

Disclosure of Information Policy of the Integrity Vice Presidency

Questions and Answers

February, 2011

Q: Is this INT's first disclosure policy?

A: Yes. The June 3, 2004 *External Communications Strategy Related to Investigations and Sanctioning of Fraud and Corruption in World Bank-Financed Projects* included a Disclosure Provision only which limited disclosure to the respondent named in the case of a sanction. . This new disclosure policy is in line with the Bank's Access to Information (AI) Policy and the recommendations made by the Independent Volcker Panel Review that was conducted in 2007.

Q: Why does INT have a separate disclosure policy from the Bank's Access to Information (AI) Policy?

A: The World Bank's Access to Information Policy called for the development of separate disclosure policies for certain groups, including INT, which must safeguard the confidentiality of protected information in their possession and security of witnesses. This covers information that could "be harmful to innocent persons; undermine the work of these groups; or could interfere with the work of the groups that play an independent role within the institution".

Q: What are the underlying principles of the policy?

A: The policy follows and incorporates the guiding principles underlying the Access to Information Policy, adapted to reflect the unique mandate and functioning of INT, which rely on its ability to safeguard the confidentiality of protected information in its possession. These principles are: (i) maximizing access to information; (ii) safeguarding the deliberative process and the integrity of INT's investigations; (iii) providing clear procedures for making information available, including a consistent process for redacting protected information; and (iv) recognizing requesters' right to an appeals process.

Q: What will be disclosed under the new policy?

A: Under the new INT Disclosure Policy, the following documents will be disclosed:

- (1) **Redacted Final Investigation Reports (FIRs)** that set out findings and recommendations at the conclusion of INT's external investigations, and may be followed by sanctions proceedings;
- (2) **Redacted Detailed Implementation Review Reports (DIRs)** of integrity risks in WBG-financed projects, and assessments of measures designed to prevent them;
- (3) **INT's Annual Report;**
- (4) **Reports and Other Information Generated as part of INT's Preventive Efforts** e.g. Thematic reviews, "Lessons Learned" publications, training and capacity-building materials;
- (5) **Policy Papers; and List of Debarred companies.**

Q: What types of information will not be publicly disclosed? and why not?

A: Given INT's unique mandate, INT's disclosure procedures must safeguard the confidentiality of protected information and its sources, which, if disclosed, could compromise the integrity of INT's investigations, or jeopardize the security of INT or other WBG staff or third parties.

To this end, the policy includes a **redaction process** that will remove prior to disclosure of a given document information, the disclosure of which could cause harm to specific parties or interests. The categories of redacted information include: (i) information that falls within the "Exceptions" set out in paragraphs 8-17 of the World Bank's AI Policy; (ii) information the disclosure of which could cause reputational or commercial injury, or pose undue liability, reputational and/or immunities risk to the WBG or its staff; and (iii) information the disclosure of which is restricted under the IFC or MIGA policies.

The policy includes a "**Redaction Protocol**" in Annex II, which sets out the specific information that will be redacted from INT's products prior to their disclosure.

Q: Is there a mechanism for appeals, if access to information is denied? Who will determine the outcome of the appeal?

A: Yes. Any requester who is denied by INT access to information that he/she believes is disclosable under the policy may file an appeal with the Disclosure Committee for INT Information (DCI),

The DCI was created by INT and is chaired by the Managing Director overseeing the implementation of the WB's Governance and Anti-Corruption Strategy. The DCI is composed of the WBG General Counsel (or MIGA/IFC when relevant); OPCVP; EXTVP; the Vice President of the Operational Unit concerned; and an outside expert with knowledge and experience of investigating and litigation functions.

Q: How should appeals be submitted?

A: Appeals to the DCI would have to be filed, in writing, within sixty (60) calendar days of INT's initial decision to deny access to the requested information.

The DCI would be required to make every effort to reach a decision on appeals within forty-five (45) working days of receiving an appeal (delays would have to be communicated in writing to the requester). **The decisions of the DCI will be final.**

