

## **DIRECTIVE**

# **Access to Information**

[21 January 2019]

(draft for public consultation)

*The draft Directive on Access to Information is open for public consultation until 6 March 2019. During the consultation, we will be seeking the views of EBRD shareholders, donors, clients, CSOs, industry and business organisations, trade unions, other Multilateral Development Banks and International Financial Institutions, other EBRD stakeholders, and the public in general on the draft directive. Public comments will be responded to, and summarised in the “Report on the Invitation to the Public to Comment” that will be presented to the EBRD Board of Directors together with the final draft of the Directive on Access to Information in Q2 of 2019.*

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## DIRECTIVE

### Access to Information

#### Section I: Purpose

This Directive sets out the documents and information that are routinely disclosed by the EBRD, the manner in which they are disclosed and certain implementation arrangements relating to the Access to Information Policy [*add link*].

#### Section II: Definitions

Terms used in this Directive have the following meanings:

<b>Access to Information Policy</b>	The Access to Information Policy (2019) POL/[●]/[●], as amended from time to time.
<b>Activities</b>	Technical assistance, advisory services, policy dialogue and cooperation, financed and/or implemented by the EBRD, or governance, administration and decision-making processes of the EBRD.
<b>Bank or EBRD</b>	The European Bank for Reconstruction and Development.
<b>BoD Committee</b>	A committee of the Board of Directors established pursuant to Section 11 of the Rules of Procedure of the Board of Directors.
<b>Category A Project</b>	A Project categorised as a “Category A” Project in accordance with the Environmental and Social Policy.
<b>Confidential Information</b>	The categories of information falling under Section III, paragraph 2 of the Access to Information Policy.
<b>Enforcement Policy and Procedures</b>	The Enforcement Policy and Procedures (2017) POL/2017/01, as amended from time to time.
<b>Environmental and Social Advisory Council or ESAC</b>	An independent body of environmental specialists who advise the EBRD on environmental issues such as policy, international standards, technical development, emerging trends and future opportunities.
<b>Environmental and Social Impact Assessment or ESIA</b>	The instrument to identify and assess the potential environmental and social impacts of a proposed project prepared by the client in accordance with Performance Requirement 1.
<b>Environmental and Social Policy</b>	The Environmental and Social Policy (2019) POL/[●]/[●], as amended from time to time.
<b>Independent Project Accountability Mechanism or IPAM</b>	The independent project accountability mechanism established under the Project Accountability Policy.

<b>Information Appeals Panel</b>	The panel established pursuant to the Access to Information Policy.
<b>Operations</b>	Any equity, loan, guarantee or borrowing transaction of the EBRD as approved by the Board of Directors or, if the Board of Directors has delegated the approval authority, by Bank management.
<b>Operation Performance Assessment or OPA</b>	The ex-post assessment of a Bank Project completed by the relevant banking team after Project completion.
<b>Performance Requirement</b>	A performance requirement established in accordance with the Environmental and Social Policy.
<b>Project Accountability Policy</b>	The Project Accountability Policy (2019) POL/[●]/[●], as amended from time to time.
<b>Project Summary Document or PSD</b>	The document prepared in accordance with Section IV, paragraph 1.4 of this Directive.
<b>Project</b>	The set of works, goods, services and/or business activities defined in the financing agreements and for which EBRD financing is sought by a client, and as approved by the Board of Directors or, if the Board of Directors has delegated the approval authority, by Bank management.
<b>Public Information Policy (2014)</b>	The Public Information Policy (2014) POL/2018/1.
<b>Sector Strategy</b>	A lending strategy approved by the Board of Directors which relates to (i) all recipient countries and economies of operations and (ii) an identified economic sector or a theme across multiple economic sectors.
<b>State Sector</b>	Has the meaning ascribed to “state sector” in accordance with Article 11.3 (iii) (a) to (c) of the Agreement Establishing the EBRD.
<b>Trade Facilitation Programme</b>	The Bank’s trade programme which aims to promote foreign trade to, from and amongst the EBRD recipient countries or economies of operations.

### Section III: Legal Basis

The Access to Information Policy POL/[●]/[●].

## Section IV: Scope

### 1. Information Routinely Disclosed

The following categories of documents or information shall be routinely disclosed by the EBRD on the EBRD website. In some cases, hard copy publications shall be made available at EBRD offices in addition to disclosure on the EBRD website.

#### 1.1. Institutional and Governance Information

The EBRD discloses information regarding its governance. This information includes:

##### 1.1.1. Basic documents of the Bank:

- (i) Agreement Establishing the European Bank for Reconstruction and Development and associated Chairman's Report;
- (ii) By-Laws of the European Bank for Reconstruction and Development;
- (iii) Rules of Procedure of the Board of Governors;
- (iv) Rules of Procedure of the Board of Directors;
- (v) Headquarters Agreement.

##### 1.1.2. Information about the Bank's organisational structure, including the organigram of the Bank, identifying the various departments and component parts of the institution as well as lists of members of the Bank's Executive Committee, shareholders and Governors, Directors and Alternate Directors in the Board of Directors, the Bank's Senior Leadership Group and country and department contacts.

##### 1.1.3. The following corporate reports are disclosed annually:

- (i) *Annual Review* on the impact of the Bank's Operations and Activities during each year including highlights of innovation in key sectors and initiatives.
- (ii) *Financial Report* including the approved and audited financial statements of the Bank, additional reporting and disclosures on the Bank's risk management, corporate governance and structure, auditor's report and the salaries of the President, Vice Presidents, the Board of Directors as well as the range of salaries for the Bank's senior management. The Bank also discloses the unaudited quarterly financial statements.
- (iii) *Sustainability Report* which includes information on the environmental and social aspects of the Bank's Operations and Activities, including implementation of the Environmental and Social Policy. The Sustainability Report also includes climate finance data with a breakdown by country, sector and Project, the total amount of the EBRD finance for each Project, the proportion of such amount earmarked as climate finance for each Project and whether such climate finance is earmarked under

mitigation or adaption sectors. In addition, the Bank discloses summaries of the meeting of the Environmental and Social Advisory Council, following the review of the summary by ESAC.

- (iv) *Transition Report* including analysis of trends and developments in transition across the Bank's recipient countries and an assessment of transition gaps by country. The Bank also discloses macroeconomic forecasts, regional economic developments and the outlook for its recipient countries twice a year in a *Regional Economic Prospects*.
- (v) *Law in Transition* providing coverage of legal developments in the Bank's recipient countries.
- (vi) *Annual Review of Procurement Activities under the Procurement Policies and Rules*, which reviews public sector procurement contracts, funded and/or administered by the Bank, procured by the Bank's clients.
- (vii) *Annual Review of Corporate Procurement Activities*, which provides an overview of the procurement activities of the Bank in relation to goods, works and services including consultancy services contracted by the Bank.
- (viii) *Annual Report on the Implementation of the Access to Information Policy*, summarising implementation of the Access to Information Policy throughout the year.

1.1.4. The following compliance reports and documents are disclosed as noted below:

- (i) *Integrity and Anti-Corruption Report*, published annually, describing, among other things, the Bank's strategy to promote integrity and prevent fraud and corruption and the actions taken during the reporting period to ensure that the Bank has conducted its business activities with integrity, including handling of allegations of fraud and corruption in connection with the Bank's activities.
- (ii) *List of ineligible entities*, updated regularly, setting out the entities which are ineligible to become an EBRD counterparty in accordance with the Enforcement Policy and Procedures.
- (iii) *Independent Project Accountability Mechanism*, including the Project Accountability Policy, guidance issued in accordance with the Project Accountability Policy and, in each case subject to the conditions set out in the Project Accountability Policy:
  - a. IPAM annual reports;
  - b. Copies of requests received once registered in accordance with the Project Accountability Policy;
  - c. Assessment reports;
  - d. Problem solving reports or summaries thereof;

- e. Compliance assessment reports and related requesters' comments;
  - f. Management action plans and related requesters' comments;
  - g. Monitoring reports, and informational pamphlets about the IPAM.
- 1.1.5. Details of the EBRD Administrative Tribunal as well as copies of decisions of the EBRD Administrative Tribunal.
- 1.1.6. In connection with the Trade Facilitation Programme, the Bank discloses only the list of the client financial institutions registered with, or approved by, the Bank to participate in such programme.
- 1.1.7. Evaluation documentation, including:
- (i) The Bank's Evaluation Policy;
  - (ii) The Evaluation Department's (EvD) annual evaluation review;
  - (iii) The EvD annual work programme and budget;
  - (iv) Summaries of operational evaluations;
  - (v) Special and thematic studies and approach papers;
  - (vi) Formally approved management comments on the documents listed in subparagraphs (i) to (v) above.

EvD shall not ordinarily publish transaction specific material that might raise commercial confidentiality concerns and reviews reports to determine whether redaction is needed to protect confidentiality. The Board of Directors shall be informed about the findings of EvD reports and details of such findings shall be discussed in the Audit Committee. However EvD shall be responsible for the content of disclosed EvD reports.

- 1.1.8. Information relating to the Bank's bond issues:
- (i) Pricing supplements and/or prospectus for all listed bond issues;
  - (ii) Credit rating agency reports, subject to the relevant agency's consent to such disclosure;
  - (iii) Details on the Bank's annual borrowing programme and outstanding bond issuance executed under such borrowing programme;
  - (iv) Details of green bonds and social bonds issued, as well as information provided at least annually on the related portfolio of green and social assets funded by such bonds.

#### 1.1.9. Institutional information on environmental, social and governance matters, including:

- (i) Information on EBRD's carbon footprint.
- (ii) The Diversity and Inclusion Policy and related reporting on the EBRD's diversity and inclusion goals.
- (iii) The EBRD Staff Regulations.
- (iv) Information on the EBRD's procedures for dealing with harassment or improper behaviour in the workplace.
- (v) Information on the EBRD's procedures for reporting and investigating suspected misconduct.
- (vi) Information on the constitution, bylaws and working arrangements concerning the EBRD Staff Council.

### **1.2. Board of Directors and Board of Governors Information**

#### **1.2.1. General**

The EBRD discloses the following information related to the Board of Directors and the Board of Governors at the end of the corresponding deliberative process, as applicable:

- (i) Minutes of the meetings of the Board of Directors containing the names of attendees, the agenda, a record of the approval of the minutes of the previous meeting as appropriate, agreements and decisions reached by the Board of Directors (except for any information relating to executive sessions of the Board of Directors held in accordance with Section 3(g) of the Rules of Procedure of the Board of Directors).
- (ii) Schedule of forthcoming Board of Directors' discussions updated on a monthly basis. The precise scheduling of individual items may change.
- (iii) The terms of reference and membership of BoD Committees.
- (iv) Summary records of proceedings of the Annual Meetings of the Board of Governors containing the names of attendees, the agenda, and agreements and decisions reached by the Board of Governors (except for any information relating to meetings of the Board of Governors where attendance is restricted as determined by the Chairman of the Board of Governors in accordance with Section 3 (b) of the Rules of Procedure of the Board of Governors).
- (v) Statements of the Governors in relation to each Annual Meeting.
- (vi) Resolutions of the Board of Governors.

### 1.2.2. Information on Country Strategies and Sector Strategies approved by the Board of Directors

- (i) *List of strategy reviews and updates.* The Bank discloses the list of future reviews to give advance warning of draft reviews and updates. The Bank also discloses an up-to-date list of country strategies and Sector Strategies, including dates of approval.
- (ii) *Country strategies* provide guidance and a set of parameters for EBRD Operations and Activities, including technical assistance and policy engagement in the relevant country in light of the Bank's assessment of existing transition gaps. The environmental and social implications, including gender considerations, of the Bank's proposed activities are included in summary format.
- (iii) *Sector Strategies* provide guidance and a set of parameters for Operations, technical assistance and policy engagement in the relevant sectors or across multiple sectors and themes, as applicable. As appropriate, environmental, and social information, including gender considerations, is included in summary format.
- (iv) The disclosure process for country strategies and Sector Strategies, as applicable, is as follows:

*Draft country strategies and draft Sector Strategies*, are disclosed for a period of 30 calendar days, during which time the public is invited to send comments to the Bank.

For *country strategies* the disclosure takes place after consultation with the authorities of the country concerned. For this purpose the country strategies, are also disclosed in the relevant Resident Office in English and the relevant official national language. Whenever appropriate, the Bank shall proactively engage with civil society representatives and members of the public at an early stage of country strategy development through consultation workshops and other means.

For relevant *Sector Strategies* the ESAC shall be given the opportunity to comment on the draft document. Whenever appropriate, the Bank shall proactively engage with civil society representatives and members of the public at an early stage of the strategy development or during the public consultation period through consultations workshops and other means.

A summary of public comments received is made available to the Board of Directors in a *Report on the Invitation to Comment* before final approval by the Board of Directors of the relevant strategy.

*Final country strategies and final Sector Strategies* are disclosed following approval by the Board of Directors, together with the *Report on the Invitation to Comment* containing the summary of public comments received and staff responses, in English and for country strategies also in the relevant official national language. While all comments received by the Bank during this exercise are considered, and correspondence acknowledged, the Bank does not normally respond to individual public comments or communications received.

### 1.2.3. Information on Governance Policies approved by the Board of Directors

The following governance policies which are approved by the Board of Directors are subject to periodic review and public consultation: the Access to Information Policy, the Environmental and Social Policy, the Evaluation Policy and the Project Accountability Policy. The disclosure process for these governance policies is as follows:

- (i) In the event of a revision of the above mentioned governance policies, draft texts are disclosed for 45 calendar days for public comment. Whenever feasible, the Bank shall seek public opinion at an early stage of policy development and shall invite civil society, members of the public and other stakeholders to provide comments and amendments to the relevant current version of the policy through consultation workshops or other means. The Bank takes into account comments received when drafting the revised policy. A summary of public comments received and EBRD staff responses is made available to the Board of Directors in a *Report on the Invitation to Comment* before final approval by the Board of Directors of the relevant policy.
- (ii) Following approval by the Board of Directors, the *Report on the Invitation to Comment*, containing the summary of stakeholder comments received and EBRD staff responses, is disclosed along with the final approved policy, incorporating any changes required by the Board of Directors. While all stakeholder comments received by the Bank during this exercise shall be considered, and the senders acknowledged, the Bank does not normally respond to individual comments or communications received.
- (iii) The above consultation procedure does not apply to any of the Bank's other policies.
- (iv) The Bank endeavours to provide translations of the Access to Information Policy, the Environmental and Social Policy as well as its Performance Requirements and the Project Accountability Policy, into the official languages of the Bank.
- (v) The Bank discloses an up-to-date list of governance policies as noted above, including dates of approval.

### 1.2.4. Other Policies approved by, or Decisions of, the Board of Directors

Except as set out above, other policies approved by, or decisions of, the Board of Directors, which are expressly approved for disclosure by the Board of Directors, shall be disclosed promptly following such approval.

### 1.2.5. On-line Archive

The Bank discloses earlier approved versions of strategies, policies and/or decisions of the Board of Directors as set out in Section IV, paragraphs 1.2.1 to 1.2.3 above.

### **1.3. Planning and Budget Information**

The following information is disclosed in relation to the Bank's planning process:

- 1.3.1. A five yearly *Strategic and Capital Framework*, which sets the Bank's high level objectives and reviews its capital capacity, as approved by the Board of Governors.
- 1.3.2. An annual *Strategy Implementation Plan*, which presents the Bank's annual Business Plan, Budget and Corporate Scorecard, as approved by the Board of Directors in the context of a three-year rolling projection of the Bank's Operations and Activities.

### **1.4. Project Information**

The Bank informs the public about Projects through Project Summary Documents which are provided for (i) private sector Projects and (ii) State Sector Projects (including in each case frameworks and individual Projects under frameworks). PSDs are also provided for technical assistance activities as set out in paragraph 1.4.3 below but are not provided for individual guarantees issued by the Bank within the framework of the Bank's Trade Facilitation Programme or other guarantee facilities for which a PSD shall only be provided for the programme or facility as a whole. PSDs shall not include Confidential Information.

#### **1.4.1. Project Summary Documents**

Where the Project is approved by the Board of Directors or, if the Board of Directors has delegated the approval authority, by Bank management, a PSD shall be disclosed which provides a factual summary of the main elements of the investment proposal and includes the following information:

- (i) the identity of the Project company;
- (ii) the total Project value (where applicable);
- (iii) the Project location;
- (iv) a brief description of the Project and its objectives;
- (v) the amount and nature of EBRD's investment;
- (vi) the target date for a decision on the Project by the Board of Directors or, if the Board of Directors has delegated the approval authority, by Bank management;
- (vii) the expected transition impact;
- (viii) the EBRD's additionality;
- (ix) a summary of environmental and social impacts associated with the Project and agreed mitigation measures;
- (x) if applicable, details of Project-related technical assistance funding and grant financing; and

- (xi) guidance on how and where information about the Project can be obtained.

#### **1.4.2. Timelines for disclosure of PSDs**

Except where deferred disclosure applies in accordance with the Access to Information Policy, the PSD shall be disclosed in accordance with the timelines set out below:

- (i) For private sector Projects approved by the Board of Directors, the PSD shall be disclosed at least 30 calendar days prior to consideration of the Project by the Board of Directors.
- (ii) For State Sector Projects approved by the Board of Directors, the PSD shall be disclosed as soon as possible after the Project has passed its “Concept Review” stage by the Bank’s management, and at least 60 calendar days prior to consideration by the Board of Directors.
- (iii) For Projects approved by Bank management where the Board of Directors has delegated the approval authority, the PSD shall be disclosed at the start of the relevant no-objection notification period to a member of the Bank in accordance with Article 13 (iii) of the Agreement Establishing the EBRD.

#### **1.4.3. PSDs for technical assistance activities**

PSDs shall be provided for grant-funded technical assistance activities that are not related to a specific Bank financing, when these technical assistance activities exceed EUR 300,000. These PSDs shall be disclosed following internal approval by the Bank of the relevant technical assistance activity.

#### **1.4.4. PSD Deferred Disclosure**

Disclosure of PSDs may be deferred in accordance with the Access to Information Policy including in the following circumstances:

- (i) Capital market transactions (for example, IPO, listed company or bond issue) where security laws, stock exchange regulations, regulatory bodies or other bodies restrict or prohibit distribution of information set out in the PSD.
- (ii) Legitimate sponsor concerns about Confidential Information.
- (iii) Likelihood of substantial changes in Project design at “Final Review” stage by the Bank’s management.

#### **1.4.5. Translations of PSDs**

As soon as practicable after disclosure of the PSD in English (including any updates) a version shall be translated into the relevant official national language, as appropriate and disclosed. Translated PSDs shall also be available in relevant Resident Offices.

#### 1.4.6. Environmental and Social Information relating to Projects

- (i) As noted at paragraph 1.4.1 (i) and (ii) above, summary information on environmental and social issues associated with the Project and the associated mitigation measures shall be included as part of the PSD. The Bank may, at its discretion, disclose other environmental and social information from time to time for public comment or for public information.
- (ii) For Category A Projects, the disclosure of Project environmental and social information and public consultation, where appropriate, is the responsibility of clients. The EBRD requirements for disclosure of Project information by the client are contained in the Environmental and Social Policy. In addition to the client disclosure required in accordance with the Environmental and Social Policy, the Bank shall disclose Environmental and Social Impact Assessments on its website, in its Headquarters in London and in the relevant Resident Office a minimum of 60 calendar days prior to consideration of the Project by the Board of Directors for private sector Projects and 120 calendar days for State Sector Projects. For Projects located in countries where the EBRD does not have a Resident Office, alternative means of disclosure are identified on the ESIA webpage for the Project. ESIA's are made available in a local language and may be available in whole or in part in other languages, where appropriate.
- (iii) Notification of the availability of documents is posted on the EBRD website. A notification on the EBRD ESIA web page also lists locations of full availability of ESIA documents locally and links to the client's website or other website as appropriate. Relevant documents for Category A Projects that are directly financed by the EBRD are found on the ESIA web pages.
- (iv) For such Category A Projects, the PSD shall summarise (a) the categorisation of a Project; (b) a description of the main environmental and social issues associated with the Project; (c) key measures agreed to mitigate the risks and impacts; (d) for Projects that either have (1) gross emissions in excess of 100,000 tonnes CO<sub>2</sub>-equivalent annually, or (2) result in a net change in emissions, positive or negative, of more than 25,000 tonnes of CO<sub>2</sub>-equivalent annually post-investment, the expected GHG emissions of the Project; (e) a summary of any disclosure or consultation activities, and (f) a link to the ESIA web page for Category A Projects.

#### 1.4.7. Updates to PSDs

Updates to PSDs shall be undertaken as follows:

- (i) Where material changes are made to the Project subsequent to the release of the original PSD, as approved by the Board of Directors or, if the Board of Directors has delegated the approval authority, by Bank management.
- (ii) As appropriate for environmental and social sections of PSDs of Category A Projects following an annual review.
- (iii) When an Operation Performance Assessment summary has been completed for a Project.

#### **1.4.8. Board Reports for State Sector Projects**

The Bank shall disclose Board reports for State Sector Projects within 30 calendar days of approval of the relevant Project by the Board of Directors. Confidential Information shall be removed from the Board report.

#### **1.4.9. State Sector Project Assessment**

The Bank shall disclose information contained in OPA reports for State Sector Projects selected for extended review in any given 12 months' period, within 60 calendar days after completion of the relevant OPA report. Confidential Information shall be removed from the OPA report.

#### **1.4.10. Cancelled, Rejected or Inactive Projects**

PSDs shall be removed from the website when an associated Project is cancelled, rejected, or inactive for more than 12 months. However, where a PSD is (i) for a Category A Project, with an associated Environmental and Social Impact Assessment, the PSD and all associated information on the website shall be removed six months after the date on which it would otherwise have been removed; and (ii) a cancelled Project where the cancellation followed the commencement of a review under the IPAM, the PSD shall be kept on the website until such time that the IPAM review process (and where applicable, IPAM monitoring) is completed. The Bank may at its discretion leave such PSDs on the website for a longer period.

#### **1.4.11. Client notification**

The EBRD shall notify its clients and other counterparties, as appropriate, of the principles and disclosure requirements pursuant to the Access to Information Policy and this Directive.

## **2. Requests for Information and Appeals**

Requests for information and appeals where disclosure of information has been denied shall be made in accordance with the Access to Information Policy and the provisions set out below.

### **2.1. Submission of requests for information**

Requests for information shall be sent to the Bank either: (i) through the online request for information form on the Bank's website; (ii) via the email contact for disclosure of information requests on the Bank's website; or (iii) via mail to the Bank's Headquarters, a Bank Resident Office or a Bank Representative Office address, marked for the attention of the Head of the Civil Society Engagement Unit.

### **2.2. EBRD response to requests for information**

- (i) The Bank shall acknowledge receipt of a request for information pursuant to the Access to Information Policy generally within 5 working days, but in any case not more than 10 working days.

- (ii) Where a request for information is not sufficiently precise so as to identify the information sought or is unreasonably broad, the Bank may ask the applicant to provide clarifications including by narrowing down the scope of the request within 20 working days after receiving the request or clarification. In cases involving requests for the provision of extensive information, the Bank shall respond within 40 working days after receiving the request or clarification, as applicable, and in such instances the Bank shall provide an explanation for such longer timeframe, within 10 working days following receipt of the request or clarification, as applicable. The Bank's response shall either provide the requested information with appropriate redactions of Confidential Information, if applicable, in accordance with the Access to Information Policy or shall deny the request, in whole or in part. In the case of a denial, the reasons for the denial shall be given.
- (iii) Upon receiving a request for information, the EBRD shall determine if or the extent to which the requested information can be disclosed or falls under the exceptions to disclosure in accordance with the Access to Information Policy. If part of the information contained in a document requested is Confidential Information, the information shall be removed or redacted from the document and the requester shall be informed of the reason for the removal or redaction. The EBRD may, if and when appropriate, consult with the client, co-financier or other counterparty before disclosing the requested information.
- (iv) The Bank's response to a request for information under this paragraph 2.2 shall be provided to the applicant only. If the Bank determines that the information covered by the request should become part of the information routinely disclosed in accordance with the Access to Information Policy, the Bank shall also disclose such information on the Bank's website.

### **2.3. Appeals where disclosure of information has been denied**

- (i) An appeal in accordance with the Access to Information Policy must be submitted to the Information Appeals Panel in writing within 30 working days of the receipt of the decision which is the subject of the appeal either by email to [[AIP-email-address@ebrd.com](mailto:AIP-email-address@ebrd.com)] or to the EBRD's Headquarters address for the attention of the Information Appeals Panel.
- (ii) The secretariat of the Information Appeals Panel shall acknowledge receipt of an appeal within 5 working days of receiving it. If an appeal is not sufficiently precise the Bank shall ask the appellant to provide clarifications.
- (iii) The secretariat of the Information Appeals Panel shall inform the appellant of the decision of the Information Appeals Panel in writing no later than 20 working days after receiving the appeal or clarification, as applicable.

### **2.4. Languages for requests for information and appeals**

- (i) Requests for information and appeals should preferably be submitted to the Bank in one of the Bank's four working languages (English, Russian, German or French) in which case the response shall be in the language of the request. Alternatively, requests for information and appeals may be submitted in any of the official

national languages of the Bank’s recipient countries. In such cases, requests for information and appeals shall, in the first instance, be referred to the relevant Resident Office or Representative Office for the purpose of translation and the time required to obtain such translation shall be taken into account when processing the request or appeal. The response shall be in the language of the request or appeal. Requests and appeals made in languages other than those above shall be responded to in English.

- (ii) When a requestor or appellant specifies a language preference for a document, the Bank shall comply if it holds the documents or information requested in that language.

## **2.5. References to working days**

References to “working days” in this Directive shall mean normal working days in the Bank’s Headquarters.

### **Section V: Waivers, Exceptions and Disclosure**

#### **Waivers**

A deviation from a requirement of this Directive may be approved by the President.

#### **Exceptions**

Not Applicable.

#### **Disclosure**

This Directive shall be disclosed on the Bank’s website.

### **Section VI: Transitional Provisions**

Not Applicable.

### **Section VII: Effective Date**

This Directive is effective on 1 January 2020 with the exception of Section IV, paragraph 1.4.9 (State Sector Project Assessment) which is effective on 30 June 2021.

### **Section VIII: Decision Making Framework**

The Secretary General is accountable for this Directive.

The Deputy Secretary General is responsible for this Directive.

## **Section IX: Review and Reporting**

### **Review**

This Directive shall be reviewed as and when needed, but at least annually at the time of preparation of the annual report on the implementation of the Access to Information Policy.

### **Reporting**

In the annual report on the implementation of the Access to Information Policy, which is posted on the Bank's website, the Bank shall report on its handling of requests for disclosure of information.

## **Section X: Related Documents**

1. Access to Information Policy POL/[●]/[●].
2. Environmental and Social Policy POL/[●]/[●].
3. Project Accountability Policy POL/[●]/[●].
4. Public Information Policy (2014) POL/2018/1.

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