



ADAPTATION FUND

AFB/EFC.12/5/Rev.1  
19 June 2013

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Adaptation Fund Board  
Ethics and Finance Committee  
12th Meeting  
Bonn, Germany, 1-2 July 2013

Agenda Item 7 a)

## **OPEN INFORMATION POLICY**

## Background

1. At its 20<sup>th</sup> in April 2013, the Adaptation Fund Board (the Board) decided to:
  - (a) *Authorize the Chair to sign the International Aid Transparency Initiative (IATI) standard on behalf of the Adaptation Fund Board; and*
  - (b) *Request the secretariat to undertake the activities outlined in Table 1 of document AFB/B.20/6, in order for the Fund to comply with the IATI standard and start publishing IATI-compatible data. The secretariat's tasks would also include developing a disclosure and licensing policy for review of the Board at the next Board meeting.*

### (Decision B.20/18)

2. The table referenced in the decision, from document AFB/B.20/6, is presented below. The first activity listed is to develop a disclosure and licensing policy for the Fund. The secretariat has therefore prepared this document to conform to the timeline established.

**Table 1: Proposed timeline and cost implications of achieving compliance with IATI Standard (from AFB/B.20/6, p. 5)**

Activity	Cost (both staff time and monetary)	Time Frame
<b>Develop disclosure and licensing policy</b>	2-3 days (research, discussion, etc.) 3-4 days (drafting, edits, finalize)	Submit to 21 <sup>st</sup> Board meeting (July 2013) for review and approval
<b>Data mapping exercise</b>	1-2 days (mapping AF data to IATI, verify with IATI secretariat)	Complete 30 April 2013 (in order to align with database exercise being undertaken with Trustee)
<b>Develop implementation schedule</b>	3-5 days	Submit draft to IATI secretariat for feedback by 15 May 2013 then edit and finalize for 21 <sup>st</sup> Board meeting (July 2013) for review and approval
<b>Publish data</b>	10-15 days (data validation & verification; converting data to be compatible) Cost approximately: USD 4000	Will coordinate with the data work needed for converting to the Trustee's system. Will likely need a short-term consultant to help with data. (End of July)

3. In decisions that guided the establishment of the Adaptation Fund, the Parties to the Kyoto Protocol emphasized the need for transparency and openness in the operation of the Fund<sup>1</sup>. Since its establishment, the Fund has had a strong track record of disclosing information and publishing policies, meeting reports, project proposals, project reviews, project performance reports, and related documents on its website. The innovative process to accredit national, regional and multilateral implementing entities has, since its inception, included Transparency

<sup>1</sup> Decision 28/CMP.1 paragraph 3; decision 5/CMP.2 paragraph 1; Decision 1/CMP.3 paragraph 17.

and Self-investigative Powers as one of the three main criteria of the Fiduciary Standards that are applied by the Accreditation Panel in its independent assessment of applicant entities. The Fund is striving to be a leader in transparent decision-making and to continue to adapt and improve its processes. As part of its ongoing efforts to release information in more accessible formats, the Fund recently deployed an interactive mapping portal on its website, giving users full access to data on the projects and programmes in the Fund's portfolio in an easy to understand, graphical format. From that platform, users can download financial data on each project in Microsoft Excel format and are free to use it for their own analysis.

4. Although the Fund has implemented a number of specific decisions and practices that promote transparency, it has not yet developed a formal public disclosure policy. At the Board's request, the secretariat has drafted a policy for disclosure and licensing of the Fund's data, reports, and other materials produced for and by the Fund. The policy is based on examples from other institutions recognized internationally for having robust disclosure and licensing policies including the World Bank, the UK Department for International Development (DFID), the Global Environment Facility (GEF), and Oxfam.<sup>2</sup> The document also follows the guidance developed by IATI for NGOs on how to develop an open information policy<sup>3</sup>.

5. Given the Fund's commitment to disclose and make available information to its stakeholders, donors, civil society, and the general public the proposed policy included as Annex I, will constitute the Fund's *Open Information Policy*.

## Recommendation

6. Having reviewed document AFB/EFC.12/5 the EFC may wish to request the Board to approve Annex I as the official disclosure and licensing policy for the Adaptation Fund.

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<sup>2</sup> *World Bank Policy on Access to Information* (54873), July 1, 2010; DFID guidance on exclusions, <http://support.iatistandard.org/entries/20858941-open-information-exclusions> (Last Accessed 10 June 2013); *GEF Practices on Disclosure of Information* (GEF/C.41/Inf.03), November 2011; Oxfam website: <http://www.oxfam.org.uk/what-we-do/about-us/plans-reports-and-policies> (Last Accessed 10 June 2013).

<sup>3</sup> <http://support.iatistandard.org/attachments/token/8t5oqsnhvclfbj/?name=Bond+Guidance+for+NGOs+-+Developing+an+Open+Information+Policy.pdf> (Last Accessed 10 June 2013)

## Annex I: Open Information Policy

1. The Adaptation Fund (the Fund) is an organization committed to open access to information. Transparency is essential to building and maintaining public dialogue, increasing public awareness, enhancing good governance, accountability, and ensuring programmatic effectiveness. Openness promotes engagement with stakeholders, which, in turn, improves the design and implementation of projects and programmes, and strengthens the Fund's outcomes. It facilitates public oversight of Fund-supported operations during their preparation and implementation, which not only assists in exposing potential wrongdoing and corruption, but also enhances the possibility that problems will be identified and addressed early on.<sup>4</sup>

2. The Fund's overall approach is therefore to disclose information unless there is a compelling reason for confidentiality. For limited cases where disclosure could have a negative impact on the Fund, the implementation of its projects and programmes, or deal with the legal obligations pertaining to privacy or intellectual property, information is retained as confidential. Such exceptions generally fall under one of five main criteria outlined below. In principle, all relevant information regarding the organization, its projects, programmes and operations are made available to the general public with the intent of full disclosure.<sup>5</sup>

3. The five main criteria for exclusion are as follows:<sup>6</sup>

- i. **International relations:** Information that may harm the Fund's relations with other governments or institutions. This includes information received from or sent to third parties, under an expectation of confidentiality.
- ii. **Security and safety:** Information that may pose a risk to the security or safety of any individual, including Adaptation Fund secretariat staff, Board members and alternates, contractors and beneficiaries.
- iii. **Personal information:** Information that intrudes on the privacy of a person or could contravene confidentiality.
- iv. **Commercially sensitive information:** Information that does harm to the Fund or the Fund's partners or suppliers commercial interests.
- v. **Information that is exempt from disclosure under other policies or regulations:** This includes deliberative information.

### *Accessing Information*

4. **Proactive Disclosure.** The Fund routinely discloses a wide range of documents, through its website – [www.adaptation-fund.org](http://www.adaptation-fund.org) – including working documents discussed during Board meetings, committee reports and recommendations, and reports of all Board meetings. Under this Policy, the Fund significantly increases the amount of information it makes available to the public, particularly information related to projects and programmes under implementation and to the actions of the Board.

5. In terms of projects and programmes all proposals received are published on the website before being reviewed by the secretariat. Since there is no pre-screening of proposals, every proposal received is submitted to the Project and Programme Review Committee (PPRC)

<sup>4</sup> Adapted directly from the *World Bank Policy on Access to Information* (54873), July 1, 2010

<sup>5</sup> Adapted directly from *GEF Practices on Disclosure of Information* (GEF/C.41/Inf.03), November 2011

<sup>6</sup> Adapted directly from DFID's *Exclusion Template: DFID guidance on exclusions*, <http://support.iatistandard.org/entries/20858941-open-information-exclusions> (Last Accessed 10 June 2013).

and subsequently to the Board for consideration. The Board publishes in its meeting reports a decision taken on every proposal submitted. Following Decision B.17/..., all technical reviews of project and programme proposals undertaken by the secretariat are published on the Fund's website. Once projects/programmes are approved all project/programme performance reports are also made available through the website.

#### *Exclusions from Disclosure*

6. The Fund does not provide access to information whose disclosure may pose a risk to the security or safety of any individual, including Adaptation Fund Board secretariat staff, Board members and alternates, contractors and beneficiaries, including:

7. **Personal Information.** The Fund follows the procedure of the World Bank's Principles of Staff Employment, which require the World Bank to establish and maintain appropriate safeguards to respect the personal privacy of staff members and protect the confidentiality of personal information about them. Accordingly, the World Bank does not provide access to the following information, except to the extent expressly permitted by the Staff Rules.<sup>7</sup>

- (a) Personal information, including personal staff records, medical information, and personal communications (including e-mail) of individuals and their families.
- (b) Information relating to staff appointment and selection processes.
- (c) Information relating to investigations of allegations of staff misconduct and personal conflicts of interest.

8. **Commercially sensitive information.** While the Fund publishes all project/programme performance reports (including external evaluations and internal reviews), information disclosed on procurement is limited to the number of bidders and bid amounts. In addition, as delineated in the *Rules of procedure of the Adaptation Fund Board* (FCC/KP/CMP/2008/11/Add.2), para 26: "Information obtained from Adaptation Fund project participants marked as proprietary and/or confidential shall not be disclosed without the written consent of the provider of the information, except as required by national law."

9. **International Relations.** Specifically, as it relates to entities applying for accreditation to the Fund, these are kept anonymous until an entity has been accredited by the Board. As such, the name of the entity as well as all applications and corresponding supporting documentation are kept strictly confidential. The Accreditation Panel produces a report of every Panel meeting, including an assessment of the analysis of applications by applicant entities. Since the assessments contain sensitive information on an institution's fiduciary standards and institutions provide the Panel with confidential information such as internal audit reports the information remains confidential.

10. **Deliberative Information**<sup>8</sup>. The Fund, like any institution or group, needs space to consider and debate, away from public scrutiny. It generally operates by consensus, and it needs room to develop that consensus. During the process it seeks, and takes into account, the input of many stakeholders; but it must preserve the integrity of its deliberative processes by

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<sup>7</sup> The "Staff Rules" refer to rules set out in the World Bank Staff Manual, Section 2, which discusses the World Bank's general obligations related to staff.

<sup>8</sup> Adapted from WB Policy (p. 5)

facilitating and safeguarding the free and candid exchange of ideas. Therefore, while the Fund makes publicly available the decisions, results, and agreements that result from its deliberative processes, the proceedings are held in closed sessions for the following bodies: the Accreditation Panel, Ethics and Finance Committee, and Project and Programme Review Committee.

### *Licensing Policy*<sup>9</sup>

11. The following paragraphs set out the Fund's policy on copyright and other intellectual property (IP) rights related to the data and other information the Fund provides. It also references the specific licenses for how the Fund's data may be used.

12. Unless otherwise noted, the Adaptation Fund database are licensed under the Open Data Commons - Attribution License (ODC-BY). Other materials on the Fund's site, including multi-media material (photographs, video), policies, and other documents are licensed under the Creative Commons – Attributions License.

13. Users may therefore:

- a. *Share* – copy, use, and distribute the Fund's data and other material to others
- b. *Create* – make new works with the Fund's data
- c. *Adapt* – modify or transform the Fund's data and other material, change it into different formats, or combine it with other data sources.

14. The main restriction is that users **must** *Attribute* – give credit to the Fund when data or other information is publicly used. Full details of users' rights and obligations are at: Open Data Commons – Attribution: <http://www.opendatacommons.org/licenses/by/1.0/> and Creative Commons – Attribution: <http://creativecommons.org/licenses/by/3.0/>

15. If data from the Fund is used in another context, such as in a report or by doing data visualizations, the Fund asks that the following phrase is used:

*Contains information from the Adaptation Fund which is made available under the Open Data Commons - Attribution License (ODC-BY).*

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<sup>9</sup> Adapted directly from IATI Open Aid Information Licensing Standard: <http://support.iatistandard.org/entries/21001811-licensing> (Last Accessed 10 June 13).