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Inter-American Development Bank: Analysis of the Proposed Access to Information Policy

Today, the Centre for Law and Democracy (CLD) is releasing [*Inter-American Development Bank: Analysis of the Proposal for the New Access to Information Policy*](#). The Analysis welcomes a number of improvements in the new Proposal, particularly in terms of tightening up the regime of exceptions by making most exceptions harm tested and subject to the public interest override. At the same time, the Analysis points to a number of areas where the Proposal could still be further improved.

“After a period of improvements in the information policies of the international financial institutions until around 2010, when the current IDB policy was adopted, we have not seen much progress for a while,” said Toby Mendel, Executive Director of CLD. *“With this Proposal, the IDB is making a commitment to move forward and we encourage it to take full advantage of this opportunity and really improve its access to information policy.”*

This Analysis was prepared in response to a call for feedback on the Inter-American Development Bank’s (IDB) Proposal for the new Access to Information Policy, which would replace the current Policy. It notes that the IDB’s Proposal represents a strong step in the right direction towards enhanced transparency. In addition to the advances noted above, the Proposal eliminates the “negative override”, which currently gives the IDB broad discretion to keep information secret. It also removes or narrows several problematic exceptions, creates a strong “harm test” and sets out clear procedures for requesting information from the Bank.

However, the Analysis also makes several recommendations for further strengthening the Proposal, including the following:

- The prohibition on anonymous requests should be removed.
- The policy should contain an overall time limit on extensions of the deadline for responding to requests.
- The positive override should apply whenever the public interest in disclosure outweighs the harm to the protected interest, be mandatory in nature and apply at all stages of decisions on requests, including the initial decision.
- The policy should make it clear that third parties do not have a veto over disclosure and establish clear procedures for consulting with third parties.
- The policy framework for proactive disclosure should be strengthened.

The Analysis is available [here](#).

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