

Comment on ADB's 1994 Disclosure and Information Policies

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Response to questions raised in the Bank Information Center's [Guide to ADB Transparency: Key Questions for the Ongoing Review 2003 – 2004](#)

I. The Board of Executive Directors

Individuals and organizations may want to consider the following questions:

- Should citizens be able to access information about how they are represented by their country's Executive Director on the Board? If so, what kinds of information and when?
1-1. Yes.
- Should legislative branches and provincial governments be able to access information about how they are represented by their country's Executive Director on the Board? If so, what kinds of information and when?
1-2. Yes.
- Individual governments instruct their Executive Directors to promote specific positions at the ADB. For instance, a government might request that their representative vote in a particular way on a controversial project or adopt a particular position in relation to a policy that is being developed or is under review. Should governments disclose information on the instructions that they are providing to their Executive Director on the Board? If so, what kinds of information and when?
1-3. Yes.
- Should citizens be able to access comprehensive information about Board meetings, such as transcripts, summaries or live webcasts?
1-4. Yes.

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II. The Policy and Strategy Formulation Process

Individuals and organizations may want to consider the following questions:

- Should the ADB disclose a schedule of the policies and strategies that it intends to review or develop in the coming years?

2-1. Yes.

- Should Bank staff be required to make all policies and strategies available in draft form for public comment? If so, how long should these policies and strategies be available for comment before they become the “final drafts” that are presented to the Board?

2-2. Yes. Drafts for one year or shorter policies and strategies should be available for public comments at least one month.

- Which Bank policies and strategies should be reviewed or developed using face-to-face consultations with stakeholders?

2-3. “Important” – that can be decided by special committee – policies or strategies should be reviewed or developed using face-to-face consultations with stakeholders.

Special (‘ombudsmen’) committee should be organized by members who can represent all stakeholders to decide disclosure exceptions and to stimulate disclosure of needed information. And it can prepare a guideline for information disclosure of ADB (disclosure compliance mechanism).

- Typically, a policy or strategy progresses through several drafts before it is approved by the Board of Directors. When “final drafts” of policies and strategies (currently called “Restricted Papers”) are sent to the Board for approval, should they also be available to the public? If so, how many days before Board approval should they be disclosed?

2-4. Yes. And more than 14 days.

III. Country Specific Strategies

Individuals and organizations may want to consider the following questions:

- Should the ADB be required to disclose drafts and final drafts of all CSPs?

3-1. Yes.

- In addition to CSPs and CSP Updates, should other country-specific documents and country performance reviews be publicly available?

3-2. Yes.

- What kinds of background documents would be useful for you in understanding how the ADB, with the borrowing government, formulated the Bank’s lending strategy?

3-3. -

- The ADB develops its strategy with the Executive branch of government. Should legislators have access to country strategies before they are finalized and approved by the ADB’s Board? Should legislators in borrowing countries be invited to comment on country strategies?

3-4. Yes.

IV. The Project Cycle

Individuals and organizations may want to consider the following questions:

- Should the ADB notify the public as soon as a potential project is identified? How should that notification process take place?
4-1. Yes.
- Should the ADB be required to disclose background information, such as feasibility studies and other technical reports related to the preparation of a given project? At what stage should that information be released?
4-2. Yes.
- As a project develops during the preparation, appraisal and negotiation phase, what kind of information should be disclosed? For instance, should the ADB disclose periodic updates that provide additional details on projects prior to approval?
4-3. Yes.
- Should the ADB release a detailed explanation of the project in draft form for public comment?
4-4. Yes.
- Should the ADB disclose the final draft of the project document when it is sent to the Board for approval?
4-5. Yes.
- Should the ADB be required to disclose information during project implementation? If so, what kind of information would be most useful?
4-6. Yes.
- Should the ADB provide more information on the specific objectives of individual projects and then systematically report on the degree to which those objectives are being achieved in practice?
4-7. Yes.
- What should the ADB release at project completion? Should the ADB disclose all staff and management evaluation reports completed by the ADB in addition to any reports conducted by the evaluations unit at the Bank?
4-8. Draft for final report of a project. Yes, but with some restrictions.

V. Private Sector Lending

Individuals and organizations may want to consider the following questions:

- Should the requirements governing the disclosure of private sector documents differ from the disclosure requirements for public sector documents? (Also see the other questions in Section IV: The Project Cycle, which are equally relevant to the ADB's private sector lending.)
5-1. No, but with some restrictions.
- As a public institution, the ADB has a responsibility to disclose information about its operations. However, in private sector operations they often do not disclose

information due to “business confidentiality”. What standards should the ADB use to distinguish between “business confidential” information and information that it has a responsibility to disclose?

5-2. Those standards can be prepared by ‘the special committee’.

VI. Lending to Financial Intermediaries

Individuals and organizations may want to consider the following questions:

- If the ADB requires the FI to develop an environmental management plan that the FI will apply to its lending activities, should that plan be disclosed?

6-1. Yes.

- Should the FI be required to disclose an annual report on the projects that it is financing with indirect ADB support?

6-2. Yes.

- Should the ADB periodically audit the social and environmental standards and practices of the FI and disclose these audits?

6-3. Yes.

- What other information should be available about the Financial Intermediaries to which the ADB lends?

6-4. -

- What information should be available about the lending operations of Financial Intermediaries?

6-5. -

- What kind of information should FIs make available during their lending process? Should the FI be required to meet disclosure standards similar to those that would be applied for a direct ADB loan to a project?

6-6. - Yes.

VII. Accessibility of Information

Individuals and organizations may want to consider the following questions:

- Should the Bank be clearer on how to request information? How could the Bank ensure that everyone who is interested is able to request information?

7-1. Yes.

- Should the Bank better announce the availability of information? Should the ADB, for instance, announce that it is preparing a given project in your local newspaper or announce when new information on a project is available?

7-2. Yes. Yes, if possible.

- Are ADB Resident Missions (in-country offices) accessible to the general public?

7-3. Yes.

- What types of services would you expect to be provided by in-country ADB offices, e.g. internet access, documents in hard copy, knowledgeable staff to answer questions?

- 7-4. Documents in hard copy, staff and ADB information web site management in local language.

VIII. Translation

Individuals and organizations may want to consider the following questions:

- What documents should the ADB translate?
8-1. Annual reports, catalogs, guidelines and handbooks.
- What ADB documents would be most useful for you in your local or national language?
8-2. ADB should provide a translated list of information that can be accessible in other languages (mainly in English). It will be most useful.

IX. Disclosure Policy Compliance and Process Guarantees

Individuals and organizations may want to consider the following questions:

- Have your requests for information from the ADB ever been denied or not responded to?
9-1. No.
- When requesting information from the ADB, do you receive a response in a timely manner? Does that response provide you with complete information? For instance, in the case of a denial, does the response state why requested information is confidential?
9-2. -
- Would the ADB benefit from having a “disclosure compliance mechanism” to ensure accountability of the disclosure requirements outlined in its policy?
9-3. Yes.

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