

PUBLIC

**DOCUMENT OF THE EUROPEAN BANK  
FOR RECONSTRUCTION AND DEVELOPMENT**

**PUBLIC INFORMATION POLICY:  
REPORT ON IMPLEMENTATION 2010**

PUBLIC

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**Public Information Policy:  
Report on Implementation 2010**

**Executive Summary**

The Public Information Policy (PIP) establishes how the EBRD discloses information and consults with its stakeholders so as to promote better awareness and understanding of its strategies, policies and operations. The PIP<sup>1</sup> commits the Bank's management to report annually to the Board of Directors on implementation of the PIP, with the findings to be posted on the Bank's Website. This implementation report covers the period 1 January to 31 December 2010.

In 2010, the Bank was in compliance with most PIP requirements:

*Institutional information*

- This was posted on the web as required.

*Strategies and policies*

- Public consultation was conducted on 11 Country Strategy reviews and two Sectoral Strategy reviews.

*Project related information*

- 136 private sector Project Summary Documents (PSDs) were posted on the web. Three were not compliant. Eight requests were received for the release of Board documents on public sector projects.

*Translations into official national languages*

- Approved Country Strategies and PSDs were translated as required. The posting of some translated Country Strategies took longer in some cases due to administrative and technical issues in the translation process. While the majority of translated PSDs were posted in a timely fashion, there were some delays.

*Environmental and social information*

- Environmental and Social Impact Assessments (ESIAs) on all "Category A" projects were made available in a local language for the required number of days.

*Accountability and governance information*

- This was posted as required.

*Requests for information*

- These were responded to promptly. There were no appeals against decisions regarding refusals to requests for information that the Bank was unable to release.

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<sup>1</sup> The Policy was most recently reviewed and updated in 2008, with the new provisions applying from 1 September 2008.

## **Implementation record: 1 January 2010 - 31 December 2010**

Each PIP obligation and report on its implementation is addressed below, in the order in which these appear in the Policy.

### **1. Institutional information**

#### **1.1 Schedule of forthcoming Board discussions**

##### **PIP requirements:**

*“The Bank will post in a dedicated website location the schedule for Board discussions of forthcoming Country Strategies, Sector Strategies and projects. The projects scheduled for discussion will have a link to the Project Summary Documents (PSDs) already posted on the web. The schedule will be updated on a monthly basis. It should be noted that the precise scheduling of individual items can change.”*

##### **Implementation:**

The schedule of Board discussions of forthcoming Country Strategies, Sector Strategies and Projects was updated on the Bank’s website throughout 2010 on a monthly basis. In addition, specific information was provided on the items to be discussed at each of the next two Board meetings.

#### **1.2 List of forthcoming Strategy and Policy reviews and updates**

##### **PIP requirements:**

*“The Bank will post on its website a list of impending reviews in order to give adequate advance warning of the posting of draft reviews and updates.”*

##### **Implementation:**

The Bank’s website was kept up to date with information on impending reviews of the forthcoming Strategies and Policies for 2010.

#### **1.3 Board Minutes**

##### **PIP requirements:**

*“The Bank will release Minutes of meetings of the Board of Directors which will contain the following: (i) the names of attendees; (ii) a record of the approval of the Minutes of the previous meeting; (iii) titles of the agenda items; and (iv) agreements and decisions reached.”*

##### **Implementation:**

The Minutes of 20 Board Meetings held in 2010 were posted on the website following approval of these Minutes by the Board. These Minutes were for the Meetings on the following dates: 12 and 26 January; 9 and 23 February; 9 and 23/24 March; 13, 21 and 27 April; 6 and 26 May; 8 June; 6 July; 29 September; 12 and 26 October; 10/11 and 23 November; 7 and 14 December. The Minutes of the Board Meetings of 22 June, 20/21 July, 1 and 14 September were classified as *Strictly Confidential* and were not therefore posted.

## 1.4 Board Committees

### **PIP requirements:**

*“The Terms of Reference and membership of the Committees of the Board of Directors will be posted on the website.”*

### **Implementation:**

Terms of Reference and membership of Committees of the Board of Directors were posted on the website soon after the annual approval by the Board on 20/21 July 2010 of the new composition of the Committees.

## 1.5 Organigram of the Bank

### **PIP requirements:**

*“The Bank will post on its website an organigram of the EBRD identifying the various departments and component parts of the institution.”*

### **Implementation:**

Throughout the year the Bank updated the departmental organigrams and administrative structures posted on the website.

## 1.6 Salaries of Senior Management and Directors

### **PIP requirements:**

*“The Bank will disclose the salaries of the President, Vice Presidents, Directors and Alternate Directors and the range of salaries for senior management in the Bank’s Annual Financial Statements.”*

### **Implementation:**

This information was contained in the 2009 Bank Annual Financial Report, which was posted on the website in May 2010.

The 2010 Annual Financial Report is currently in preparation and, when published in May 2011, will be posted on the website.

## 1.7 Administrative Tribunal

### **PIP requirements:**

*“The Bank will post on its website details of the Bank’s Administrative Tribunal as well as copies of its decisions.”*

### **Implementation:**

Information on the Administrative Tribunal was posted on the Bank’s website and updated as required.

## 2. Information on strategies and policies

### 2.1 Country Strategies

The Bank develops Country Strategies for its activities in each country of operations. The object of the Country Strategies is to provide a brief review of the Bank's operations to date, an assessment of the operational environment and transition challenges, and an indication of strategic priorities for banking operations in the relevant country. As appropriate, environmental and social information is included in summary format in such Strategies.

#### *Draft Country Strategies*

##### **PIP requirements:**

*“The Bank will invite the public to provide input to the preparation of country strategies on the basis of a draft country strategy document.”*

*“The draft country strategy will be publicly released and posted on the Bank's website, following a process which includes consultation with the country concerned. The draft country strategy will be posted for a period of 45 calendar days, during which time the public is invited to send comments to the Bank.”*

*“A summary of public comments received will be made available to the Board of Directors in a Report on the Invitation to Comment before final approval by the Board of the country strategy.”*

##### **Implementation:**

Strategies for 11 of the Bank's countries of operations came up for review in the period of January 1 to December 31 2010, and the public were invited to comment on each of the drafts which were posted on the website for 45 days.

In order to collate public comments, a dedicated e-mail address was set up for each Strategy under review, with access given to the Banking team, the relevant staff in the Office of the Chief Economist and the Office of the Secretary General.

At the time of the posting, the Civil Society Engagement Unit alerted CSOs in the relevant country, as well as all other CSOs in the Bank's database, to the fact (See Page 25 *Relations with Civil Society*). The following responses were received to the Bank's invitations to comment:

**Table 1: Website posting of Invitation to comment on Country Strategies**

Country	Date Posted	Posting ended	Comments received
Azerbaijan	16 Sept	1 Nov	Yes
Bosnia & Herzegovina	19 July	5 Sept	Yes
Croatia	16 Feb	2 April	Yes
FYR Macedonia	2 Dec 09	16 Jan	Yes
Georgia	1 Dec 09	15 Jan	Yes
Kazakhstan	9 Nov 09	22 Dec 09	Yes
Moldova	14 Oct	29 Nov	No
Montenegro	3 June	19 July	No
Poland	30 April	14 June	No
Slovenia	10 May	5 June	No
Turkmenistan	14 Jan	1 March	Yes

### Strategy for Azerbaijan

The draft strategy was posted on the Bank's website on 16 September 2010 with public comments requested by 1 November 2010. The Bank received comments from CEE Bankwatch Network and Organisation Public Union Oil Workers Rights Protection. Some of the comments addressed similar issues and, to avoid overlap, the Bank's responses were grouped by issue rather than source. The Bank also received a number of project-specific comments which were sent to the relevant banking teams and environmental and social staff to be taken into consideration during client discussions and project monitoring. The underlying issues expressed in these comments were extracted and summarised. They covered: dissemination of information; local language translation; lack of social and environmental development outcomes; project monitoring by civil society; transport and municipal infrastructure projects; PPPs; energy efficiency and renewables; Nabucco pipeline; financial intermediation; agribusiness, and political, social and economic environment.

These comments were addressed in the *Report on the Invitation to Comment* which became an addendum to the Strategy which was approved by the Board of Directors on 7 December 2010 and can be found on [www.ebrd.com/downloads/country/strategy/Azerbaijan\\_comments2010.pdf](http://www.ebrd.com/downloads/country/strategy/Azerbaijan_comments2010.pdf).

### Strategy for Bosnia & Herzegovina

The draft Strategy was posted on the Bank's website on 19 July 2010 with public comments requested by 5 September 2010. Comments were received from the Centre for Environment, Banja Luka; Centre for Ecology and Energy, Tuzla; Ekotim, Sarajevo; Re: Element, Sarajevo and Miro Sumanovic, Duvanjska Visoravan, Tomislavgrad. Public comments focused on various issues: the need for more focus in strategies; the need for more emphasis on energy efficiency and renewable energy; other environmental issues; the need for focus on public transport investments and others.

These comments were addressed in the *Report on the Invitation to Comment* which became an addendum to Strategy which was approved by the Board of

Directors on 28 September 2010 and can be found on [www.ebrd.com/downloads/country/strategy/bosnia\\_comments.pdf](http://www.ebrd.com/downloads/country/strategy/bosnia_comments.pdf).

### **Strategy for Croatia**

The draft Strategy was posted on the Bank's website on 16 February 2010 with public comments requested by 2 April 2010. Comments were received from dr. Lejla Bosak, Director, International Affairs, FEB, University of Zagreb; prof. Gojko Bežovan, PhD, University of Zagreb; Zelena Akcija - Friends of the Earth Croatia and from Transparency International. The Bank also held a consultation workshop with civil society representatives in Zagreb Resident Office with the aim of exchanging views and information about the Bank's key future investment priorities in Croatia as outlined in the draft Croatia country strategy. There were eight representatives of civil society organizations at the workshop and they expressed their support for the main priorities identified in the draft Croatia Country Strategy.

Comments focused on issues such as investment with social impact; corporate governance in state owned companies; energy efficiency and renewable energy; infrastructure projects; affordability issues; transport and municipal infrastructure; tourism; SME financing; environmental and social developments.

These comments were addressed in the *Report on the Invitation to Comment* which became an addendum to the Strategy which was approved by the Board of Directors on 27 April 2010 and can be found on [www.ebrd.com/downloads/country/strategy/croatia\\_comments.pdf](http://www.ebrd.com/downloads/country/strategy/croatia_comments.pdf).

### **Strategy for FYR Macedonia**

The draft strategy was posted on the website on 2 December 2009 with an Invitation to the Public to Comment no later than 16 January 2010. Comments were received during the public consultation period from two CSOs active in FYR Macedonia: the Centre for Economic Analysis (CEA) and Eco-sense. Some of the comments from CEA were reflected in the Strategy and covered areas such as energy; PPPs, Ohrid Framework Agreement; pensions and education. Comments from Eco-sense related to power sector and transport sector projects.

These comments were addressed in the *Report on the Invitation to Comment* which became an addendum to the Strategy which was approved by the Board of Directors on 23 February 2010 and can be found on [www.ebrd.com/downloads/country/strategy/macedonia\\_comments.pdf](http://www.ebrd.com/downloads/country/strategy/macedonia_comments.pdf)

### **Strategy for Georgia**

The draft Strategy was posted on the website on 1 December 2009 with an Invitation to the Public to Comment no later than 15 January 2010. Comments were received from Green Alternatives/CEE Bankwatch Network. The comments reflected on the Bank's activities during the previous strategy period. They commented on Georgia's economic development, focusing on various challenges. The comments listed issues in the area of poverty

alleviation and environmental protection. On the basis of that, a list of recommendations was put forward.

These comments were addressed in the *Report on the Invitation to Comment* which became an addendum to the Strategy which was approved by the Board of Directors on 9 February 2010 and can be found on

[www.ebrd.com/downloads/country/strategy/georgia\\_comments.pdf](http://www.ebrd.com/downloads/country/strategy/georgia_comments.pdf)

### **Strategy for Kazakhstan**

The draft Strategy was posted on the website on 9 November 2009 with an Invitation to the Public to Comment no later than 22 December 2009. Prior to receiving written comments, the Almaty RO, together with the Civil Society Engagement Unit, held a consultation meeting with the local NGOs in the Almaty to discuss the draft Country Strategy, in recognition of the fact that only the English-language version of the Strategy was made available for public comments in accordance with the PIP. This initiative was welcomed by the NGOs. Written comments were received from Human Rights Watch, focusing on the human rights situation and political developments, with some concrete suggestions for the Bank. Another organisation that commented was the Kazakhstan International Bureau for Human Rights and Rule of Law whose comments focused on the Bank's activities, in terms of overall volume; activities in the oil and gas sector; relations and partnering with CSOs; various aspects of transparency in commercial activities; various aspects of Kazakh legislation and government practice, and others. Comments were also received from the International Tax and Investment Center which put forward a number of recommendations covering tax policy and administration; transfer pricing; subsurface users' taxation; transport, and ports and shipping.

These comments were addressed in the *Report on the Invitation to Comment* which became an addendum to the Strategy which was approved by the Board of Directors on 26 January 2010 and can be found on

[www.ebrd.com/downloads/country/strategy/kazakhstan\\_comments.pdf](http://www.ebrd.com/downloads/country/strategy/kazakhstan_comments.pdf).

### **Strategy for Moldova**

The draft Strategy was posted on the Bank's website on 14 October 2010 with comments requested to arrive no later than 29 November 2010. No comments were received during the public consultation period. The Strategy was approved on 14 December 2010 and posted on the Bank's website.

### **Strategy for Montenegro**

The draft Strategy was posted on the Bank's website on 3 June 2010 with comments requested to arrive no later than 19 July 2010. No comments were received during the public consultation period. The strategy was approved on 14 September 2010 and posted on the Bank's website.

### **Strategy for Poland**

The draft Strategy was posted on the Bank's website on 30 April 2010 with comments requested to arrive no later than 14 June 2010. No comments were

received during the public consultation period. The strategy was approved on 6 July 2010 and posted on the Bank's website.

### **Strategy for Slovenia**

The draft Strategy was posted on the Bank's website on 10 May 2010 with comments requested to arrive no later than 5 June 2010. No comments were received during the public consultation period. The strategy was approved on 20 July 2010 and posted on the Bank's website.

### **Strategy for Turkmenistan**

The draft Strategy was posted on the Bank's website on 14 January 2010. The public was invited to submit comments no later than 1 March 2010. As part of the public consultation period, the Bank held a series of meetings with the government stakeholders, civil society organisations and local communities to provide an additional opportunity for an exchange of views on the draft Country Strategy. Going beyond PIP requirements, the Bank also provided local CSOs with an unofficial Russian translation of the draft Strategy to enable easier understanding of the text. Several written comments were received from international CSOs regarding compliance with Article 1 of the Agreement Establishing the Bank. It was stressed that progress in the area of human rights was not genuine/sympathetic /credible and not sufficient to comply with the requirements of Article 1. The Bank was urged to continue suspension of public sector investment in Turkmenistan with possible exceptions for projects that directly affected the health, education and well-being of the general population. In addition, comments were made on the need for oil and gas investment, linked to revenue transparency; infrastructure investment; SME financing and the need for Russian translation of the Bank's strategy during the consultation period.

These comments were addressed in the *Report on the Invitation to Comment* which became an addendum to the Strategy which was approved by the Board of Directors on 23 March 2010 and can be found on [www.ebrd.com/downloads/country/strategy/turkmen\\_comment.pdf](http://www.ebrd.com/downloads/country/strategy/turkmen_comment.pdf)

### ***Final Country Strategies***

#### **PIP requirements:**

*“After the country strategy has been approved, the Report on the Invitation to Comment, containing the summary of public comments received and staff responses will be publicly released and posted on the Bank's website. While all comments received by the Bank during this exercise will be considered, and the senders acknowledged, the Bank will not respond to individual public comments or communications received.”*

**Implementation:**

In the period under review, the 11 Country Strategies approved by the Board in 2010 were posted on the website as required by the PIP (see Table 2). In line with the Policy, a timetable for the Strategy reviews in 2010 was also posted on the website at the beginning of the year and updated as appropriate.

At the time of the posting of the approved Strategies, the Civil Society Engagement Unit alerted CSOs in the relevant country as well as all other CSOs in the Bank's database to the fact.

**Table 2: Approved Country Strategies posted on the website in 2010**

Country	Date approved	Posted on website
Azerbaijan	7 December 2010	9 December 2010
Bosnia & Herzegovina	28 September 2010	22 October 2010
Croatia	27 April 2010	10 May 2010
FYR Macedonia	23 February 2010	25 March 2010
Georgia	9 February 2010	17 February 2010
Kazakhstan	26 January 2010	4 February 2010
Moldova	14 December 2010	23 December 2010
Montenegro	14 September 2010	20 September 2010
Poland	6 July 2010	21 July 2010
Slovenia	20 July 2010	26 July 2010
Turkmenistan	23 March 2010	3 April 2010

***Translation of Approved Country Strategies*****PIP requirements:**

*“The Bank will translate each approved country strategy into the relevant official national language as prescribed by the relevant national laws. In those countries where there is more than one official national language, and where one of those languages is a designated working language of the Bank, the translation will be provided only in such working language. Translated country strategies will not be considered official Bank documents as they are prepared only for the convenience of local communities and other interested parties. While the Bank cannot guarantee the accuracy and authenticity of any such translation, which will carry a disclaimer, every effort will be made to provide reliable translations. The translated country strategies will be made available in the relevant Resident Office (RO) and posted on the Bank's website.*

*“The translation of the country strategies into the relevant national language is not intended, and should not be seen, in any way to modify, alter or impact upon the Bank's practice of working in the following four languages: English, French, German and Russian.”*

**Implementation:**

In this reporting period, the 11 approved Country Strategies (listed in Table 3 below) were translated into relevant official national languages.

**Table 3. Translated Country Strategies posted on the website**

<b>Country</b>	<b>Date approved</b>	<b>Translation posted</b>
Azerbaijan	7 December 2010	✓
Bosnia & Herzegovina	28 September 2010	✓
Croatia	27 April 2010	✓
FYR Macedonia	23 February 2010	✓
Georgia	9 February 2010	✓
Kazakhstan	26 January 2010	✓
Moldova	14 December 2010	✓
Montenegro	14 September 2010	✓
Poland	6 July 2010	✓
Slovenia	20 July 2010	✓
Turkmenistan	23 March 2010	✓

At the time of the posting of the translated Strategies, the Civil Society Engagement Unit alerted CSOs in the relevant country, as well as all other CSOs in the Bank's database, to the fact.

## 2.2 Sectoral Strategies

The Bank develops Sectoral Strategies for its operations in the key business sectors in which it promotes transition. The object of the Sectoral Strategies is to provide an updated assessment of transition challenges as well as an indication of strategic priorities for banking operations in the relevant sectors. As appropriate, environmental and social information is included in summary format in such strategies.

### *Draft Sectoral Strategies*

#### **PIP requirements:**

*“The Bank will invite the public to provide input to the preparation of sectoral strategies on the basis of a draft sectoral strategy document.*

*“The draft sectoral strategy will be publicly released and posted on the Bank's website for a period of 45 calendar days, during which time the public is invited to send comments to the Bank.*

*“A summary of public comments received and staff responses will be made available to the Board of Directors in a Report on the Invitation to Comment before final approval by the Board of the sectoral strategy.”*

#### **Implementation:**

Two Sectoral Strategies were reviewed during the period 1 January to 31 December 2010.

#### **Agribusiness**

The draft Agribusiness Sector Strategy was posted on the website for 45 days from 23 February to 16 April 2010. Comments were submitted only by CEE

Bankwatch Network and a meeting was held with them to discuss the comments at the Bank's Annual Meeting in Zagreb.

These comments were addressed in the Report on the Invitation to Comment which became an addendum to the Strategy which was approved by the Board of Directors on 6 July 2010 and can be found on [www.ebrd.com/downloads/policies/sector/agr\\_comm.pdf](http://www.ebrd.com/downloads/policies/sector/agr_comm.pdf).

### **Financial Sector Strategy**

The draft Financial Sector Strategy was posted on the website for 45 days from 2 July to 16 August 2010. Comments were submitted only by CEE Bankwatch Network, covering such items as foreign currency lending; disclosure of beneficiaries; type of institutions; offshore financial centres and gender impacts. A dedicated meeting with CEE Bankwatch was held in Prague in September 2010 to further discuss their comments.

These comments were addressed in the Report on the Invitation to Comment which became an addendum to the Strategy which was approved by the Board of Directors on 12 October 2010 and can be found on [www.ebrd.com/downloads/sector/financial/financial\\_2010\\_comments.pdf](http://www.ebrd.com/downloads/sector/financial/financial_2010_comments.pdf)

### ***Final Sectoral Strategies***

#### **PIP requirements:**

*“After the sectoral strategy has been approved, the Report on the Invitation to Comment, containing the summary of public comments received and staff responses will be publicly released and posted on the Bank's website. While all comments received by the Bank during this exercise will be considered, and the senders acknowledged, the Bank will not respond to individual public comments or communications received.*

*“The following sectoral strategies currently provide guidance for the Bank's operations in the relevant sectors:*

- *Telecommunication, Informatics and Media*
- *Transport*
- *Property Operations*
- *Municipal and Environmental Infrastructure*
- *Energy Operations*
- *Shipping Operations*
- *Financial Sector Operations*
- *Agribusiness Operations*
- *Micro, Small and Medium-sized Enterprises*

*“When additional sectoral strategies are developed the same treatment will apply for their release to the public.”*

#### **Implementation:**

The Agribusiness Sector Strategy and the Financial Sector Strategy were approved by the Board on 6 July and 12 October 2010 respectively. The approved strategies were posted on the Bank's website along with a summary of the comments received during the public consultation period.

## 2.3 Policies and procedures subject to public review

### **PIP requirements:**

*“The Public Information Policy, Environmental and Social Policy, Procurement Policies and Rules and the Independent Recourse Mechanism are subject to periodic review. Draft texts will be posted on the Bank’s website for 45 calendar days of public comment. A summary of public comments received and staff responses will be made available to the Board of Directors in a Report on the Invitation to Comment before final approval by the Board.*

*“Following approval by the Board of Directors, the Report on the Invitation to Comment, containing the summary of public comments received and staff responses will be publicly released and posted on the Bank’s website. While all comments received by the Bank during this exercise will be considered, and the senders acknowledged, the Bank will not respond to individual public comments or communications received.*

*“The above consultation procedure does not apply to any other of the Bank’s other policies.”*

### ***Independent Recourse Mechanism***

The Independent Recourse Mechanism was replaced in March 2010 by the Project Complaint Mechanism (see page 20).

### ***Translation of the Public Information Policy***

#### **PIP requirements:**

*“The Bank will, on request, translate the Policy into the relevant official national language of the given country of operations. While the Bank cannot guarantee the accuracy and authenticity of any such translation, which will carry a disclaimer, every effort will be made to provide reliable translations. The translated text will be publicly released and posted on the Bank’s website.”*

#### **Implementation:**

So far the Bank has not received any requests for a translation into the relevant official language of any country of operations. However, a translation of the PIP has been made available in Russian on the Bank’s website.

### ***Translation of the Environmental and Social Policy***

#### **PIP requirements:**

*“A Russian translation of the Policy and the performance requirements will be publicly released and posted on the Bank’s website. Other documents supporting the Policy, such as guidance notes and procedures, will be made available in English and Russian.*

*“The Bank will also endeavour to provide translations of the Policy and the performance requirements into relevant official national languages in the region on a progressive basis over a number of years. While the Bank cannot guarantee the accuracy and authenticity of any such translation, which will carry a disclaimer, every effort will be made to provide reliable translations.”*

#### **Implementation:**

In 2010, the 2008 Environmental and Social Policy was translated into Polish, Mongolian, and Bulgarian languages, bringing to a total of 13 official national

languages of EBRD countries of operations. Further translation of the Policy into additional languages will be considered upon request of clients, organisations, or the public. Below are the currently available language versions of the policy:

- |             |                     |
|-------------|---------------------|
| · English*  | · Albanian          |
| · Bosnian   | · Bulgarian         |
| · Croatian  | · Georgian          |
| · Mongolian | · Polish**          |
| · Serbian   | · Romanian/Moldovan |
| · Russian   | · Turkish           |
| · Ukrainian |                     |

\*Please note that the English language is the official text.

\*\* The Polish translation is currently undergoing a quality control review before posting on the website.

These translations are currently available on the Bank's website at <http://www.ebrd.com/pages/research/publications/policies/environmental.shtml>

## 2.4 Disclosure of other Strategies and Institutional Reviews

### PIP requirements:

*“The Bank's operations are guided by such documents as the five-yearly Capital Resources Review, the annual Medium Term Strategy Update, the annual Strategic Portfolio Review, and the annual Business Plan & Budget. Summaries of these documents will be made available on the Bank's website after Board approval of the main document. In addition, a summary of approved annual Staff Compensation and Benefits adjustments will be included as part of the summary of the annual Business Plan & Budget to be made available on the Bank's website at [www.ebrd.com/about/strategy/general/budget.htm](http://www.ebrd.com/about/strategy/general/budget.htm)*

### Implementation:

In the period under review, the Bank was still in the Third Capital Resources Review (CRR3) cycle. In May 2010 at the EBRD Annual Meeting in Zagreb, the Board of Governors approved the Fourth Capital Resources Review (CRR4) to guide the EBRD's operational strategy and ensure sufficient capital adequacy for the period 2011-2015.

In order to provide for an open exchange of views with all its stakeholders on the development of this key strategic document, the Bank invited comments in early 2010 from CSOs, its clients, partners and all interested parties. Along with this invitation, background documents to the CRR4 process were posted on the Bank's website. Comments were requested by 5 March 2010 so that they could be taken into account ahead of a consultation workshop on 10 March 2010 at the Bank's HQ in London to provide the opportunity for regional and international civil society stakeholders - including NGOs, think tanks, academics and other parties - to discuss strategic aspects of CRR4.

A summary of the CRR4 document was posted on the Bank's website in November 2010. As regards the other documents to be posted, the annual Business Plan and Budget Summaries for 2010 were posted in May 2010. The Strategic Portfolio Review document is not prepared in years in which the

Bank undertakes a Capital Resources Review so there is not an updated version for 2010. The Medium Term Strategy Update is no longer prepared.

### 3. Project-related information

The Bank will inform the public of project development through Project Summary Documents (PSDs). At the same time, project sponsors and clients entrust confidential information to the Bank, which the Bank, as a financial institution promoting the development of the private sector, has an obligation to respect.

#### 3.1 Project Summary Documents (PSDs)

##### PIP requirements:

*“A Project Summary Document (PSD) will be prepared for each private and public sector project. PSDs provide a factual summary of the main elements of a given project and potential investment which includes the following information: (i) the identity of the project company; (ii) total project cost (where applicable); (iii) the project location; (iv) a brief description of the project and its objective; (v) the amount and nature of EBRD’s investment; (vi) the target date for a decision on the project by the Board of Directors; (vii) the anticipated transition impact; (viii) a summary of environmental and social issues; (ix) if applicable, details of project related technical co-operation funding and grant financing; and (x) guidance on how and where information about the project can be obtained, including contact points for the project sponsor and the EBRD Operation Leader.*

*“For private sector projects, the PSD will be released at least 30 days prior to consideration of the project by the Board of Directors, unless the Bank’s client or co-financing institution provides sound reasons for not releasing the document.*

*“For public sector projects, the PSD will be released as soon as possible after the project has passed its Concept Review by the Bank’s management (typically 4-5 months before Board consideration), and at least 60 days before Board discussion.*

*“PSDs are posted in three categories (date/country/sector) on the Bank’s website at [www.ebrd.com/projects/psd/index.htm](http://www.ebrd.com/projects/psd/index.htm).*

*“Derogations to the timely release of PSDs may be granted in certain circumstances, for example:*

- *Capital market transactions (e.g. IPO, listed company or bond issue) where security laws, Stock Exchange regulations or other bodies restrict or prohibit distribution of information as per the PSD.*
- *Legitimate sponsor concerns about confidentiality (as per Section E).*
- *Likelihood of substantial changes in project design at Final Review.*

*“PSDs will be updated if material changes, as approved by the Board, are made to the project following the release of the original PSD. Information considered confidential, as set out in Section E of the Policy, will be excluded from the PSD.*

*“In order to make information available about the Bank’s operations in a given country, PSDs will, as soon as practicable after the posting of the English version, be translated into relevant official national languages and publicly released and posted on the Bank’s website. Translated PSDs will also be made available in the relevant Resident Offices. While the Bank cannot guarantee the accuracy of such translation, other than in English and Russian, every effort will be made to provide reliable translations.”*

**Implementation:**

In the period under review, 173 projects (136 private sector and 37 public sector) were prepared for Board consideration. Only one PSD for a private sector project was not in compliance with the PIP during the period under review, while all PSDs for public sector projects were in compliance with the policy.

**Table 4: PSDs published 1 January - 31 December 2010**

<b>Private sector projects</b>	<b>Number</b>
Compliant with policy	135
Derogations in accordance with PIP *	38
Capital markets transaction (17)	
Legitimate sponsor concerns on confidentiality (18 )	
Likelihood of substantial changes at Final Review (7)	
Non-compliant with PIP	1
<b>Total private sector projects</b>	<b>136</b>
<b>Public sector projects</b>	
Compliant with policy	37
Derogations in accordance with PIP	3
Capital markets transaction (3)	
Non-compliant with PIP	0
<b>Total public sector projects</b>	<b>37</b>

\* While the actual number of derogations to the policy was 38, stated legitimate reasons for these derogations total 42 because in a few cases there was more than one reason for the request.

Each PSD reflects the state of EBRD financing on a particular project at the time of Board approval of the project, other than material changes in the financial structure of the project as approved by the Board. PSDs are not designed to provide further information or updates on the subsequent development of a project and, therefore, do not necessarily provide an up-to-date reflection of the subsequent state of EBRD investments.

Of the 136 private sector PSDs, there were 38 derogations to the 30-day release timeframe, all of which were authorised within the terms of the Policy. There were three derogations for public sector project PSDs.

There was one non-compliant PSD : Belarus: Belpromstroibank. Published 5 days short of the normal 30 day publication period of the project summary document before the Board meeting. OpsCom agreed to this on the basis of the team's argument that negotiations suddenly developed a positive momentum and Board approval this year was sought to maintain that momentum.

In the reporting period from 1 January - 31 December 2010, 126 PSDs were translated into the relevant official national languages<sup>2</sup>. The following is the country breakdown:

Albania (1 ); Belarus (3); Bosnia & Herzegovina (3); Bulgaria (9); Croatia (3); FYR Macedonia (2); Kazakhstan (11); Moldova (1); Mongolia (3); Montenegro (3); Poland (7); Romania (7); Russian Federation (50); Serbia (5); Tajikistan (1); Turkey (7); Ukraine (10). There were 12 PSDs for regional projects that did not require translations. Translations of 35 PSDs remained outstanding at the end of the period under review.

During 2010, an issue arose when the Bank issued a press release on a sub-project under a framework facility, and it was brought to the Bank's attention by a member of Civil Society that there was no PSD on the Bank's website. For some projects, such as framework facilities and other structures where sub-projects are identified post Board, and are approved by a committee below the Board level, a PSD has been prepared for the framework project, but not for individual sub-projects. The wording in the PIP is unclear, as the guidance on PSD preparation is linked to the timing of Board approval. This issue will be dealt with during the 2011 PIP Review and Revision.

### 3.2 Public Sector Projects

#### PIP requirements:

*“Board Reports for public sector projects will be made available to the public on request, once the project has been approved by the Board of Directors. Information considered confidential, as set out in Section E of the Policy, will be removed from the released documents.”*

#### Implementation:

Eight requests for the release of Public Sector Project Board reports were received during the period under review.

### 3.3 Cancelled, Rejected or Inactive Projects

#### PIP requirements:

*“Project Summary Documents (PSDs) will be removed from the website as soon as the associated project is cancelled, rejected or if inactive for a year. However, where a PSD is for a “Category A” project, with an associated Environmental and Social Impact Assessment, the PSD will be removed six months after the date on which it would otherwise have been removed. The Bank, however, may at its discretion, leave such PSDs on the website for a longer period.”*

#### Implementation:

No PSDs were removed during the period under review.

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<sup>2</sup> Please note that PSDs for Regional Projects are not translated since they often relate to a wide geographical region and would require multiple translations many of which would not be relevant.

### 3.4 Environmental and Social Information relating to Projects

#### PIP requirements:

*“The EBRD releases a significant amount of information on the environmental and social issues associated with its projects. The Bank may, at its discretion, disclose other environmental and social reports and studies that it commissions from time to time, for public comment or for information, on its website.*

*“The Bank will make available Environmental and Social Impact Assessments on “Category A” projects in its Business Information Centre in London and in the relevant EBRD Resident Office at least 60 days prior to consideration of the project by the Board of Directors for private sector projects and 120 days prior to Board consideration for public sector projects. Notification of the documents’ availability will be posted on the EBRD website.*

*“Environmental and social issues, including the categorisation of the project and planned mitigation measures will be summarised in Project Summary Documents.*

*“The disclosure of project information is the responsibility of clients. The EBRD requirements for disclosure of project information by the client are contained in the EBRD Environmental and Social Policy.”*

#### Implementation Summary for 2010

- There were 15 “Category A” projects which were in active consultation periods during 2010.
- All 15 projects had full Environmental and Social Impact Assessments (ESIA) documentation available in a local language.
- All 15 of the projects disclosed full ESIA documentation electronically on their websites, as well as in hard copy.
- All 15 projects had ESIA Executive Summaries available on the EBRD’s website in English and in a local language. Many projects also posted Public Consultation and Disclosure Plans or Stakeholder Engagement Plans, and other documents, although these are not specifically required to be on the EBRD’s website.
- Twelve of the 15 projects progressed to the Board of Directors for approval during 2010.
- All of the projects proceeding to the Board complied with the relevant number of days required for public consultation.

**Table X: Summary of Category A Disclosure in 2010**

Country	Project Name	Sector	Date EIA BIC/RO	Board Date	Days available (before Board)	Language of EIA in region	Electronic Availability
Bulgaria	Nikopol Biomass Project	Private	15/12/09	28/09/10	288 days	English, Bulgarian	<a href="http://riewpleven.eu">http://riewpleven.eu</a>
Croatia	Croatian Motorways (HAC)	State	18/06/10	26/10/10	131 days	English, Croatian	<a href="http://www.hac.hr">www.hac.hr</a>
Croatia	Rijeka Regional Waste Management Programme	Private	15/03/10	26/10/10	226 days	English, Croatian	<a href="http://www.ekoplus.hr">www.ekoplus.hr</a>
FYR Macedonia	Corridor X	Public	03/12/10	--	--	English, Macedonian	<a href="http://www.vlada.mk/?q=node/3520">http://www.vlada.mk/?q=node/3520</a>
Georgia	Adjara Solid Waste Project	State	22/12/08	09/02/10	415 days	English, Georgian	<a href="http://www.denr-adjara.ge/">http://www.denr-adjara.ge/</a>
Georgia	Tbilisi Railway Bypass project	State	03/09/09	09/03/10	188 days	English, Georgian	<a href="http://www.railway.ge/index.php?option=com_content&amp;view=category&amp;layout=blog&amp;id=47&amp;Itemid=120&amp;lang=ka">http://www.railway.ge/index.php?option=com_content&amp;view=category&amp;layout=blog&amp;id=47&amp;Itemid=120&amp;lang=ka</a>
Kazakhstan	Caustic Soda	Private	24/03/10	--	--	English, Russian	<a href="http://www.environmentcommunication.co.uk/Caustic_Kazakhstan">http://www.environmentcommunication.co.uk/Caustic_Kazakhstan</a>
Mongolia	Energy Resources Phase 2	Private	16/10/09	23/03/10	159 days	English, Mongolian	<a href="http://www.energyresources.mn/index.php?l=e&amp;p=88&amp;t=7">http://www.energyresources.mn/index.php?l=e&amp;p=88&amp;t=7</a>
Poland	Margonin Wind Farm	Private	18/01/10	20/07/10	184 days	English, Polish	<a href="http://www.edprenovaveis.com/Sustainability/EDPRintheCommunity/PoloniaSustainability/Margonin">http://www.edprenovaveis.com/Sustainability/EDPRintheCommunity/PoloniaSustainability/Margonin</a>
Poland	Martifer Polish Wind	Private	08/01/10	--	--	English, Polish	<a href="http://www.martifer.com/renewables">http://www.martifer.com/renewables</a>
Romania	EDPR Wind Projects	Private	07/04/10	--	--	English, Romanian	<a href="http://www.edprenovaveis.com/Sustainability/EDPRintheCommunity/RomaniaSustainability">http://www.edprenovaveis.com/Sustainability/EDPRintheCommunity/RomaniaSustainability</a>
Russia	RusVinyl	Private	15/02/08	20/07/10	522 days	English, Russian	<a href="http://www.solvinpvc.com/aboutus/ourplants/russia/0,,62163-2-0,00.htm">http://www.solvinpvc.com/aboutus/ourplants/russia/0,,62163-2-0,00.htm</a> and <a href="http://www.sibur.ru/">http://www.sibur.ru/</a>
Slovak Rep	D1 Motorway Phase 1	Private	23/11/09	27/04/10	156 days	English, Slovakian	<a href="http://www.telecom.gov.sk/index/index.php?id=69402">http://www.telecom.gov.sk/index/index.php?id=69402</a>
Slovenia	Sostanj Thermal Power Plant	State	6/11/09	20/07/10	257 days	English, Slovenian	<a href="http://www.te-sostanj.si/default.asp?id=192">http://www.te-sostanj.si/default.asp?id=192</a>
Ukraine	South Ukraine Transmission Project	State	04/08/09	12/10/10	435 days	English, Ukrainian	<a href="http://www.ukrenergo.energy.gov.ua/ukrenergo/control/en/publish/article?art_id=74887&amp;cat_id=36968">http://www.ukrenergo.energy.gov.ua/ukrenergo/control/en/publish/article?art_id=74887&amp;cat_id=36968</a>

#### 4. Accountability and governance related information

In order to strengthen the Bank's corporate governance, the PIP states that the following information will be disclosed and posted on the Bank's website.

##### 4.1 Compliance documentation

###### List of ineligible entities

###### PIP requirements:

*"A list of entities, which the Bank has determined to have engaged in prohibited practices (including corrupt or fraudulent practices) and consequently are ineligible for Bank financing and/or Bank financed contracts, will be publicly released and posted on the Bank's website at [www.ebrd.com/oppo/procure/guide/fraud.htm](http://www.ebrd.com/oppo/procure/guide/fraud.htm)."*

###### Implementation:

Following signature of the Agreement for Mutual Enforcement of the Debarment Decisions by the Bank alongside the African Development Bank Group, the Asian Development Bank (the "ADB"), the Inter-American Development Bank Group and the World Bank Group on 9 April 2010 (available at <http://www.ebrd.com/downloads/integrity/Debar.pdf>) and its entry into force for the Bank and ADB as from 9 June 2010 and for the World Bank Group as from 20 July 2010, the Bank cross debarred eight entities and /or persons in 2010 and entered their names in the List of Ineligible Entities found at <http://www.ebrd.com/pages/about/principles/integrity/list.shtml>

No other entities were found to have engaged in Prohibited Practices and declared ineligible for Bank financing and /or Bank financed contracts in the year 2010.

###### Anti-Corruption Reports

###### PIP requirements:

*"The Reports will be publicly released and posted on the Bank's website at [www.ebrd.com/about/integrity/anticrpt.htm](http://www.ebrd.com/about/integrity/anticrpt.htm)."*

###### Implementation:

The Anti-Corruption Update Report for the year 2009 was released and posted on the Bank's Website in June 2010 and can be found at <http://www.ebrd.com/downloads/integrity/acreport09.pdf>

## Independent Recourse Mechanism (IRM)

### PIP requirements:

“The following documents will be publicly released and posted on the Bank’s website at [www.ebrd.com/about/integrity/index.htm](http://www.ebrd.com/about/integrity/index.htm):

- the Rules of Procedure of the IRM;
- IRM Annual Reports;
- IRM Eligibility Assessment Reports, once approved;
- Compliance Review Reports and Problem-solving Completion Reports, subject to the provisions of the IRM; and
- a roster with information on IRM experts.”

### Implementation:

A new accountability mechanism, the Project Complaint Mechanism (PCM), operational since March 2010, has replaced the Independent Recourse Mechanism (IRM) that had been in place since July 2004. Like its predecessor, the PCM has been established to assess and review complaints about Bank-financed projects, independently from banking operations.

The Rules of Procedure of the PCM were approved by the EBRD Board of Directors in May 2009 and can be found in English at <http://www.ebrd.com/downloads/integrity/pcmrules.pdf> and in Russian at <http://www.ebrd.com/downloads/integrity/pcmrulesr.pdf>. In addition, a PCM information leaflet was published in September 2010 and posted on the PCM webpage in early October 2010 and can be found in English and Russian at <http://www.ebrd.com/downloads/integrity/pcm.pdf> and <http://www.ebrd.com/downloads/integrity/pcmr.pdf>, respectively. Sample Complaint Forms were posted on the PCM webpage in English in November 2010 and in Russian in December 2010 and can be found at [http://www.ebrd.com/downloads/integrity/sample\\_complaint\\_form.pdf](http://www.ebrd.com/downloads/integrity/sample_complaint_form.pdf) and [http://www.ebrd.com/downloads/integrity/sample\\_complaint\\_form\\_russian.pdf](http://www.ebrd.com/downloads/integrity/sample_complaint_form_russian.pdf) respectively..

The first PCM Annual Report, covering the period 13 March – 21 December 2010 was posted on the Bank’s website in early February 2011 and can be found at:

[http://www.ebrd.com/downloads/integrity/Annual\\_report\\_2010.pdf](http://www.ebrd.com/downloads/integrity/Annual_report_2010.pdf)

In the course of the year the PCM received its first complaint seeking a Compliance Review regarding the D1 motorway Phase I Project in Slovak Republic. The complaint raised concerns about the adequacy of the appraisal of environmental risks related to the Turany – Hubova section of the motorway and damage to the Natura 2000 sites and habitats of Community importance and further alleged that the Project had breached the EC Habitat Directive and the Performance Requirement 6 on Biodiversity Conservation and Sustainable Management of Living Natural Resources of the EBRD Environmental and Social Policy 2008.

The complaint was registered on 11 June 2010 in accordance with the PCM RP 10, and the eligibility assessment report issued on 18 August concluded that the complaint was eligible for a Compliance Review. Details of the registration and the Eligibility Assessment Report can be viewed at <http://www.ebrd.com/pages/project/pcm/register.shtml>.

Information regarding the current roster of PCM Experts was posted in June 2010 and can be found at <http://www.ebrd.com/pages/project/pcm/experts.shtml>

On the occasion of the PIP review being undertaken in 2011, it is intended to update the references to the IRM and to provide for the release and publication of, in addition to the documents noted above, all Problem-solving Initiative Monitoring Reports, all Compliance Review Reports and related Management Action Plans and Complainant Comments, and Compliance Review Monitoring Reports.

## 4.2 Evaluation documentation

### PIP requirements:

*“Subject to clearance in respect of commercial confidentiality (a process steered by the Evaluation Department (EvD)), certain evaluation reports prepared by EvD will be publicly released and posted on the Bank’s website at [www.ebrd.com/projects/eval/showcase/index.htm](http://www.ebrd.com/projects/eval/showcase/index.htm)*

*“The following documents will be disclosed:*

- *summaries of Operational Performance Evaluation Review (OPER) on investment operations;*
- *Evaluation Special Studies, on themes such as sectors and programmes;*
- *OPER reports on TC operations;*
- *the Final Work Programme of EvD and the Work Programme Completion Report;*
- *the Annual Evaluation Overview Report (AEOR); and*
- *the Evaluation Policy*

*“In respect of OPER reports on investment operations, where project particulars in high profile projects cannot be easily disguised in order to preserve confidentiality, an exception will be made and a summary of the report will not be disclosed.*

*“Prior to the disclosure of any evaluation report EvD will consult the respective staff in the Banking Department and the Office of the General Counsel (OGC) to screen reports in order to secure necessary commercial confidentiality.*

*“The comments from management in respect of any of the foregoing documents (summaries and reports etc.) are publicly released and posted in full on the Bank’s website at the same time as the document to which they relate. The document is also edited in order to avoid identification of client companies and to preserve commercial confidentiality.*

*“Although the Board of Directors is kept informed about the findings of EvD reports and discusses details in the Audit Committee, it is the responsibility of the EvD to determine what is contained in the reports it releases to the public. This is necessary to ensure that EvD is able to fulfil its important independent evaluation role in the Bank and provide lessons learned.”*

**Implementation:**

The following EvD documents subject to the conditions set out in the PIP were posted on the Bank's website in 2010:

**OPER Summaries:**

- Starobeshovo Power Modernisation project, Ukraine
- Kazakhstan and the Kyrgyz Republic: Almaty–Bishkek Regional Road Rehabilitation Project
- LLC Lenta, Russia
- OGK-5 Equity (1+2) Public Offerings, Russia
- Garadagh Cement, Azerbaijan

**Technical Cooperation OPERS**

- Sofia Public Transport Project

**Special Studies**

- The EBRD's response to the 2008-2009 crisis

**Key Evaluation Documents**

- Evaluation Department Work Programme Completion Report for 2008
- Annual Evaluation Overview Report 2009
- Evaluation Department Work Programme Final Report for 2009

All of the web postings followed internal circulation.

**4.3 Other documentation*****Annual Sustainability Report*****PIP requirements:**

*“An Annual Report on the implementation of the Environmental and Social Policy will be publicly released and posted, in English and Russian, on the Bank's website at [www.ebrd.com/pubs/general/series/sustain.htm](http://www.ebrd.com/pubs/general/series/sustain.htm).*

*“In addition, summaries of the meeting of the Bank's Environmental and Social Advisory Council will be publicly released and posted on the Bank's website in English, following the approval of the summary by the Council.”*

**Implementation:**

The Bank issued its *2009 Sustainability Report* at the Bank's Annual Meeting in May 2010. The 2009 Report covers a wide range of EBRD investments and achievements and these include the Bank's Sustainable Energy Initiative, investment in municipal infrastructure, micro and small business finance and donor support. The Report also looks at the way in which the EBRD operates

and how the Bank engages with its stakeholders. The 2009 Sustainability Report in English is posted on Bank's website at <http://www.ebrd.com/downloads/research/sustain/sr09e.pdf> and in Russian at <http://www.ebrd.com/russian/downloads/research/sustain/sr09r.pdf>.

### ***Annual Procurement Review***

#### **PIP requirements:**

*“An annual review, subject to the removal of confidential material, will be publicly released and posted on the Bank's web site at: [www.ebrd.com/oppo/procure/awards](http://www.ebrd.com/oppo/procure/awards) [now [www.ebrd.com/pages/workingwithus/procurement/project/reports.shtml](http://www.ebrd.com/pages/workingwithus/procurement/project/reports.shtml) ]*

#### **Implementation**

##### ***Review of Procurement Policies and Rules***

A revision to the Bank's *Procurement Policies and Rules (PP&R)* was approved by the Board of Directors in May 2010 and subsequently published on the Bank's website. The PP&R comprise principles and standards that must be adhered to by clients and tenderers in both the public and private sector.

### ***Annual Procurement Review***

The Annual Procurement Review 2009 was published on the Bank's website in May 2010.

### ***Annual Report on Engagement of Consultants by EBRD***

#### **PIP requirements:**

*“An annual report, subject to the removal of confidential material, will be publicly released and posted on the Bank's website at [www.ebrd.com/about/policies/procure/index.htm](http://www.ebrd.com/about/policies/procure/index.htm)*

#### **Implementation:**

In July 2010 the Annual Report on Engagement of Consultants by EBRD in 2009 was posted on the Bank's website at <http://www.ebrd.com/pages/workingwithus/procurement/consultancy.shtml>

### ***Annual Purchasing (Corporate Procurement) Review***

#### **PIP requirements:**

*“An annual review, subject to the removal of confidential material, will be publicly released and posted on the Bank's website at [www.ebrd.com/about/policies/procure/index.htm](http://www.ebrd.com/about/policies/procure/index.htm).” [now <http://www.ebrd.com/pages/workingwithus/procurement/consultancy.shtml>]*

#### **Implementation:**

The 2009 Annual Corporate Procurement Review was posted on the Bank's website in July 2010 at <http://www.ebrd.com/pages/workingwithus/procurement/corporate.shtml>

### ***Public Information Policy: Reports on implementation***

#### **PIP requirements:**

*“The Secretary General will report to the Board on implementation of the Policy on an annual (calendar year) basis and such reports, in English and Russian, will be publicly released and posted on the Bank’s website at [www.ebrd.com/about/policies/pip/report.htm](http://www.ebrd.com/about/policies/pip/report.htm).”*

#### **Implementation:**

The PIP Implementation Report for 2009 was presented to the Financial and Operations Policies Committee (FOPC) on 15 April 2010 and posted on the Bank’s website in June 2010 at

<http://www.ebrd.com/downloads/policies/pip/report09.pdf>

### ***Annual Financial Report***

#### **PIP requirements:**

*“The Annual Financial Review, which forms part of the Bank’s Annual Report, will be publicly released and posted on the Bank’s website, in conjunction with the Annual Report at [www.ebrd.com/pubs/general/ar06.htm](http://www.ebrd.com/pubs/general/ar06.htm).”*

#### **Implementation:**

The Annual Financial Report was posted on the Bank’s website in May 2010.

## **5. Information considered confidential (Section E of the PIP)**

Section E of the PIP states that certain information considered confidential will not be disclosed. It includes categories of information that are considered confidential.

Out of the 243 PIP related requests for information received by the Civil Society Engagement Unit, only ten PIP-related requests were not answered positively due to confidentiality issues (six related to information about former staff members; two requesting access to documents intended for internal purposes only; remaining two requesting access to information which was not created by the Bank and which was received by the Bank in the analysis of an investment which it considered but in which it ultimately did not invest).

## 6. Implementation and monitoring of the Public Information Policy (Section F of the PIP)

*“The Secretary General, assisted as necessary by the General Counsel and other Members of the Executive Committee, oversees and verifies compliance with the Policy..... The Secretary General to report to the Board on the implementation of the Policy on an annual (calendar year) basis and the Report will be publicly released and posted on the Bank’s web site”.*

### **Implementation:**

The Secretary General reported to the Board (Financial and Operations Policies Committee) on implementation of the Policy on 15 April 2010. The report was posted on the Bank’s website in June 2010 at

<http://www.ebrd.com/downloads/policies/pip/report09.pdf>

### ***Relations with civil society***

*“The Bank has a dedicated contact point for communications with NGOs and other stakeholders. The Bank endeavours to respond, as appropriate and after consultation with relevant parties, to reasonable requests for information and aspects of the Bank’s work, subject to the clarifications regarding confidential information as set out in Part E of the Policy.”*

### **Implementation:**

In 2010, the EBRD continued to engage in a dialogue with local and international civil society stakeholders and to provide relevant information in order to respond better to public expectations and to improve public knowledge regarding the Bank’s projects, strategies, and policies.

The EBRD, via the Civil Society Engagement Unit, regularly informed civil society organisations (CSOs) about the latest developments in the Bank of interest to civil society through a variety of means, including dedicated webpages for civil society on its website, a quarterly EBRD-NGO Newsletter (available in English and Russian) and targeted email notifications and alerts.

In line with the Public Information Policy (PIP), relevant CSOs are systematically informed about the releases of Environmental and Social Impact Assessments (ESAs) for Category A projects and are invited to send their comments to the Bank and its clients.

During 2010, the EBRD invited public comments on 11 draft Country Strategies in accordance with the PIP. In addition to the standard practice and the PIP requirements, the EBRD took a proactive approach to the public consultation process dedicated to selected initiatives, and draft Country and Sectoral Strategies. Through a series of consultation meetings in London and countries of operations, the Bank sought civil society feedback on the draft Investment Plan for the Clean Technology Fund in Kazakhstan; draft country strategies for Croatia and Turkmenistan; and draft Financial Sector and Agribusiness Sector strategies.

In February, the EBRD carried out a public consultation process to gather civil society input on the strategic aspects of the Bank's fourth Capital Resources Review (CRR4). As part of the consultation process, the EBRD disclosed a number of relevant working papers: "*Fighting the Crisis, Promoting Recovery and Deepening Transition*" in English and Russian and *Background material on Capital Resources Review 4:2011-2015*. Several hundred civil society stakeholders from the Bank's countries of operations and shareholder countries were invited to provide written comments on the CRR4 material.

In addition, the EBRD hosted a consultation workshop with civil society organisations at the Bank's Headquarters. The discussion focused on the Bank's institutional priorities and its role in promoting transition in the region. It also covered issues of transparency and accountability, sustainable energy, poverty alleviation, and social issues, including gender equality.

The constructive dialogue with civil society organisations on the CRR4 helped the EBRD to assess its current operations and informed the Bank's policy decision-making from the perspective of civil society stakeholders with regard to the Bank's priorities during the CRR4 period, its comparative institutional advantages and areas for improvement.

In May, over 70 representatives from international and local organisations from 24 countries attended the Civil Society Programme held in parallel with the Annual Meeting of the Board of Governors and the Business Forum in Zagreb.

In 2010 the discussions of the Civil Society Programme covered a wide range of issues, including sustainable development in the Western Balkans; gender issues in transition countries; EBRD investments in natural resources, heavy industries, sustainable energy and other sectors; and EBRD policies such as the Project Complaint Mechanism. Some sessions were open to all Annual Meeting participants. Closed discussions were attended only by senior Bank officials and civil society representatives.

In 2010, the EBRD's Board of Directors undertook Board Consultations Visits (BCVs) to Azerbaijan, Bosnia and Herzegovina, Bulgaria, Moldova, Romania, Russia and Ukraine. In each country the Directors met representatives of civil society, usually environmental NGOs, women's groups, microfinance and business development organisations, think tanks and academics to exchange views on recent developments in the countries.

## **7. Implementing procedural provisions for information requests and appeals (Annex to the PIP)**

### **PIP requirements:**

*"The Secretary General will issue implementing procedural provisions for information requests and appeals and, in the event of a decision to refuse the release of information will, as appropriate, inform the Board."*

The Policy also specifies that in the annual *Public Information Policy: Report on the Implementation*, which is posted on the EBRD website, the Bank will report on its handling of requests and will provide a record of responses.

An Annex to the PIP sets out implementing procedural provisions for information requests and appeals.

## **Implementation:**

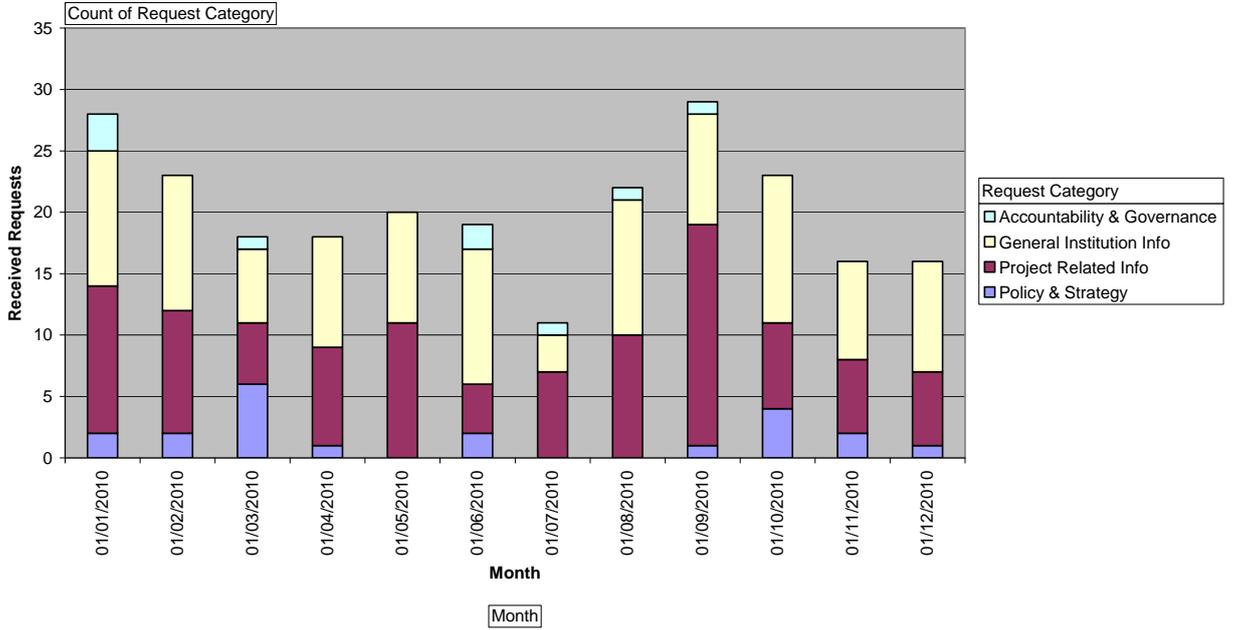
### ***Handling Information Requests***

The handling of the information requests was consistent with the Implementing Procedural Provisions for public information requests. The Bank fulfilled obligations regarding responses and timeframes of responses to information request.

In 2010, the Civil Society Engagement Unit coordinated responses to 677 different items of correspondence (498 were received via the Bank's on-line information request form) and logged into a database.

Only 243 were related to the Public Information Policy, including 109 requests for institutional information (out of which 54 requesting contact details of the Bank's staff and 20 requesting the EBRD-related research data and statistics); 104 project-related letters (out of 17 requesting the disclosure of project documents, eight were related to the disclosure of the Board reports for public sector projects; four related to release of PSDs); 21 letters related to policies and strategies (out of which 4 related to the Environmental and Social Policy and five related to a revision of country strategies); and nine letters related to accountability and governance.

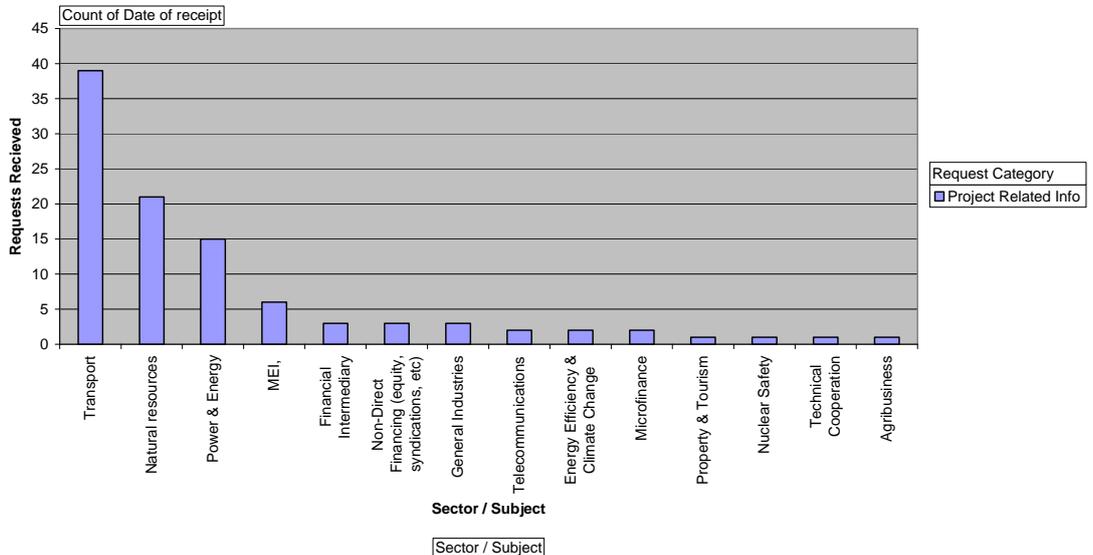
Categories received vs. Month



With regard to the project-related correspondence, just over a third of the queries were related to the EBRD’s investments in the Transport sector; 21 queries to the investments in the Natural Resources; 15 queries were related to the Power and Energy sector and six queries related to projects in the Municipal and Environmental Infrastructure sector; the remaining 23 queries related to the Bank’s investments in other sectors.

PIPYes

Categories Received vs Sector/Subject

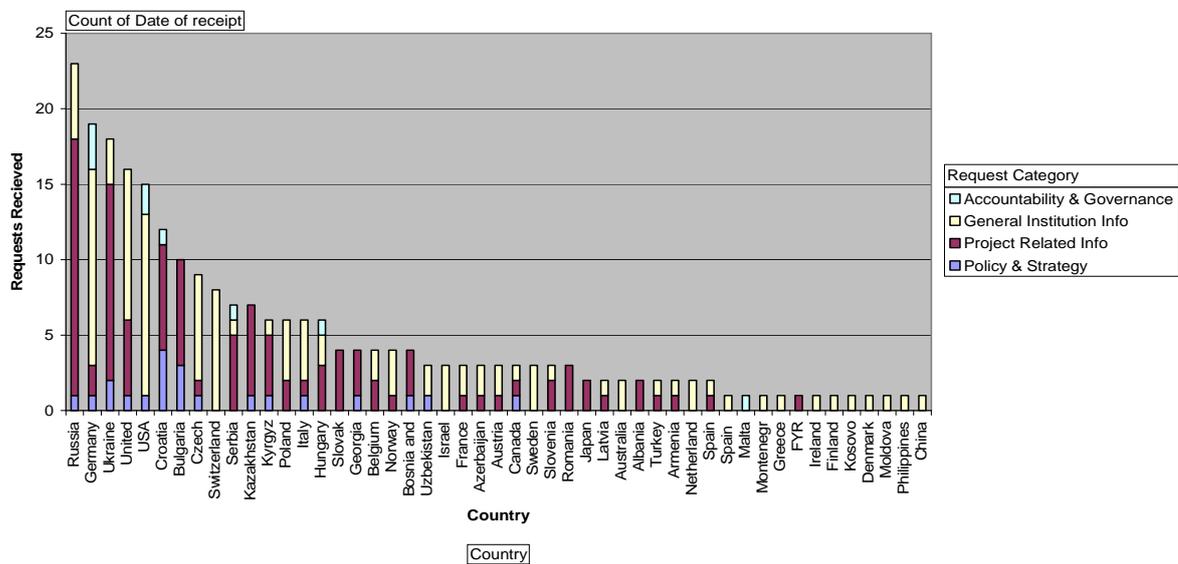


Of the 243 PIP-related requests 88 were received from civil society representatives. Academics and students sent 49 information requests to the Bank, of which more than half were related to the basic facts about the EBRD or research data and statistics; 44 queries came from the private sector; 21 from members of the public; six from government; and 35 from other sources.

In geographic terms the main sources of requests were from five countries: 23 were received from Russia; 19 from Germany; 18 from Ukraine; 16 from the United Kingdom and 15 from the USA. The remaining sources of requests were either from other countries of operations or other geographical areas. 10 requests were received in the Russian language and the Bank responded in the language of the request.

PIP Yes

Categories Received vs Country



Only 23 PIP-related requests were not responded to inside the stipulated timeframe of 20 working days, mainly due to the fact that relevant staff responsible for preparing responses were travelling for extensive periods of time, or that some individual requests required clarification from the Bank’s clients. In each case a timely explanation for a further delay was provided.

The rest of correspondence received and responded to – 434 items - was of general non-PIP related nature. These included enquiries and applications for employment, internships and consultancies, project finance, procurement and purchasing, funding and scholarships, publications, events and visits to the Bank, media and non-EBRD-related research data and statistics. Additionally, 13 requests for information were received from other IFIs and sister organisations.

The number of information requests and responses covered in this section reflects only the limited amount of correspondence received by the Bank either via the information request on-line form or forwarded to the Civil Society Engagement Unit by various EBRD teams for the coordination of responses. It does not reflect the total amount of correspondence which the EBRD conducts with external audiences.

### ***Enhancing access to the Bank's website***

*“In recognition of the importance of the EBRD website ([www.ebrd.com](http://www.ebrd.com)) in communicating information to stakeholders and the general public, the Bank will continue to enhance access to the site and to the information posted on it. The Bank will also continue to explore ways in which more country specific information can be translated for posting on the website”.*

### **Implementation:**

In 2010, the Communications and IT departments launched a redesigned EBRD website. As one of the Bank's principal channels of communication, the new website aims to enhance the EBRD's visibility, encourage policy dialogue and generate business and investment opportunities. In particular, the site features improved navigation, access and information availability in English and Russian.

Extensive audience testing took place after the new site was launched, and test subjects unanimously praised the improved user-friendliness of the new site in comparison to the old one. Many commented specifically on how easy it was to navigate to key information about corporate governance and our transparency commitments.

High-visibility parts of the site, such as the homepage and footer (which appears on every single page), now contain more direct and prominent links to key pages such as "reporting fraud and corruption". Ongoing discussions with the Communications department will look at further ways to guide audiences quickly and easily to key PIP-related content.

Work to further develop and improve the site continues. Among additional technical improvements under consideration are increased language functionality and a new availability of templates (i.e. different page layouts) which will make it more feasible to develop a higher number of sections and resources relevant to the Bank's Resident Offices and their clients across the EBRD's countries of operations.

### ***Appeals to the Secretary General against Information Request Refusals***

No requests for information resulted in the requester invoking the right of appeal to the Secretary General.

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