



An Overview of the PCP and Its Importance

In an age of information and an economy of knowledge, access to information is widely considered a people's right, and information sharing is integral to participatory development. This trend toward transparency and the global communications revolution has raised public expectations about the type, range, and delivery of information provided by institutions to the public, private, and nonprofit sectors.

The Asian Development Bank (ADB)'s Public Communications Policy (PCP), which takes effect 1 September 2005, provides a framework to enable ADB to communicate more effectively. It replaces two policies that were adopted in 1994: the *Information Policy and Strategy*, and the *Policy on Confidentiality and Disclosure of Information*. The PCP's development over the past 2 years has been done through a participatory consultative process, involving 14 member countries and a total of 430 people participating in workshops and a videoconference. Public officials comprised about one quarter of the total number of participants. The PCP expands the scope and type of information ADB will make publicly available, and puts greater emphasis on a "presumption in favor of disclosure", which means that, unless information meets criteria for confidentiality, it will be disclosed. It also:

- Promotes proactive decisionmaking on disclosure
- Emphasizes exchange of information with affected people.

We welcome your active participation in improving ADB's communication with stakeholders.

The importance of the right to access to information has been recognized internationally for more than 50 years. The United Nations General Assembly resolved in 1946 that, "Freedom of information is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated." The right to information from public bodies has been recognized in constitutions and access to information laws in dozens of countries, and set forth in Article 19 of the International Covenant on Civil and Political Rights, which has been signed by most ADB member countries.

(See <http://www.unhcr.ch/pdf/report.pdf> for more details.)

The need for proactive decisionmaking on disclosure

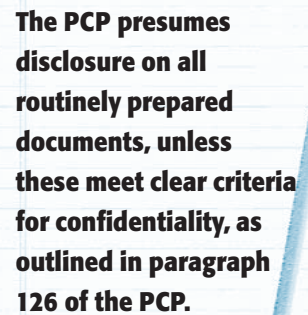
For information that ADB produces, or requires to be produced, systematic decisionmaking is necessary. Proactive decisionmaking is not only practical, but it also saves time.

When you naturally discuss draft documents with ADB staff and consultants, we ask that you consider disclosure. As you will already be actively engaged in review and discussion of the documents, you will be able to make decisions on disclosure vs. confidentiality, proactively. It is with this **efficiency of time and effort** in mind, and the **universal right to information** that ADB stands behind this policy—and we rely on your help in moving toward greater disclosure and exchange of information.

REMEMBER: The question you should be considering is *not* “what information does the public want/need to know” but rather, “what harm, if any, might result in releasing the information?”

Presumption in Favor of Disclosure

ADB understands that full disclosure is not always possible for legal and practical reasons. For example, ADB needs to explore ideas, share information, and hold frank discussions internally and with its members. ADB must also safeguard the privacy of its staff and protect confidential business information of private sector project sponsors and clients.

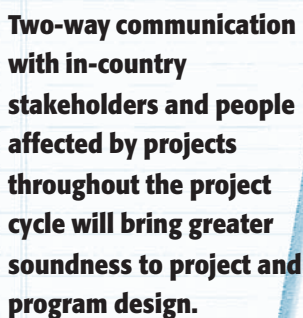


The PCP presumes disclosure on all routinely prepared documents, unless these meet clear criteria for confidentiality, as outlined in paragraph 126 of the PCP.

Confidential documents or those containing confidential information

See the enclosed *Quick Reference Guide to Criteria for Confidentiality* to familiarize yourself with **the exceptions to presumed disclosure** for sensitive information. ADB staff will work with you to identify those parts of the document that meet confidentiality criteria. Even when the PCP says a certain type of document must be made publicly available, any information contained in that document that meets one or more of the PCP’s exceptions to disclosure may be removed from the document and not be disclosed.

Prior to posting a document on ADB’s website, ADB staff will remove confidential information from the document. Where the removed information would have been, it should read: “This information was deemed confidential in accordance with ADB’s Public Communications Policy (2005) and its exception to presumed disclosure # [cite exception number].”



Two-way communication with in-country stakeholders and people affected by projects throughout the project cycle will bring greater soundness to project and program design.

Communicating with Affected People

The PCP uses the term “publicly available” to refer to documents posted on ADB’s website. While the web may be considered the main medium for making information publicly available, there are likely other more effective, appropriate means of information dissemination for people affected by projects (considering literacy level, geography, infrastructure, popular mass media, etc.). The PCP (paragraph 74) requires that general information about a project under preparation

(including social and environmental issues) be made available to affected people throughout the project cycle. To this end, the team may wish to **develop a communications strategy** for certain projects and programs, particularly for those likely to generate a high level of public interest, to identify how best to disseminate the information.

Please refer to the enclosed *Quick Reference Guide to Operational Documents* for an overview of the types of documents required to be produced by ADB, including which of these documents must be made available to affected people or in-country stakeholders, and when.

New Disclosure Requirements for Routine Operational Documents

The documents types below are among those particularly relevant to your work, and whose rules for disclosure (to whom, when) have changed. See the *Quick Reference Guide to Operational Documents* for a comprehensive list of documents and their disclosure requirements.

Country Strategies and Programs

ADB conducts assessment studies in preparation for a Country Strategy and Program (CSP). These assessments will be posted on ADB's website after they are completed.

ADB normally works with the government to consult with nongovernment stakeholders (NGOs) while the CSP is being developed. To facilitate consultations with in-country stakeholders, **draft CSPs and their updates** will be disseminated for comment prior to consultation on two occasions: 1) after the initiating paper (or the discussion paper) is completed; and 2) after the CSP document or its update has been drafted. These drafts need not be posted on ADB's website, but should be distributed to those invited to a consultation in advance of that consultation (*see paragraph 64 of the PCP*).

All CSPs and their updates will be posted on ADB's website upon completion.

Project or Program Information Document

Similar to how ADB today posts project profiles, ADB will post and maintain on its website a **project information document, or 'PID'**, which will provide a brief factual summary of a project or program (*see paragraphs 69–72 of the PCP*).

The PID, a key source of publicly available information for each ADB project, will be a work in progress, continually added to and/or updated throughout the project life cycle. When the project is being implemented, ADB staff will update the PID quarterly to reflect the project's progress.

Safeguard Documents

The PCP does not indicate any changes to the disclosure of environmental assessments (*see paragraphs 77–78 of the PCP*).

For resettlement and indigenous peoples planning documents, the requirements have been amended such that **the draft plan or framework** is posted on ADB's website before project appraisal.

Final Reports Generated from Technical Assistance

Reports generated from technical assistance—such as feasibility studies, detailed project designs, sectoral reviews, and other reports by consultants—will be posted in their final form on ADB’s website upon completion. Of course, information can be removed from the reports, or the reports withheld altogether, if such information meets one or more of the criteria for confidentiality.

Social and Environmental Monitoring Reports

A loan agreement may require that certain social or environmental reports be prepared during the course of a project. Those documents will be posted on ADB’s website upon submission to ADB.

Working Together

The move toward greater public disclosure and exchange of information is a joint effort. As a partner, you can expect support from ADB staff in making sound and informed decisions in favor of disclosure, and in developing appropriate ways to engage with stakeholders.

Thank you for your attention and cooperation.