Response to the International Accountability Project

Thank you very much for providing your comments, which relate to the implementation of the current Public Information Policy (PIP, 2014). Your comments will be taken into account within the final draft Access to Information Policy and Directive on Access to Information as appropriate.

Please kindly note that the PSD related statistics provided in your note mostly reflects the policy implementation choices with a few rare exceptions of implementation shortcomings, which we are constantly looking to address.

More specifically, the number of days available on the Bank’s website is defined by the established timeline for the PSD disclosure (60 days for public and 30 days for private sector) within the PIP section D 3.1.4-5. Please kindly note that a project is simply not allowed to proceed to the Board of Directors, if this timeline is not observed. In 2018, 181 projects (130 private sector and 51 public sector) were prepared for Board consideration. With one exception[[1]](#footnote-1), all of these were compliant with the PIP. A number of PSDs was also issued on an authorised deferral basis in line with the PIP section D 3.1.8. Of the 130 private sector PSDs, there were 45 deferrals to the 30-day release timeframe, all of which were authorised within the terms of the PIP. Of the 51 public sector PSDs, there were 4 deferrals to the 60-day release timeframe, which were authorised within the terms of the PIP. Majority of these deferred PSDs are on the capital market transactions.

Please note that the average timelines for PSD releases shown in your report must have taken into account these authorised deferrals, which would not be the correct from the methodological point of view.

The level of environmental and social information disclosure is determined by the categorisation of the project. The Bank’s current disclosure of environmental information is set out in the PIP, section D 3.4, which stipulates that on category A projects the Environmental and Social Impact Assessments are disclosed. 14 new category A projects had an Environmental and Social Impact Assessment (ESIA) disclosed during 2018. Full ESIA disclosure packages (including the NTS, ESAP and SEP) for all of these category A projects were available in English and in local languages and were disclosed on-line. Links were provided to each project’s ESIA on www.ebrd.com and on the client’s website. PSDs are also cross-linked with ESIAs for category A projects. Of the category A projects submitted for Board approval, all projects met the requirement of 60 days minimum disclosure for private sector projects or 120 days minimum disclosure for public sector projects prior to the Board of Director’s consideration of the project.

PIP section D 3.1 (viii) provide for all PSDs on the category B, C and FI projects to contain a summary of environmental and social impacts associated with the project and agreed mitigation measures. In addition, we have in the recent years enhanced the environmental and social section. For example, in 2018 all PSDs for category B projects had their environmental and social sections expanded. The Bank also discloses non-technical summaries (“NTS”) in PSDs for selected category B projects based on potentially significant environmental and social risks and impacts, and expected public interest in the project. In 2018 26 PSDs for Category B projects had Non-Technical Summaries attached.

Important to note that in 2018 there were also 14 PSDs published projects approved under delegated authority due to significant environmental and/or social issues in line with the PIP section D 3.1.2.

Disclosure of contact information for the EBRD’s project leads is set out by PIP section D 3.1.1 (x). However, in recent years due to growing personal data protection concerns the Bank has scaled down on disclosure of personal contact information of its employees within PSDs. This is mitigated by provisions of numerous email addresses on the Bank’s website, through which one could request the information on any project.

Thank you for noting that a high percentage of PSDs has been translated into the national language. Indeed, in 2018 of 181 PSDs published only 2 were not translated. These were for regional PSDs involving multiple translations, and translation is ongoing for these projects. The Bank makes ESIAs available in a local language or languages accessible to the stakeholders, particularly ones affected by the project, and one of the four official EBRD languages: English, French, German or Russian. The Bank may additionally make ESIAs available in whole or in part in other languages, where appropriate. The Bank makes ESIAs available without the Bank’s comment or endorsement. The Bank also requires clients to make the ESIAs available locally in local languages.

Finally please note the Bank publishes the PSD-related statistics on an annual basis within the PIP implementation report: <https://www.ebrd.com/what-we-do/strategies-and-policies/public-information-policy.html> The 2018 report is expected to be published in April of this year.

Please rest assured that we value your feedback.

1. Bulgaria: ESIF/EBRD Water Sector Financing Framework (public sector project with high visibility both internally and with the Bulgarian authorities) – Board approval in July was considered essential in order to proceed with the project, resulting in non-compliant PSD (released 27 days before Board approval rather than 60 days) [↑](#footnote-ref-1)