quarter and are eligible for disclosure under the AI Policy.

Type of Board Record	Number of Board Records Publicly Disclosed
Board Minutes	14
Summings Up	9
Summaries of Discussion	21
Green Sheet Summaries	1
Committee Minutes	9
Committee Annual Reports	4
Total	58

⁵ Users downloaded 179,338 documents in the First Quarter.

⁶ See AI Policy at para. 23 (b).

⁷ The Bank disclosed 19 Board documents in the First Quarter. See Annex A of this Report for the list of Second Quarter simultaneously disclosed Board documents.

⁸ The Bank disclosed 73 ISRs in the First Quarter.

B. Disclosures on Request

9. **Public Access Requests Received in the Second Quarter.** In addition to proactive disclosures, the Bank has continued its commitment to disclosing information on request. Public requests for Bank held information are primarily handled by the World Bank Group Archives Unit, the InfoShop located at Headquarters, and the Public Information Centers (“PICs”) located in country offices. In addition to these main information resource points, which provide information on request, the Bank also responds to public requests for specific types of information through other channels such as the DEC Open Data helpdesk, the World Bank Data Finder, and the Bank libraries including the Joint Bank-Fund Library.⁹ This Report focuses specifically on the Bank’s responses to public access requests handled by the Archives Unit and InfoShop/PICs.¹⁰

10. In the Second Quarter, the Bank received 161 new public access requests for information.¹¹ Table 2 below shows the monthly breakdown of the requests received in the Second Quarter.

Table 2. Public Access Requests for Information Received by the Bank in the Second Quarter

Responsible Units	October 2010	November 2010	December 2010	Second Quarter Totals
Archives	46	49	34	129 (80%)
InfoShop/PICs	13	11	8	32 (20%)
Totals	59	60	42	161

11. **Overview of Public Access Requests Handled in the Second Quarter – Status as of December 31, 2010.** In addition to the 161 new requests received in the Second Quarter, the Bank continued to handle 48 cases carried over from the First Quarter.¹² In total, the Bank handled 209 public access request cases; of which, the Bank completed 155 (74 percent), with 54 (26 percent) remaining under consideration as of December 31, 2010.¹³ Of the 155 completed requests, the Bank was able to fully respond in 100 cases (this covers all requests that were appropriately directed to the Archives Unit and InfoShop/PICs and that provided adequate clarity to allow the responsible unit to either fulfill or deny the request). The remaining completed requests involved: (a) requests that required more information to fulfill, but the requesters were

⁹ Additionally, public requests for documents covered by separate disclosure regimes are handled in accordance with the respective policies which govern those regimes.

¹⁰ The Archives Unit, InfoShop, and PICs staff also handle general inquiries on a regular basis. For example, in the Second Quarter, InfoShop staff handled more than 1000 general inquiries. EXT staff members in country offices also regularly address information disclosure matters.

¹¹ In addition to the public access requests reported above, the Bank received two requests for photographs in the Second Quarter. Traditionally, requests for photographs have been handled directly by the Archives Unit and outside of any tracking system in view of established relationships between the Archives Unit and requesters of photographs (generally the media). The Bank usually replies to such requests within two to three working days.

¹² Of the 155 requests received in the First Quarter, 48 (31 percent) remained under consideration on September 30, 2010. *See First Progress Report.*

¹³ The 155 requests completed in the Second Quarter consist of 42 requests received in the First Quarter and 113 received in the Second Quarter. Of the 54 requests that remained under consideration as of December 31, 2010, six were received in the First Quarter, and the remaining 48 were received in the Second Quarter.

unresponsive; (b) requests for information covered by different disclosure regimes or policies, and (c) data requests handled by the World Bank Data Finder (i.e., data.worldbank.org), which is part of the Bank’s Open Data initiative.¹⁴ Table 3 below provides details on the resolution of the 155 requests completed in the Second Quarter.

Table 3. Resolution of Requests Completed in the Second Quarter

Requests Completed by	Of the Completed Requests			
	Requests that were Fulfilled/Denied**	Additional Information Required from Requester – Unresponsive	Covered by Other Disclosure Regime or Policy – Referred to relevant units***	Referred to World Bank Data Finder
Archives 117 (75%)	92	17	2	6
InfoShop/PIC 38 (25%)	8	29	---	1
Total 155*	100	46	2	7

- * The total number of requests completed in the Second Quarter consists of 42 requests carried over from the First Quarter (35 handled by the Archives Unit and seven by the InfoShop/PICs), and 113 requests received in the Second Quarter.
- ** Requests that were appropriately directed to the Archives Unit and the InfoShop/PICs, and that had adequate clarity to enable the responsible unit to fulfill/deny the request.
- *** Requests in these cases are governed by other disclosure policies. The two requests were for information of the IFC.

12. **Requests Fulfilled or Denied by the Bank.** Of the 100 requests that were appropriately directed to the Archives Unit and InfoShop/PICs and that provided adequate clarity to allow the responsible unit to fulfill or deny the request, the Bank fulfilled (in whole or in part) 80 percent, and denied (in whole) 20 percent (see Table 4 below).

Table 4. Statistics on Requests that were Fulfilled and/or Denied – Second Quarter

Requests Fulfilled and/or Denied By	Of the Requests that were Fulfilled/Denied		
	Requests Fulfilled (in whole)	Requests Fulfilled and Denied (in part)	Requests Denied (in whole)
Archives 92 (92%)	69	5	18
InfoShop/PICs 8 (8%)	6	--	2
Total 100	75 (75%)	5 (5%)	20 (20%)

¹⁴ Based on the experience of the First Quarter, in late October 2010, the Archives Unit and the Development Data Group (“DECDG”) agreed that public access requests for data will be referred to the World Bank Data Finder, managed by DECDG. Referrals to the World Bank Data Finder reflected in this Report were made during the period of November 3, through December 31, 2010.

13. **Timeliness of Response to AI Requests.** The AI Policy states that the Bank endeavors to provide a comprehensive response within 20 working days, recognizing that additional time may be needed in special circumstances, including, for example, those involving complex or voluminous requests, or requests requiring review by or consultations with internal Bank units, external partners, the AIC, or the Board.¹⁵ Of the 155 requests completed in the Second Quarter, the Bank responded within 20 working days for 118 requests, averaging 10 working days to respond (see Table 5 below).¹⁶ The 37 requests that required additional time to respond averaged 48 working days.

Table 5. Time Required to Issue Final Response – Requests Completed in Second Quarter

Final Response Time	Completed Requests	Percentage
Within 20 Working Days	118 *	76%
More than 20 Working Days	37 **	24%
Total Completed Requests	155	100%

* Sixteen were carried over from the First Quarter and 102 were received in the Second Quarter.

** Twenty-six were carried over from the First Quarter and 11 were received in the Second Quarter.

14. **Reasons for Additional Response Time.** As noted above, the AI Policy recognizes that additional time, beyond the 20 working day standard, may be needed in special circumstances, including for example, those involving complex or voluminous requests, or requests requiring review by or consultations with internal Bank units, external partners, the AIC, or the Board. The 37 requests that required additional time to complete involved the following circumstances: (a) 10 needed additional information or clarification, but the requester was unresponsive; (b) three required extensive review by the Archives Unit; (c) five were voluminous; and (d) 19 required internal/external consultations. Of the 19 requests that required consultations, five were referred to the AIC (which involved further consultations with relevant business units), three were referred to the Board, and 11 were referred to the relevant business units, some of which also resulted in consultations with external parties.

15. Of the 54 requests that remained under consideration at the end of the Second Quarter, six were carried over from the First Quarter. All six requests were classified by the Archives Unit as complex, were voluminous, and/or required consultation with business units to locate the documents. Additionally, following the Archives Unit's practice of keeping cases open until requesters have accessed the information, two of the requests were treated as open even though the information had been located and offered because the researchers who requested the information had not yet visited the Bank to review the documents as of December 31, 2010.

¹⁵ See AI Policy at para. 25.

¹⁶ Out of the 155, 113 were received in the Second Quarter; of those, the Bank responded within the 20 working day standard 90 percent of the time (102 requests), and the remaining (11) requests that required additional time to complete averaged 28 working days.

16. The remaining 48 requests, which remained under consideration as of December 31, 2010, were received in the Second Quarter. Of these, 29 were beyond the 20 working day standard, and had special circumstances justifying the delay: 13 required consultations with business units (some which also required external consultations); 13 were voluminous (including nine that remained open because the researchers had not yet visited the Bank to review the documents); two required additional information from the requesters, who had not yet responded; and one required extensive review by the Archives Unit. The remaining 19 requests were all received after December 3, 2010 and, thus, had not exceeded the 20 working day standard as of December 31, 2010.

17. **Overview of Complex Requests and Requests Requiring Consultations.** The discussion below reflects the total number of requests received in the Second Quarter that either required consultation with relevant business units (including locating the documents requested), were complex, or required review by or consultations with the AIC, the Board and/or external parties. Of the 161 new requests in the Second Quarter:

(a) Thirty-nine requests (24.2 percent) were *marked by the Archives Unit as complex cases*.¹⁷ Of these 39 requests, 20 were completed by the end of the Second Quarter. Fifteen of which were completed in 20 working days or less. The five requiring additional time averaged 32 working days to respond.

(b) Nine requests (5.6 percent) were *referred to the relevant business units for consultation or to locate documents*.¹⁸ At the end of the Second Quarter, all nine requests remained pending. The Archives Unit continues to highlight that proper filing of documents in the Bank's records management system by originating business units is critical for the success of the AI Policy. Table 6 below shows the business units that were requested to locate and file documents in the Second Quarter.

¹⁷ The number of complex cases shown in this section only covers requests handled by the Archives Unit, as the InfoShop and PICs do not currently mark requests as "simple" or "complex." When a request is received by the Archives Unit, the archivist screens and marks the request as either a "simple" or "complex" case. The Archives Unit defines "simple cases" as requests for documents that are readily available or that typically do not exceed two hours of research by the assigned archivist; "complex cases" are defined as requests for documents that require review under the AI Policy to determine whether any exceptions apply, that require more than two hours of research by the archivist, and/or that require consultations with relevant business units or other parties. The number of complex cases, by definition, may therefore overlap with the number of cases noted in this section of the Report as requiring consultations with business units, the AIC, or the Board.

¹⁸ If a requested document cannot be located in the Bank's records management system, business units are requested to locate and file the document. Business units are required to respond within 10 working days and to indicate whether the identified documents may be disclosed.

Table 6. Bank Units Requested to Locate and File Documents – Second Quarter

Bank Unit	Number of requests requiring the business unit to locate documents
AFCW1	1
AFTWR	1
EAPCO	1
EACIF	1
EACPQ	1
ECSS1	1
LCSSD	1
SASGP	1
DECOS	1
Total	9

(c) Two requests (1.2 percent) were *referred to the AIC to consider exercising the Bank’s prerogative to disclose* information restricted under the AI Policy. Both requests were referred to the AIC in December 2010 and remained under consideration as of December 31, 2010.

(d) One request (0.6 percent) involved Board records and was *referred to the Board for consideration*. This request remained under consideration as of December 31, 2010.

18. **Exceptions Justifying Denial of Access.** The Bank allows access to any information in its possession that is not on a list of exceptions as defined under the AI Policy.¹⁹ Accordingly, the Bank does not provide access to documents that contain or refer to information related to the following AI Policy exceptions: (a) “Personal Information”; (b) “Communications of Executive Directors’ Offices”; (c) “Ethics Committee”; (d) “Attorney-Client Privilege”; (e) “Security and Safety”; (f) “Information Restricted under Separate Disclosure Regimes and Other Investigative Information”; (g) “Information Provided by Member Countries or Third Parties in Confidence”; (h) “Corporate Administrative Matters”; (i) “Deliberative Information”; and (j) “Financial Information.” Under exceptional circumstances, the Bank also reserves the right to restrict access to information that it normally discloses.²⁰

19. A total of 25 public access requests were denied (in whole or in part) in the Second Quarter.²¹ Table 7 below shows the exceptions that justified the denials. Fifty-six percent (14 cases) involved information covered by the following four AI Policy exceptions: “Information Provided by Member Countries or Third Parties in Confidence,” “Corporate Administrative Matters,” “Personal Information,” and “Deliberative Information.” Eight percent (two cases) involved the Bank’s prerogative to restrict access to information normally disclosed.

¹⁹ See AI Policy at paras. 6-17.

²⁰ See AI Policy at paras. 6, 19.

²¹ Twenty requests were denied in whole; five were denied in part. See Table 4 of this Report.

Table 7. Exceptions Justifying Denial of Access* – Requests Completed in Second Quarter

Responsible Unit		Archives Unit	InfoShop/PICs	Total
Number of Denied Requests		23	2	25
Denial Based on AI Policy Exception	Information Provided in Confidence	2	--	2
	Corporate Administrative Matters / Personal Information	2 **	--	2
	Deliberative Information	10	--	10
Denial for Other Reasons	Prerogative to Restrict Access	2 ***	--	2
	Unreasonable Requests ****	--	1	1
	Documents Not Found in the Bank's Possession	7	1	8

- * Five requests recorded in this table were partially fulfilled/denied. The partial denials were for the following reasons: three denials resulted because the information requested is covered under the “Deliberative Information” exception; one denial resulted because the information requested is covered by both the “Corporate Administrative Matters” and “Personal Information” exceptions; and one denial resulted because the information requested, in part, is not in the Bank’s possession.
- ** Includes one request denied because the information is covered by both the “Corporate Administrative Matters” and “Personal Information” exceptions.
- *** The Board of Executive Directors exercised the prerogative to restrict access in these cases.
- **** See AI Policy at para. 26 and footnote 23.

20. **Denials of Requests for Information Restricted by Certain Policy Exceptions, and that are Less than Five Years Old and/or Involves an Open Operation.** The AI Policy recognizes that information restricted by the “Corporate Administrative Matters,” “Deliberative Information” and/or “Financial Information” (other than banking and billing) exceptions of the AI Policy may, under exceptional circumstances, be disclosed if the overall benefits of such disclosure is determined by the Bank to outweigh the potential harm. In most cases, the AIC has the authority to exercise this discretion.²² In the interest of providing more timely responses to requesters, the AIC decided in September 2010 to modify the procedure for referring such requests to the AIC for consideration. The Archives Unit and InfoShop/PICs refer such requests to the AIC if the restricted information is at least five years old and/or involves a closed operation, and has not otherwise been restricted by the Bank’s exercise of its prerogative to restrict access. In the Second Quarter, five requests for information covered by the “Deliberative Information” exception, and less than five years old and/or involving an open operation were denied without referral to the AIC for further consideration (see Table 8 below). Some of the denials (involving requests received in the First Quarter) required more than 20 working days to respond because staff handling the requests were still in the process of adopting the modified

²² The Bank’s Board of Executive Directors has the authority to exercise this prerogative in the case of Board papers or Board records classified as “Confidential” or “Strictly Confidential.” Information provided in confidence to the Bank requires the written consent of the party that provided the information. See AI Policy at para. 18 (a), (b).

procedure. For the four requests that required less than 20 working days to respond, all were received in the Second Quarter, and the response time averaged 11 working days.

Table 8. Denied Requests for Restricted Information Less than Five Years Old and/or Involving an Open Operation – Second Quarter

Denials		AI Policy Exceptions		Working Days to Respond	
In Whole	In Part	Corporate Administrative Matters	Deliberative Information	20 or Less	More than 20
6	3	1*	8	4	5**

* The information in this case is also covered by the “Personal Information” exception, which is not eligible for the exercise of the prerogative to disclose.

** Of the five denials, four were received in the First Quarter, when staff were still in the process of putting into place the modified procedure.

21. **Other Grounds for Denial.** The AI Policy states that the Bank reserves the right to refuse unreasonable or unsupported requests, including multiple requests, blanket requests, and any request that would require the Bank to create, develop, or collate information or data that does not already exist or is not available in the Bank’s records management system.²³ The AI Policy also provides that the Bank reserves the right not to disclose, under exceptional circumstances, information that it would normally disclose if it determines that such disclosure is likely to cause harm that outweighs the benefits of disclosure.²⁴ As shown in Table 7 above, a total of 11 requests were denied for reasons other than restriction by an AI Policy exception. Of which, eight were for documents determined not to be in the Bank’s possession, and two involved the Bank’s exercise of the prerogative to restrict access to information. The one request that was denied for being “unreasonable” was for information concerning the Bank’s information technology and its management. The staff who handled the case indicated in the case notes (in the AI tracking system) that the information is covered by the “Security and Safety” exception, but denied the request for being “unreasonable.” The information is likely also covered under the “Corporate Administrative Matters” exception, though this is not noted in the record. The case has been referred to the relevant unit for follow-up with staff.

22. **Profile of Requesters and Requests.** Requesters are not required to identify themselves, and as a matter of practice, the Bank does not identify requesters when considering their requests or for any other purpose. Personal information regarding individual requesters is only available to parties who are involved in handling the respective requests. Requesters, however, are given the option to indicate their affiliation. Table 9 below gives some indication of the requesters’ profiles in the Second Quarter.

²³ See AI Policy at para. 26, and footnote 23. Unsupported requests include those that (a) do not provide enough information to enable the Bank to locate the requested document in the Bank’s records management system and/or (b) are for documents that the Bank is unable to locate in the Bank’s records management system after a reasonable search.

²⁴ See AI Policy at para. 19.

Academia	68
Business or Private Enterprise	10
Consultant	10
Development Agency	7
Education	22
Government	11
Legal	2
Media	3
NGO	17
Other	9
Not indicated by requester	2
TOTAL	161

23. **Language of Requests and Regional Information.** Of the 161 public access requests received in the Second Quarter, 18 (11 percent) were in languages other than English.²⁵ Tables 10 and 11 below reflect, respectively, the languages in which the requests were communicated, and (as applicable) the region to which the requested information relates.

English	143
Spanish	6
French	1
Portuguese	3
Arabic	3
Chinese	1
Russian	4
TOTAL	161

Africa	34
Latin America and Caribbean	25
South Asia	21
East Asia and Pacific	19
Europe and Central Asia	16
Middle East and North Africa	7
Not indicated by requester	39
TOTAL	161

²⁵ Requests received in languages other than English are assigned to the InfoShop, which then refers the requests to relevant PIC staff, who then translate the requests from their original language into English. Once translated, InfoShop adds the translated request into the tracking system and reassigns the request to a PIC or the Archives Unit, as relevant.

III. ACCESS TO INFORMATION COMMITTEE DECISIONS – PREROGATIVE TO DISCLOSE

24. **Exercise of the Bank’s Prerogative to Disclose Restricted Information.** Under the AI Policy, the Bank reserves the right to disclose, under exceptional circumstances, certain information covered by the “Corporate Administrative Matters,” “Deliberative Information,” and “Financial Information” (other than banking and billing) exceptions, if the Bank determines that the overall benefits of such disclosure outweigh the potential harm to the interests protected by the exceptions.²⁶ The AIC has the authority to exercise this prerogative in respect to documents covered by these exceptions, if they are not Board papers or Board records classified as “Confidential” or “Strictly Confidential,” or information provided to the Bank by a member country or third party in confidence, and if the AIC determines that the overall benefits of the disclosure would outweigh the potential harm.

25. In the Second Quarter, the AIC had seven cases involving the possible exercise of the Bank’s prerogative to disclose restricted information. Five were received in the First Quarter. Two were received in the Second Quarter (within the month of December) and remained under consideration at the end of that period.

26. Of the five requests carried over from the First Quarter, the AIC exercised the prerogative to disclose the requested documents in two cases, concerning the following Bank operations:

- Ghana Urban Water Sector Reform Project (PO56256); and
- Sanitation Improvements in Kabul City Financed by the World Bank Project: Co-Composting Pilot plant at Chamtala Dumpsite.

The AIC did not exercise the Bank’s prerogative to disclose for the remaining three cases. In one of those cases, the documents are covered by the “Deliberative Information” exception of the AI Policy. The other two cases involved information that are less than five years old and/or concern an open operation, and were referred back to the Archives Unit to handle pursuant to the procedure discussed in paragraph 20 of this Report.

27. All requests considered by the AIC required consultations with internal business units, and external parties. Annex B of this Report lists: the requests considered by the AIC in the Second Quarter (including the requests carried over from the First Quarter); the AI Policy exceptions that cover the information under consideration; and the AIC’s decision on whether to exercise the Bank’s prerogative to disclose the restricted information.

IV. THE APPEALS PROCESS

28. **Types of Appeal.** One of the guiding principles of the AI Policy is to recognize a requester’s right to an appeals process if the requester is denied access to information by the Bank. A requester may file an appeal if he/she is able to:

²⁶ See AI Policy at para. 18.

(a) establish a *prima facie* case that the World Bank has violated the AI Policy by improperly or unreasonably restricting access to information that it would normally disclose under the AI Policy (“violation of policy”); or

(b) make a public interest case to override the AI Policy’s exceptions that restrict the disclosure of certain information, such information being limited to corporate administrative matters, deliberative information and financial information (other than banking and billing) (“public interest”).

29. **AIC Decisions on Appeals – Second Quarter.** The AIC serves as the first level of appeal for those appeals alleging a violation of policy, and as the first and final level of appeal for those appeals asserting a public interest. Two appeals carried over from the First Quarter, and one new appeal was received in the Second Quarter. Of the two appeals that carried over from the First Quarter, the AIC upheld the Bank’s decision to deny access in one case; the other case, which required consultations with internal business units, remained under consideration at the end of the Second Quarter. The one new appeal received in the Second Quarter asserted an appeal on “public interest” grounds. In this case, the AIC upheld the Bank’s decision to deny access. The average processing time for the two appeals decided in the Second Quarter was 20 working days.²⁷ Annex C lists the three appeals that were before the AIC in the Second Quarter, the appeal type, the AIC’s decision to uphold or reverse the Bank’s decision to deny access to information, and the applicable AI Policy exceptions restricting access.

30. The two decisions of the AIC made in the Second Quarter are summarized below.

(a) **Case Number AI0287: Records related to the history, architecture and use of World Bank buildings in the Washington DC area between 1945 and 1979.** The Bank initially denied access to the requested information based on the determination that the records are restricted under the “Corporate Administrative Matters” exception under the AI Policy. The requester made a “public interest” appeal to access the records. In reviewing the appeal, the AIC considered the “public interest” case as set out in the appeal, the nature of the information requested, and the “Corporate Administrative Matters” exception under the AI Policy that justified the Bank’s initial denial of access. The AIC recognized that, while the records are covered by the “Corporate Administrative Matters” exception, disclosure of the information contained in and/or referred to in the records could potentially compromise the security and safety of Bank staff and assets. In view of the additional security and safety concerns, the AIC determined that the requested information is also covered by the “Security and Safety” exception under the AI Policy, which the AIC does not have authority to override. In view of the above considerations, the AIC did not find a compelling public interest reason to override the “Corporate Administrative Matters” exception of the AI Policy on which the Bank initially based its decision to deny access to the records and decided to uphold the Bank’s decision to deny public access to the records.

²⁷ The AI Policy, at paragraph 37, provides that the AIC “makes its best efforts to reach a decision on appeals within 45 working days of receiving an appeal.”

(b) **Case Number AI0294: Attachments to the Access to Information Staff Handbook.**²⁸ The Bank initially denied the request because the information requested is restricted under the “Corporate Administrative Matters” exception under the AI Policy. The requester made a “public interest” appeal to access the Attachments to the Access to Information Handbook. In considering the appeal, the AIC recognized the Bank had previously decided that:

- (i) the Attachments do not qualify for public access under the AI Policy because the information falls within the “Corporate Administrative Matters” exception;
- (ii) in view of the early stages of the AI Policy’s implementation, the Attachments reflect internal work processes that continue to evolve and to be revised. Under the circumstances, the Attachments should not be disclosed at this time;
- (iii) however, it is willing to consider making the Attachments publicly available in the future through the exercise of the Bank’s prerogative to disclose restricted information; and
- (iv) any version of the Attachments that may be authorized by the AIC for public access in the future would not include information deemed by the World Bank to potentially compromise the security or safety of the World Bank, its electronic systems, or others.

In view of the above considerations, the AIC did not find compelling public interest reasons to override the “Corporate Administrative Matters” exception of the AI Policy (on which the Bank initially denied access to the Attachments) and upheld the Bank’s decision to deny public access to the Attachments.

31. **AI Appeals Board.** The AI Appeals Board serves as the second and final level of appeal for those appeals alleging a violation of policy. No appeal was filed before the AI Appeals Board.

V. TRAINING AND LEARNING PROGRAM

32. **Training and Learning Program.** In the Second Quarter, the access to information training and learning program continued delivery of learning activities in multiple formats, including, e-learning, webinars, webcasts, face-to-face sessions to specialized groups, and other special events. The program was accompanied by a communications plan that reached staff through targeted messages to Vice Presidents (“VPs”), intranet articles, kiosk announcements, postings in Vice Presidential Unit (“VPU”) newsletters, newsletters to VPU AI focal points, promotional events in various Bank buildings, and periodic status updates to VPs and VPU learning coordinators. Substantial focus was given to the AI mandatory e-learning program, sponsored by LEG, OPCS, ISG, EXT, and GSD/OIS. As of December 31, 2010, the program achieved a completion rate of 84 percent. To ensure maximum completion, the co-sponsors of the mandatory e-learning program extended the deadline for an additional six weeks, and carried

²⁸ This appeal was submitted to the Bank in Spanish. The decision of the AIC was translated into, and conveyed to the requester in, Spanish.

out a detailed action plan for compliance and monitoring, including implementation of a mandatory cut-off of electronic mail accounts of those staff who fail to comply with the training within the specified timeframe. Table 12 below reflects the Second Quarter self-paced, on-line, and face-to-face training and learning activities, and presentations given at special events.

Table 12. Training / Learning Activities -- Second Quarter		
Training / Learning Activities	No. of Events	Participants
Self-Paced Learning		
• Mandatory Access to Information e-Learning for IBRD Staff	Continuous	> 15,800 84% completion
• AI Overview	Continuous	3,088*
• Simultaneous Disclosure	Continuous	454*
• The Policy Exceptions and Related Changes to the Bank's Records Management System	Continuous	761*
• Procurement Documents Under the AI Policy	Continuous	187*
• Access to Information for Bank Operations - Recommended	Continuous	119 enrolled 40 completed
• Your Role as an AI Focal Point	Continuous	72*
• ESW and Technical Assistance	Continuous	19*
• CAS Products (CASs, CAS Progress Notes, Interim Strategy Notes)	Continuous	16*
• Implementation Support	Continuous	14*
• Investment Lending to Board	Continuous	11*
On-Line Webinars		
• How to Handle AI Requests Webinar for PICs/Communications Staff (PICs/Communications Selected, LCR)	2	18
Face-to-Face Learning for Specialized Groups		
• LCSSD: AI Policy (HQ and Country Offices via videoconference)	1	104
• ACS: AI Policy integrated with Investment Lending (IL) Reform	1	28
• AFR: AI Policy integrated with IL Reform	1	24
• EAP: Operational Aspects of the AI Policy (Cambodia)	1	38
• EAP: AI Policy integrated with Supervision/Implementation Support (Bangkok)	1	24
• CFRPA: AI Policy	1	38
• CFRCF, CFRR: AI Policy	1	18
• SEC: AI Policy: Records Management - Session for Executive Directors' Staff	1	44
• AFR, MNA, SAR, EAP: Hub Training (in Cambodia and Paris) – Session for Information Technology Officers in Country Offices	2	40
Events		
• Bank CD-IFC RD Peer Learning Event/Strategy Corner	1	25
• Special Meeting of the Committee on Juridical and Political Affairs on Access to Information - Organization of American States	1	30

* Number of views

VI. CONCLUSION AND NEXT STEPS

33. The statistics in this Report show the significant steps taken by the Bank to increase both the types and volume of information available to the public, as well as the public's demonstrated interest in the information released by the Bank. The Bank has committed resources to ensure staff readiness in the implementation of the AI Policy. Improving overall staff knowledge and consistency in records management continues to be a crucial area of focus. The next progress report will cover the period of January 1, through March 31, 2011.

Simultaneously Disclosed Board Documents: Second Quarter

No.	Report No.	Title
1.	58644-SZ	Swaziland – Local Government Project
2.	57191-CO	Colombia – National Macroproyectos Social Interest Program Project
3.	57094-GH	Ghana – Gas and Oil Capacity Building Project
4.	56179-HT	Haiti – Post Disaster Partial Credit Guarantee Program Support Project
5.	57871-AR	Argentina – Norte Grande Water Infrastructure Project
6.	56144-AR	Argentina – Second Essential Public Health Functions and Programs Project
7.	57927-YE	Yemen – Public Finance Modernization Project
8.	54311-CO	Colombia – Rio Bogota Environmental Recuperation and Flood Control Project
9.	57016-MZ	Mozambique – Seventh Poverty Reduction Support Credit Operation Program
10.	55649-YE	Yemen – Private Sector Growth and Social Protection Development Policy Grant
11.	53342-RU	Russian Federation – Financial Education and Financial Literacy Project
12.	57622-TP	Timor-Leste – Second Chance Education Project
13.	57609-RU	Russian Federation – Preservation and Promotion of Cultural Heritage Project
14.	56199-NI	Nicaragua – Public Financial Management Modernization Project
15.	56262-NI	Nicaragua – Improving Community and Family Health Care Services Project
16.	57459-PY	Paraguay – Energy Sector Strengthening Project
17.	55039-VN	Vietnam – Higher Education Development Policy Program Project Second Operation
18.	55859-MX	Mexico – Additional Financing for the Support to Oportunidades Project
19.	55893-BT	Bhutan – First Development Policy Credit
20.	57109-SC	Seychelles – Second Development Policy Loan Project
21.	56577-BT	Bhutan – Country Partnership Strategy for the period FY11-14
22.	57323-MX	Mexico – Low-Carbon Development Loan Program
23.	56788-KZ	Kazakhstan – Alma Electricity Transmission Project
24.	56405-HN	Honduras – Interim Strategy Note
25.	50292-BR	Brazil – Integrated Solid Waste Management and Carbon Finance Project
26.	55030-GE	Georgia – Additional Financing for Regional and Municipal Infrastructure Development Project
27.	51581-BR	Brazil – Integrated Health and Water Management Project

Requests for Information – AIC Consideration in the Second Quarter

	Case - Information Requested	AI Policy Exception(s)	Exercise Prerogative to Disclose Restricted Information
1	AI0300 Ghana Urban Water Sector Reform Project (PO56256)	Deliberative Information	Yes
2	AI0365 Management and Evaluation within the Plano Plurianual: Institutionalization without Impact	Deliberative Information	N/A**
3	AI0366 Management and Evaluation within the Plano Plurianual: Institutionalization Without Impact	Deliberative Information	N/A**
4	AI0374 Sanitation Improvements in Kabul City Financed by the World Bank Project: Co-Composting Pilot Plant at Chamtala Dumpsite	Deliberative Information	Yes
5	AI0396 Oman: Development of Human Resources at Crossroads	Deliberative Information	No
6	AI0514 IBRD Board Policy Statement, December 14, 1993, regarding the IBRD's policy towards granting waivers of the negative pledge in lending transactions	Deliberative Information	*
7	AI0495 Mexico: An Evaluation of the Economic Value of Water	Deliberative Information	*

* Under consideration – pending input of business unit and/or other parties.

** Following the AIC's consideration of these requests, the requests were referred to the Archives Unit to process according to the procedures adopted by the AIC, which are discussed in paragraph 20 of this Report.

Appeals – AIC Consideration in the Second Quarter

	Case - Information Requested	Type of Appeal		Upheld or Reversed Bank Decision to Deny Access	Applicable Exception(s)
		Violation of Policy	Public Interest		
1	AI0336 Namibia: Education and Training Sector Improvement Program	X		In process	*
2	AI0294 Attachments to the Access to Information Staff Handbook		X	Upheld	Corporate Administrative Matter
3	AI0287 Records related to the history, architecture and use of World Bank buildings in the Washington DC area between 1945 and 1979		X	Upheld	Corporate Administrative Matter; Security and Safety

* To be confirmed by the AIC.