

AIC decision on appeal #4

CASE NUMBER AI0287

**RECORDS RELATED TO THE HISTORY, ARCHITECTURE AND USE OF WORLD BANK
BUILDINGS IN THE WASHINGTON DC AREA BETWEEN 1945 AND 1979**

(Decision dated December 21, 2010)

1. On November 30, 2010, the Secretariat to the Access to Information Committee (the “Secretariat”) received the attached application (the “Application”) appealing the Bank’s decision to deny access to “records related to the history, architecture and use of World Bank buildings in the Washington DC area between 1945 and 1979” (the “Records”). The Bank had denied access to the Records based on the “Corporate Administrative Matters” exception under the Bank’s Access to Information Policy (the “Policy”).

2. The Application challenges the decision to deny access on the ground that there is a “public interest” case to override the Policy exception that restricts the requested information. It states:

“The study offers public and academic benefit as my analysis provides an innovative approach to urban dynamics and will be of immeasurable value to future city planning and urban management. The results bring additional knowledge and better understanding of the public and national history in DC and indeed, worldwide, now and in the future. It will thus contribute to the greater public good. If required, I can provide written confirmations, that I have free access to all DC Archives (incl. the Office of Public Records and the IMF archive), detailed explanations and a confirmation of my PhD. advisor. Is there a contact e-mail address?”

Findings and Decision of the Access to Information Committee

3. In reviewing the Application in accordance with the Policy, the Access to Information Committee (the “AIC”) considered the “public interest” case as set out in the Application, the nature of the information requested, and the “Corporate Administrative Matters” exception under the Policy that justified the Bank’s initial denial of access.

“Public Interest” case

4. Pursuant to the Policy, a requester may file an appeal on a “public interest” basis if the requester is able to make a public interest case to override certain Policy exceptions that restrict the information requested. Public interest appeals are limited to information restricted under the Corporate Administrative Matters, Deliberative Information, and Financial Information (other than banking and billing information) exceptions (*see* paragraph 36 (b) of the Policy). In reviewing the Application in accordance with the Policy and the above considerations, the AIC:

(a) 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 Policy, which the AIC does not have authority to override; and

(b) in consideration of the statement of the Application, and the nature of the requested information, including the security and safety concerns discussed above, did not find a compelling public interest reason to override the “Corporate Administrative Matters” exception of the Policy on which the Bank initially based its decision to deny access to the Records.

5. For these reasons, in response to the public interest appeal, the AIC decided to uphold the Bank’s decision to deny public access to the Records.

6. Under the Policy, the decision of the AIC is final for appeals that assert a public interest case to override a Policy exception (*see* paragraph 37 of the Policy).