

In Practice: Information Disclosure at the Caribbean Development Bank

International Accountability Project

The [Early Warning System](#) team strives to ensure the accuracy of the data. This analysis is being shared with the [Caribbean Development Bank](#) (CDB) in advance of publication to allow an opportunity for comment. While the Early Warning System team has made every attempt to research and present data accurately, it is often difficult to guarantee the complete accuracy of certain projects due to the lack of regularity and transparency in how various development institutions record and publish information, which also applies to the CDB. Where there is a lack of clarity in the information, the team has represented the information cautiously. The Early Warning System team is committed to correcting any identified errors at the earliest opportunity.

The [International Accountability Project \(IAP\)](#) and our partners monitor the online disclosure practices of several development institutions through the *Early Warning System* to better understand what project information is being disclosed when it is being shared, and ultimately, how accessible the information is for communities - the intended beneficiaries of projects, who are often excluded from the decision-making process.

In recent years, IAP analyzed the disclosure practices of various multilateral and international development financial institutions, including the [IDB Invest](#) (the private-sector lending arm of the Inter-American Development Bank), the [European Bank for Reconstruction and Development](#) (EBRD), the [New Development Bank](#) (NDB, the development bank instituted by the BRICS countries), the [Dutch entrepreneurial development bank](#) (FMO), and the [US Development Finance Corporation](#) (DFC).

Although none of these institutions is perfectly transparent and fully discloses information, some organized ad-hoc meetings for civil society groups to share comments and suggestions on their disclosure practices. These opportunities provided a valuable opportunity for project-affected community members and civil society organizations to share their lived experiences and expertise with them so that information disclosure policies and practices can be strengthened to fulfill the right to access information, in line with best standards and practices.

To date, the CDB has not yet organized - to our knowledge and that of our partners - a similar event, lagging behind its peers in the best democratic practices of civil society engagement and public information disclosure.

Our analysis shows that the CDB is particularly backward when it comes to disclosure practices and guaranteeing the right to access information, and could therefore benefit from a participatory process in which civil society groups provide their inputs on how to be more transparent and accountable.

Although Caribbean countries have a variety of languages and dialects, the bank's [Information Disclosure Policy](#) states that "English is the official working language of CDB" and the translation is only available into French for some strategic and policy documents if necessary. This basic fact already precludes access to information for many project-affected people.

Methodology

In conducting this analysis, the IAP has assessed the information disclosure practices of the CDB in relation to international best standards and norms on access to information, including those enumerated in Article 19 of the United Nations Universal Declaration of Human Rights, Article 19 of the International Covenant on Civil and Political Rights, the United Nations Declaration on the Right to Development, Convention 169 of the International Labor Organization, Principle 10 of the Rio Declaration on Environment and Development, and other conventions resulting from these foundational documents. Moreover, the [Principles on Freedom of Information](#), endorsed by the United Nations and Organization of the American States' Special Rapporteurs, and the [Transparency Charter for International Financial Institutions](#), created by world-renowned experts in the field, are also embedded at the core of our analysis.

With these norms in mind, we use the [Early Warning System](#) initiative to track project information that is disclosed on the CDB's webpage. It is worth noting that our analysis does not evaluate compliance with bank policies. Rather, our research seeks to assess current institutional disclosure practices against criteria, which if met, would establish the foundation for the meaningful fulfillment of communities' right to access information. These criteria are derived from our experiences working directly with communities affected by development institutions projects, and our work to make information accessible through the *Early Warning System*. The parameters of our criteria are based on the understanding that, as an institution utilizing public funds, the CDB has a responsibility to ensure transparency of both its activities and those of its clients. As such, in our analysis, any deferral of this responsibility on the bank's part will not be considered as meeting our criteria, as it does not fulfill the right to access information.

We have analyzed information on all projects disclosed by the CDB on its public list which, for a certain period between September and November 2023, could no longer be found on its webpage - already indicating a violation of active transparency by the institution, given that - to our knowledge - neither a formal notice nor clarification whatsoever was provided to the public nor the website was clearly stating the reason behind the absence of the project list and the time frame of this disruption. In total, we reviewed information on 84 projects the CDB has made available on its webpage, as of September 2023.

For each project, we tracked the following information:

- Whether adverse environmental and social impacts were indicated;
- If yes, whether project-specific adverse impacts were indicated;
- Whether it was clearly indicated which safeguards were triggered by the identified environmental and social impacts;
- Whether there was any information on preventing and mitigating harms;
- Whether an Environmental and Social Action Plan (ESAP) or an Environmental and Social Management Plan (ESMP) were available;
- Whether non-technical summaries (NTS) of Environmental and Social Impact Assessments (ESIAs) were available;
- Whether the full-text of ESIAs was available;
- Whether a Stakeholder Engagement Plan was available;
- Whether information on consultations after the date of disclosure could be found;
- Whether a full consultation plan was available;
- If yes, whether the consultation plan was published after the date of disclosure;
- If yes, the availability of opportunities for ongoing consultations after Board approval;
- Whether contact information for the borrower or client were provided;
- Whether contact information for project-specific bank leads were provided;
- The presence of contact information or a link to submit a request for access to information;
- The availability and accessibility of information on the accountability mechanism;
- Whether any documents were available in other languages; and
- If yes, whether any of these were technical documents (i.e., not translation of webpages).

We evaluated these criteria based on the principle of early access to information. Communities possess legitimacy and local expertise that can better the design of potential projects, anticipating and mitigating adverse impacts, and ensuring projects achieve positive impacts that further their development priorities. Communities have the right to know and to be meaningfully consulted before any investment decision is made, a guarantee made clear in the Declaration on the Right to Development that [“\[t\]he human person is the central subject of development and should be the active participant and beneficiary of the right to development”](#). Communities also have the right to remedy and reparation, should they suffer harm from projects.

Accordingly, our analysis primarily focuses on the minimum information communities should expect to access when a project is still in its proposed stage, given that the ideal would have communities participate in proposing, designing, and contributing to projects that are aimed at fulfilling their development priorities.

As a final note on methodology, our findings only address information disclosed through the CDB’s webpage, its primary medium of communication. While outside the scope of

our analysis, it bears noting that reliance on a website as the primary means of disclosure in and of itself sets a significant limitation on the accessibility of the information disclosed for many communities without ready access to the internet. This is especially true for the Caribbean region, where [access to a reliable internet connection – worsened by frequent power outages – is still very limited](#).

Moreover, it would be unrealistic to consider that communities that do have access to the internet are constantly monitoring projects in the pipeline of various development finance institutions. To meaningfully fulfill the right to information, the CDB should take steps to ensure that information reaches communities potentially impacted by its projects through means accessible to them, before a project is considered for investment.

Findings

What we found out in our analysis of CDB's information disclosure practices are worrying, grave, disappointing and should be properly and promptly addressed by the bank. Among the various analyses of development financial institutions' disclosure practices that we carried out during the years (mentioned at the beginning of this document), the CDB figures among the worst multilateral development institutions when it comes to fair and transparent disclosure and accessibility of information. Indeed, the bank seems to be rarely disclosing relevant documents and systematically fails to involve project-affected stakeholders throughout the project cycle. It does not provide project-specific contact information, nor adequate information regarding its grievance mechanisms and how to access them. It needs to considerably improve on all fronts, and we hope that it will work to do so promptly.

Safeguards, Project Documents, and Mitigation Measures

- Are adverse environmental and social impacts indicated?
 - Yes – 2
 - No – 82
- Are project-specific adverse impacts indicated?
 - Yes – 2
 - No – 82
- Is it clearly indicated which safeguards are triggered?
 - Yes – 0
 - No – 84
- Is there any information on preventing and mitigating harm?
 - Yes – 2
 - No – 82
- Is an ESAP / ESMP available?
 - Yes – 0

- No – 83
- No, but referenced – 1
- Are the Non-Technical Summaries of ESIAs available?
 - Yes – 0
 - No – 84
- Is the full text of ESIAs available?
 - Yes – 0
 - No – 84
- Are any documents available in other languages?
 - Yes – 0
 - No – 84
- If yes, are any of these technical documents (i.e., no translations of webpages)?
 - Yes – 0
 - No – 84

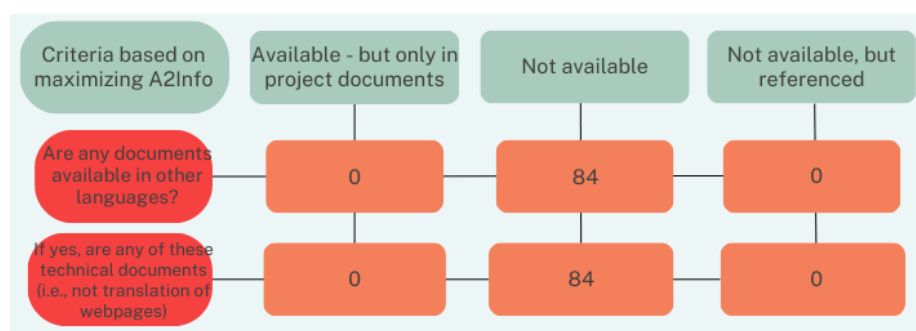
It is alarming to note that the CDB does not disclose projects' environmental and social impacts, the information on which is of paramount importance to project-affected communities to understand whether they will be adversely impacted by development projects, and if they deem it necessary, to provide their inputs throughout project phases.

Only in one case among the ones we analyzed, the CDB had referenced an Environmental and Social Action Plan, but this document was nowhere to be found. In all others, even Non-Technical Summaries were missing, greatly prejudicing the stakeholders' right to access information, and therefore compromising the possibility for a fair and transparent implementation of the CDB's projects. Not only should project documents be disclosed, but that must be done in a timely manner – i.e., well in advance of the project start date, depending on the risk and extent of the potential adverse impacts – to prevent and mitigate possible harms by adopting adequate measures at the community level.

Indeed, apart from constituting a breach of people's right to access information, the failure to disclose environmental and social impact assessments and documents outlining the measures to prevent and mitigate possible harm also compromises the affected people's readiness to respond to damages and adverse impacts. This might potentially threaten the livelihoods of project-affected people in case of substantial environmental and social impacts, also considering that the CDB does not disclose the project risk category, an essential piece of information to understand the potential impacts of a project.

Another worrying malpractice that we noticed during our analysis is the failure of the CDB to provide the rather limited information it discloses in different languages. As

stated above, the *Information Disclosure Policy* of the bank states that English is the official language of the Bank, and French may be used in some cases. This policy, as well as the bank's practices, do not reflect, nor address the cultural variety and language differences of the Caribbean region, where there are [several diverse languages and dialects, including Haitian Creole and Papiamentu](#), which the CDB overlooks.



Stakeholders Engagement and Project Consultation Process

- Is a Stakeholder Engagement Plan available?
- Yes – 0

- No – 83
- No, but referenced – 1
- Is there information on consultations after the date of disclosure?
 - Yes – 0
 - No – 84
- Is a full consultation plan available?
 - Yes – 0
 - No – 84
- If yes, is the consultation plan from after the date of disclosure?
 - Yes – 0
 - No – 84
- If yes, are there opportunities for ongoing consultations after Board approval?
 - Yes – 0
 - No – 84

Many people in the Caribbean region have indigenous heritage, including living traditions and material assets, such as ancestral lands and properties. All of these should be properly protected and the free, prior, and informed consent of the indigenous communities shall be obtained before any action is performed that might affect their heritage, in line with international obligations set out in the UN Declaration on the Rights of Indigenous Peoples (2007) and the ILO Convention 169 on Indigenous and Tribal Peoples (1989). In this context, it is grave that the current disclosure practices of the CDB do not allow, nor facilitate this process.

Only in one case of the 84 we analyzed, the CDB referenced a Stakeholder Engagement Plan, and again the document could not be located by our team of experts. All of the other project disclosures analyzed did not publish documents about any established procedure for consultation with project-affected people, nor did they include any document describing how affected stakeholders could be involved in the decision-making process.

The CDB should be attentive to best practices among development financial institutions, including the proper involvement of all stakeholders in the design, implementation, and monitoring of project activities. In case such procedures were followed by the bank, they should also be adequately disclosed and distributed among project stakeholders, especially when the latter are in a situation of vulnerability or, given the circumstances, might have difficulty in receiving information via other means.

Overall, our analysis of the CDB's stakeholders' engagement practices reveals a complete lack of compliance with international norms and standards, which stands out when compared to most development financial institutions already analyzed by our organization. The CDB should promptly address the issue to prevent further criticism

from civil society organizations, as well as from other stakeholders - especially project-impacted communities.

Criteria based on maximizing A2Info	Available - but only in project documents	Not available	Not available, but referenced
Is a Stakeholder Engagement Plan available?	0	83	1
Is there information on consultations after the date of disclosure?	0	84	0
Is a full consultation plan available?	0	84	0
If yes, is the consultation plan from after the date of disclosure?	0	84	0
If yes, are there opportunities for ongoing consultations after the Board approval?	0	84	0

Contact Availability and Continued Engagement throughout the Project Cycle

- Is there contact information for the borrower or client?
 - Yes – 3
 - Yes, but only in project documents - 1
 - No – 39
 - Procurement information unavailable – 55
- Is there contact information for project-specific bank leads?
 - Yes – 1
 - No – 51
 - Yes, but only in project documents – 32
- Is there contact information or a link to submit a request for access to information?
 - Yes – 0
 - No – 84
- Is there available information on the accountability mechanism of the Bank?
 - Yes – 0
 - No – 84

We were glad to note that the CDB is doing slightly better when it comes to sharing contact information. In three cases we could find contact information for the borrowers, although they remain widely unavailable on project disclosure pages. When available

directly on the page, and not on documents that are also not on the project webpage but that need to be found through the search system, the information is of course considered more accessible and has a better probability of reaching those that most need it, such as communities.

In many of the projects we analyzed, the CDB opted to disclose contact information for project-specific bank leads, as well as other project-related contacts, only in the project documents. Only in one case, we could find contacts for project-specific bank leads available on the project webpage. This is problematic and necessitates attention, considering that, as noted above, project documents are rarely disclosed and most of the time they are not readily accessible from the project disclosure page.

Our analysis also showed that the CDB does not regularly disclose procurement information for those projects where private actors are involved. Such information was missing in 65% of the projects we took as a sample. Although it is information that development financial institutions, in general, tend to overlook, we believe it remains relevant to communities and other stakeholders to understand what actors are involved in those projects that affect them. It also allows them, if they deem it necessary, to request information without the need to use the CDB as an intermediary - saving time to the bank and providing a more direct channel of communication between project implementers and beneficiaries.

Finally, another significant problem that the CDB should address is the fact that information on the accountability mechanisms of the Bank is not disclosed on the projects' webpages, nor are there contact information or links to submit requests for access to information – a practice widely in use among other development financial institutions. This makes it harder for stakeholders adversely affected by the CDB's activities to access the information they need, or to report issues to the independent compliance mechanisms of the bank.

Criteria based on maximizing A2Info	Available - but only in project documents	Not available	Not available, but referenced	Yes	Procurement information unavailable
Is there contact information for the borrower or client?	1	39	0	3	55
Is there contact information for project-specific bank leads?	32	51	0	1	
Is there contact information or a link to submit a request for access to information?	0	84	0		
Is there available information on the Bank's accountability mechanism?	0	84	0		

Conclusion and Recommendations

Based on our analysis, we conclude that the CDB needs to significantly improve its practices to align itself with international norms, standards, and best practices of other development financial institutions when it comes to disclosure and access to information. Especially at the moment of writing, when project-related information almost completely disappeared from the bank's website, and the limited information available was hardly accessible. The CDB should strive to prevent these disruptions and, when they are unavoidable, the bank should at least provide clear and timely information regarding the reasons behind such disruptions and the time frame to fix them.

The bank should always publish documents that describe the environmental and social impacts of its projects. Project documents should be readily available, easily accessible, and attached to the project disclosure page.

The CDB should work on inclusivity, recognizing the cultural diversity of the region where it operates and making sure that its disclosure practices properly address it. That means that the bank should publish project summaries and technical documents in all languages and dialects of the communities located in the project influence area.

Moreover, the CDB should provide consultation plans and opportunities throughout projects' cycles, and make sure to adequately involve local stakeholders in all project phases, with the final objective of establishing community-centered and community-led development processes. These processes should be proactively published on the project webpage so that communities have the chance to decide to participate in a timely manner.

To reach the objective of an institution that is centered on communities' well-being and true development, it is also important that the CDB provides accessible information on each project webpage for the use of its grievance mechanisms by communities (such as the Office for Integrity, Compliance, and Accessibility, and the Project Complaints Mechanism). These relevant mechanisms should not only be mentioned in the bank's policies but also serve their purpose of practically supporting adversely affected communities.

To facilitate this process, we believe that the CDB should broadly share information about the procedures of its grievance mechanisms – especially on the way to access them – and publish these directly on project disclosure pages.

We hope that this analysis will help the CDB to review and update its disclosure practices, to guarantee the full enjoyment of the fundamental right to access information to all those affected by its operations. IAP and partner organizations remain at your disposal to discuss the present analysis and its findings, as well as to converse with

bank staff and management to assist in the improvement of its access to information practice.