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International Accountability Project works to defend the rights, land and livelihoods of people threatened by destructive development projects.

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## **We need to be consulted! Examining IDB Invest's Proposed Access to Information Policy**

Alexandre Andrade Sampaio





“We will fight back. It doesn’t matter if they come from China, the United States of America, or other countries. What matters is that we will fight against this because a massacre is happening in our territories, a massacre that happens because people come and don’t ask if we want this” said Alessandra Munduruku, from the Munduruku Indigenous Peoples, at a recent event in Brazil discussing infrastructure investments in the Amazon. The Munduruku culture, way of live and territories are currently threatened by the construction of the Tapajós complex of dams in the Pará State in Brazil. Alessandra added that she was tired of hearing about plans for her lands coming from people that did not live there: “I did not leave my house for nothing; to come here and sit down while you talk about our territories and rivers. I came here to speak because we live there and we need to be consulted!”.

Alessandra is not alone. At International Accountability Project (IAP) we see everyday that her experience is the norm, not the exception. Through the Early Warning System initiative (EWS), IAP and our partners monitor planned projects and policies of 13 development finance institutions. We send the information we gather to communities all over the world in an effort to guarantee that those closest to projects are informed and able to participate in the decision-making processes that will substantially affect their lives. More often than not, we hear from partners and communities that they had not

been informed about these investment plans and that they would need support in gathering more information and organizing a response.

This has been the experience of almost all the communities we have worked with, from those affected by a liquified natural gas project in Colón, Panama financed by the International Finance Corporation of the World Bank Group, or a hydropower plant in Ituango, Colombia financed by the IDB Invest of the Inter-American Development Bank Group to a dam project in Lilongwe, Malawi proposed by the World Bank. In designing the above-mentioned projects, project planners failed to adequately consult communities, preventing them from participating in the decision-making process. As a result, communities not only had to deal with the possibility of many adverse impacts to their homes, lands and livelihoods, they were further prevented from sharing their own priorities for development.

In the face of so many negative impacts, one might ask: is this real development? Not according to international best standards outlined in the United Nations Declaration on the Human Right to Development, which determine that

*"the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized."*

How can development finance institutions then ensure they are pursuing real development? We believe an important and essential step is to fulfill the right to access to information and participation of affected communities and marginalized groups. The right to access to information provides an indispensable foundation for development and further reinforces the rights of and incorporates the priorities of those affected. Access to information goes hand-in-hand with meaningful consultation and stakeholder engagement, ensuring that projects and policies actually better the lives of those they impact.

Our experience working with communities shows that,

*When provided with safe, timely, and accessible information early in the project cycle, people are able to successfully engage with decision-makers to mitigate, if not avoid, adverse impacts and advance shared development priorities.*

Conversely, the absence of timely, accessible information and meaningful consultation with project-affected communities and marginalized groups can result in poorly designed projects and increased social conflict. Until communities have proper access to information, the negative impacts like those experienced by communities in Ituango, Colón, Lilongwe and the Munduruku people will continue unabated. To counter that trend, development finance institutions need to craft and commit to an access to information policy that mirrors international best standards and practices. At a time when democratic spaces for civil society are shrinking at an alarming rate—particularly in relation to projects promoted by development

institutions—the compliance of these policies and practices with human rights standards is of the utmost importance.

That is the reason why IAP and partners have continuously monitored the disclosure policy and practices of the IDB Invest (formerly, the Inter-American Investment Corporation, or IIC), the private sector lending arm of the Inter-American Bank for development. As part of the EWS initiative, FUNDEPS and IAP have been vocal proponents of stronger transparency, highlighting critical gaps in the institution's disclosure practices that have stymied access to information for communities impacted by IDB Invest projects. We engaged with decision-makers and staff to advocate for more robust, timely, and accessible disclosure of project information, strengthening alliances, and coordinating civil society's preliminary comments to inform the first draft of the IDB Invest's revised disclosure policy.

In May 2018, the IDB Invest formerly launched a public consultation process around the revision of its new Access to Information Policy. As this 120-day consultation process comes to an end, IAP, FUNDEPS and partner organizations will formally submit a comprehensive analysis of the draft policy of the bank, linked here. The collaborative analysis recognizes the improvements made to the current policy, especially the emphasis on the principle of maximum disclosure. However, lacking a people-centered approach, the draft policy fails to account for the difficulties faced by the people who need this information the most.

For instance, the draft policy extensively focuses on online access to information, without fully accounting for the reality that internet access, let alone literacy, is far from universal in the regions where the bank operates. The draft policy also lacks provisions for protecting whistleblowers or community members who could be targeted for retaliation. This is especially worrying given that IDB Invest operates in some of the most dangerous regions in the world for human rights defenders. The draft policy also fails adequately ensure communities

and vulnerable groups will be properly informed of the bank's investment plans by not giving them sufficient time to access and understand project information. Crucially, the draft policy does not do enough to address barriers to access to information in situations where project documents use technical terms or are only available in a non-local language, thereby preventing communities from conveying their opinions and priorities before the board of the bank makes a decision about whether to invest in a project or not.

Based on these and other observations, IAP, FUNDEPS and partners plan submit this analysis in the spirit of dialogue, advocating for a policy that moves the bank closer to communities' priorities and, therefore, real development.

**Organizations that are interested in signing on to this analysis and join us in this effort should e-mail Alexandre Andrade Sampaio from IAP at alex [at] accountabilityproject.org or Gonzalo Roza from FUNDEPS at gon.roza [at] fundeps.org. The submission currently has sign-ons from 25+ organizations. Read a summary of the analysis in Spanish here.**