



IDB INVEST CONSULTATIONS REGARDING ITS DRAFT *ACCESS TO INFORMATION* POLICY: MEETING IN JAMAICA – SEPTEMBER 21, 2018

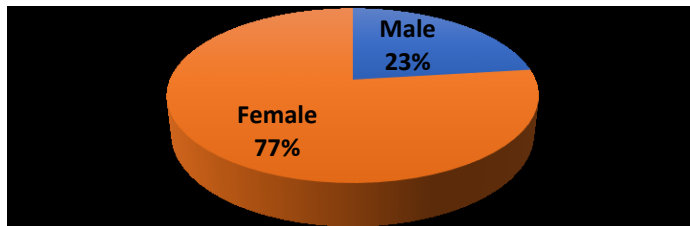
SUMMARY OF STAKEHOLDERS' COMMENTS

I. INTRODUCTION

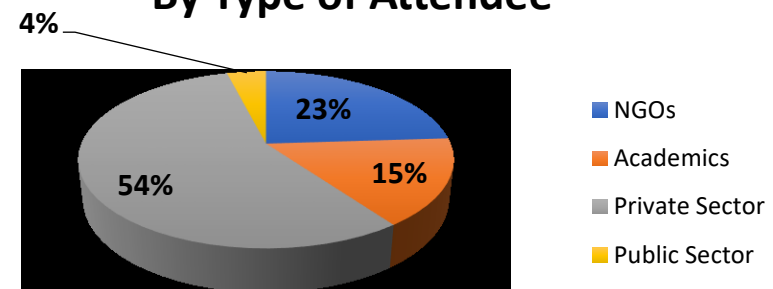
Following the Consultation Plan, a face-to-face consultation was held in Kingston on September 21, 2018. The 13 participants who attended represented the public and private sectors, as well as non-governmental organizations and academia.

II. STATISTICS

**Figure 1: Jamaica Workshop:
Attendance By Gender**



**Figure 2: Jamaica Workshop
By Type of Attendee**





III. SUMMARY OF STAKEHOLDER COMMENTS

A. GENERAL COMMENTS ON ACCESS TO INFORMATION

An overarching feedback received during the meeting was that the new draft policy represents a major step in the right direction. Both private sector and civil society endorsed IDB Invest’s drive to increase transparency and accessibility to information.

NOTE: Comments were received from representatives of civil society, and the public and private sectors, as summarized below. These comments do not necessarily reflect consensus among participants but rather demonstrate the array of opinions on key issues of interest that were voiced by representatives of these groups.

A1. Before Project Approval

Issue Areas Identified	Stakeholder Comments
<p>1. Enhancement of transparency</p>	<p>Civil society representatives made suggestions related to the enhancement of transparency:</p> <ul style="list-style-type: none"> • The timeline for the approval of the project; • Environmental aspects, such as the carbon footprint, projected emissions and other environmental impacts. <p>A civil society representative indicated that they are pleased the IDB Invest is consulting face-to-face to receive feedback ‘from real people’ on the ground.</p> <p>Private sector representatives stressed the need for:</p> <ul style="list-style-type: none"> • Simplified contractual and legal documents, including a page that defines the meaning of some of the legal terms, and an overall summary of the intent and content of the heavy legal documents. • A clear explanation of IDB Invest’s approval process so that, as a client, they will know what the next steps are, and where they are in the approvals process; • A webinar explaining the legal and contractual documents; • A shorter timeline to approval. The longer timelines put clients in a situation of having to find bridge financing;



A2. After Approval/During Project Implementation	
2. Monitoring and evaluation	<p>Civil society representatives stressed the importance of:</p> <ul style="list-style-type: none"> • More frequent Environmental and Social Action Plan (ESAP) updates, perhaps, quarterly, to ensure the company is complying with its obligations; • Benchmarking of organizations and projects, to demonstrate what to expect during implementation; • Boundaries of the project, that are objectively defined, because projects can often extend beyond the immediate area. <p>Private sector participants indicated that:</p> <ul style="list-style-type: none"> • IDB Invest helps a client through a project better than conventional banks, by making clients think about all aspects of a project – environmental and social and political issues, rather than the more general requirements of conventional banks who are interested in a plan to pay back a loan; • Stakeholders need to understand what an Environmental Impact Assessment (EIA) is supposed to achieve, so that a client can manage stakeholder expectations regarding what each phase is supposed to deliver; • The existence of an ESAP and EIA can help to correct misinformation, acting as a safeguard for civil society and a protection against reputational risk of the company.
3. IDB Invest Policies and Programs affecting implementation	<p>Private sector participants who have loans with IDB Invest expressed a need for:</p> <ul style="list-style-type: none"> • Technical support regarding project management.
B. EXCEPTIONS	
4. Clarity regarding exceptions	<p>Civil society representatives provided the following views:</p> <ul style="list-style-type: none"> • The positive override clause is useful, but there should be discussions between IDB Invest and the client in advance. If there is going to be imminent harm, information should be disclosed; • They wanted more clarification of the definition of “commercially sensitive.” <p>Private sector participants stressed the following:</p>



	<ul style="list-style-type: none"> • There must be exceptions, particularly regarding commercial information; • The positive override clause (para 62). should require that IDB Invest consult with the client prior to the invoking of this paragraph; • Shareholders need to be protected. If something is disclosed that hurts the client’s ability to pay back a loan, then shareholders will be affected; • Confidential information contained in reports associated with the project needs to be redacted as it may cause harm to the project or the parties involved in the project. A participant cited the situation where using the name of the company in a report from the lender of the company affected the share price of such company; • Intellectual property must be protected; • There is a need to harmonize access to information policies as regards data protection. For example, the EU law – General Data Protection Regulation (GDPR) has one set of requirements that applies to parties subject to such regulation, some who may be IDB Invest clients.
<p>C. ACCESSIBILITY OF INFORMATION</p>	
<p>5. Proactive delivery of comprehensive information</p>	<p>Civil society representatives suggested the need for:</p> <ul style="list-style-type: none"> • Short videos and info graphics that are uploadable to social media; • Information that is accessible to the disabled, including screen readers formatted appropriately, with a narrator rather than background music. Use graphics and videos for those hard of hearing; • Information that is mobile-friendly. Many do not have smart phones; • Printed materials that can be handed out at community meetings; • Targeting of rural areas, inferring a need to reach out, to ensure affected communities are adequately informed and engaged; • Striving for face-to-face engagement; <p>One civil society representative asked whether, if a document is translated only into the language of the country, who bears the cost of translation of that document, if one tries to access it from a country with a different national language?</p> <p>Private sector representatives suggested that:</p>



	<ul style="list-style-type: none"> • The IDB Invest website is too Spanish-dominated. It should be made easier to find reports in other languages; • The website should have a Frequently Asked Questions tab (FAQ).
<p>6. Provision of Governance-related Information regarding IDB Invest</p>	<p>Civil society representatives indicated a need for:</p> <ul style="list-style-type: none"> • General project information – a package of information that can be shared with the various NGOs they work with, especially related to upcoming/existing projects that are of relevance to their stakeholders; • Information on technical and financial support of IDB Invest to strengthen NGOs technical capabilities. <p>Private sector representatives indicated a need for:</p> <ul style="list-style-type: none"> • Information on competitors and what they are doing, to enable collaboration rather than competition; • Information regarding potential equity partners and foreign investor contacts; • Information on similar projects, that may share similar environmental and social concerns, in order to obtain lessons learned; • Information on how to access financing from IDB Invest, including “where”, “how” and “why”, costs of financing, fees, etc.
<p>D. MECHANISM FOR REQUESTING INFORMATION</p>	
<p>7. Clarification of the Panel</p>	<p>Private sector representatives indicated that:</p> <ul style="list-style-type: none"> • They have concern that a panel could decide to release information that is proprietary; • They would like to know if the requester of information is sent the link to the information, or, whether it is posted on the website. <p>Civil society representatives suggested that:</p> <ul style="list-style-type: none"> • The panel is useful for transparency reasons. It is in the public interest for there to be an independent body to decide on the release of information.