

Access to Information Committee

Decision number 2
Ticket #RFI0001391

May 1, 2019

I. Background

1. On January 16, 2019, the Bank's Public Information Center received an email from Ms. Emily Sullivan (the "Requestor") requesting information related to "executive compensation of IADB top officials."

2. On the same date, the Public Information Center provided the Requestor with a link to the 2017 IDB Annual Report, which includes a Table on the Salary Structure of International Staff as of December 31, 2017, including information such as the salary range minimum and maximum, average salary and average benefits budgeted for each of the salary grade levels of the Bank, including for all Executive grades. For the President and the Executive Vice President, the actual salary and benefits budgeted are provided.

3. Also on January 16, 2019, the Public Information Center received another email from the Requestor stating that the Bank's response did not address her request, and that she was asking for:

"the specific details of IADB top executive compensation/salary (not just the salary structure as you sent me below), specifically the following positions that I am copying from your web site page for IADB: President, Executive Vice President, Vice President for Countries, Vice-President of Sectors and Knowledge, Vice President for Finance and Administration, Secretary of the Bank, Chief of Staff – Office of the Presidency, Chief Advisor of the Executive Vice President, Executive Auditor, IDB-Lab Manager and Chief Economist."

4. On March 13, 2019, the Public Information Center informed the Requestor that:

"detailed information regarding Bank staff members is part of their personal information and is considered an exception to disclosure as specifically stated in paragraph 4.1a) and Annex I of the Access to Information Policy and paragraph 3.8 of the Implementation Guidelines."

5. On March 17, 2019, the Requestor sent an email with a request for review on the basis of the following:

"Other multilateral institutions provide this data to the public and it is crucial for my investigation.

If the request for review process doesn't take too long I would like to submit the request to that process and challenge this decision by the IADB. Per my previous statement, other organizations have published this information and so in my opinion it does not fall under the personal exemption [sic] as you indicated. Please advise if this is sufficient to carry out the review of the decision or you need more details from me. I hope you consider this request seriously."

II. Consideration by the Access to Information Committee

6. The Access to Information Policy (the “Policy”¹), as approved by the Board of Executive Directors, lists certain categories of information that will not be publicly disclosed. The Access to Information Committee (AIC) noted that Annex I to the Access to Information Committee expressly excludes “Personal Information,” including “information on salary and benefits [of] the staff of the Bank,” from public disclosure. This exclusion is reiterated in other Bank regulations such as The Access to Information Policy’s Classification and Declassification System and Review Process (the “Review Process”²) and the Access to Information Policy’s Implementation Guidelines (the “Guidelines”³).

7. The AIC noted that the Bank publishes in its Annual Report a Table on the salary structure of International Staff and average benefits budgeted for different Bank grade levels, which includes the information detailed in paragraph 2, above. Except for what may be understood from the Table, information concerning “the specific details of IADB top executive compensation/salary” (as requested), including for the positions named by the Requestor, is not made publicly available. Given that there is only one Officer in the Bank at the grade level for each of the positions of President and Executive Vice President, the two most senior Bank Officers directly appointed by the Bank’s member countries, information provided in the Table includes their actual salary and benefits budgeted. Therefore, for the request for “specific details” of “compensation/salary” of the President and Executive Vice President, the AIC regarded the request as being for details in addition to those published in the Annual Report.

8. The Policy (Section 9.2), together with the Review Process (Section 4.2), establish the two grounds on which a review may be made by the Access to Information Committee. The first concerns a review of a denial of access to information that would be disclosed under the Policy. Because the requested information is not eligible for disclosure under the Policy, this basis of review would not apply. The second basis for review involves a request of the AIC for a “positive override” for information that is not disclosed under the Policy, which is essentially the nature of the current request. The AIC noted that personal information, including salary and benefits of staff, is not eligible for a positive override (Policy, Section 8.1; Review Process, Section 4.2; and Guidelines, Section 7.7). The Policy does not otherwise provide the AIC with the authority to disclose the requested information.

9. The AIC further noted that the request would not be eligible for further review, because it does not meet the grounds for eligibility for review under the Policy and Review Process, or – if construed to be a request for a positive override – AIC decisions concerning a positive override are not eligible for further review (Policy, Section 9.2; Review Process, Section 4.3; and Guidelines, Section 7.10).

III. Decision

10. For the reasons described above, the AIC decided to uphold the decision to deny the Requestor’s request to disclose “the specific details of IADB top executive compensation/salary” and noted that such denial is ineligible for additional review.

¹ <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=35167427>

² <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=35521982>

³ <http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=37532979>