

# UNDP Public Information and Documentation Disclosure Policy

1. The United Nations Development Programme (UNDP) Public Information and Documentation Disclosure Policy (IDP) is intended to ensure that information concerning UNDP operational activities will be made available to the public in the absence of a compelling reason for confidentiality. The principal element of the UNDP approach to transparency and information disclosure is the identification of a standard package of documents that tracks programming and projects. To the extent that much of this documentation is already available to the public as matter of practice, the following policy codifies such practice. Previously issued guidelines are already being complied with, including for the preparation of Advisory Notes, Country Programme Outlines (CPO), and United Nations Development Assistance Frameworks (UNDAF), all of which require consultative and public participation processes.

2. UNDP has a special relationship with the Governments of programme countries, including the Standard Basic Assistance Agreements (SBAA) currently in force between UNDP and programme country Governments. The SBAA states, inter alia, that "... the parties shall consult each other regarding the publication, as appropriate, of any information relating to any UNDP-assisted project (i.e., government information) in the country or to benefits derived there from. However, any information relating to any investment-oriented project may not be released by the UNDP to potential investors, except with the written consent of the government...". The relationship of trust between UNDP and programme country Governments rests on the ability to maintain the confidentiality of certain types of information. There are also practical reasons why access to Government-owned documents that have been shared with UNDP cannot be unlimited. Therefore, access to relevant documentation may need to be restricted at the request of programme countries and in agreement with UNDP.

## I. Policy

3. The importance of information disclosure to the public as a prerequisite for human development has been recognized in major United Nations intergovernmental statements, including the Rio Declaration on Environment and Development, the Copenhagen Declaration and Programme of Action of the World Summit for Social Development, and the Plan of Action of the World Summit on the Information Society. As a custodian of public funds, UNDP is directly accountable to its Member States and indirectly accountable to their parliaments, their taxpayers, and the public in donor and programme countries.

4. Through its adoption of Human Development as its principal institutional mission and in specific supporting statements approved by its Executive Board, UNDP has, both explicitly and by implication, endorsed the need for public access to information and documentation as a key component of effective participation of the public in development programmes. There is a demonstrable positive correlation between a high level of transparency through information sharing and public participation in UNDP supported development activities, and the efficacy, quality, and sustainability of these endeavours.

5. Noting the Secretary General's Guide in communicating with the media, public access to timely, accurate and comprehensive information is an essential tool for realizing substantive benefits within the framework of Human Development. To accomplish that goal, information must be provided early and regularly to civil society organizations, affected parties, and the general public in both donor and programme countries. Access by the public to information and documentation held or generated by UNDP will facilitate the transparency, accountability, legitimacy, and the national and local ownership of UNDP operations.

6. Accordingly, the UNDP policy is based on a presumption in favour of public disclosure of information and documentation generated or held by UNDP. However, this presumption is subject to specific exceptions set out in Paragraph 2 above and Paragraph 15, below. Paragraph 12 below enumerates a standard package of documentation about UNDP and its general operations that shall be made available to the public as a matter of course. Other documents of a general nature generated or held by UNDP that are not specifically identified in Paragraph 12 are also governed by this presumption in favour of public disclosure, and shall be made public unless the specific exceptions set out in Paragraph 15, below, apply.

7. Documentation concerning UNDP programming, set out in Paragraph 13 and Paragraph 14 shall also be made available to the public. In the case of programming documents, briefs providing summary information will be made available to the public by UNDP country offices before the general working document is approved in final form by UNDP and programme country Governments. In addition, key representatives of civil society may participate in the preparation of programming documents pursuant to the guidelines sent to country offices in the UNDP Programming Manual (<http://www.undp.org/bdp/pm/>).

8. Information that falls within one of the enumerated exceptions set out in paragraph 15 below shall be considered confidential. Decisions to treat certain documents as confidential in accordance with Paragraph 2 and Paragraph 15 should be jointly made by programme country Governments and UNDP at the time that the document is designed. If the information that is to be classified as confidential does not fall within one of the exceptions enumerated in Paragraph 2 and Paragraph 15, an explanation of the reason why the information should be considered confidential will be provided. Decisions concerning the need for confidentiality in such cases, shall be made by balancing the justification for confidentiality against the need for project and programme quality through public involvement in UNDP projects and programmes.

This policy recognizes that crisis situations, either before or in the aftermath of violent conflict or humanitarian disasters, pose particular challenges in terms of Country Office relations with stakeholders. Particularly in the period leading up to conflicts, relations between the government, other political actors, and civil society may be characterized by heightened levels of mutual distrust. Country Offices may have to resort to innovative measures to discreetly bring together multiple stakeholders, who may otherwise be publicly antagonistic, to reach consensus on necessary programming. In a number of countries, UNDP Country Offices have convened de facto Stakeholders' Groups, or used Thematic Working Groups on Governance, in order to bring together relevant local and international actors, including key civic leaders, for this purpose. However, proceedings from these discussions have usually been kept confidential until such time as the participants have agreed on the best method for public disclosure. These examples point to fundamental principle that should apply to all public disclosure in crisis situations: The emphasis must be on comprehensive stakeholder participation in programme development, while public disclosure is left to the joint discretion, given heightened sensitivities, of the Resident Representative and relevant local actors.

9. This policy shall apply to those associated funds and programmes administered by UNDP that do not now have their own information policies, including the United Nations Development Fund for Women (UNIFEM), the United Nations Capital Development Fund (UNCDF), and the United Nations Volunteers (UNV). This policy will be made available to the general public and to UNDP partners in electronic format (DOC, PDF, etc.), through the Internet and in hard copy at UNDP headquarters, and country and liaison offices.

10. This policy shall apply to all documents created after the date of its adoption. UNDP will also explore the possibility of making public documents generated before that date, pending on the availability and relevance of the documents. The policy shall be reviewed, in consultation with external partners and stakeholders, not later than two years after its adoption by UNDP.

## II. Operational Content of the UNDP Public Information Disclosure Policy

A. Documentation available from UNDP

11. Enumerated below is a standard package of documentation that shall be made available to the public as of the effective date of this policy.

### 1. General information about UNDP and its operations

12. The purpose of this category of documentation is primarily to share information concerning UNDP with the public. General information about UNDP and its operations enumerated under (a) through (d) is currently available to the public and will continue to be available through the Communications Office of the Administrator (COA) at headquarters or through the office of the Resident Representative at the country level.

- a. Reports of the Administrator and other official documentation submitted to the Executive Board and reports of Executive Board meetings.
- b. The Human Development Report and other documents, reports, and publications expressly prepared for public dissemination and made available through the UNDP publications programme or otherwise.
- c. National human development reports.
- d. Any other reports and documents published by UNDP.

### 2. Documentation concerning programming

13. This category of operational documentation identified in items (a) through (b) below constitutes the main elements of UNDP programming. Some of these operational documents shall, following the restrictions contained in Paragraph 2 and Paragraph 15, be made publicly available upon request in draft form while others shall be made available upon their formal adoption. Pursuant to the guidelines sent to country offices in the UNDP Programming Manual, the preparation of Advisory Notes, Country Programme Outlines (CPO)/Country Programme Framework (CCF)/Country Programme Document (CPD), and project documents may involve the participation of key representatives of civil society in addition to traditional UNDP partners during the preparatory stages. These documents will be available from either COA or through the office of the Resident Representative. They are:

- a. Common Country Assessment/ United Nations Development Assistance Framework (CCA/UNDAF). The CCA/UNDAF sets the framework for the operational activities of the United Nations system in many programme countries. This is a government-originated document prepared by representatives of the Government in consultation with the United Nations country team, which is ordinarily led by the Resident Coordinator. Not all programme countries prepare a CCA/UNDAF, and the process by which the document is adopted and finalized is determined by the programme

country Government concerned. The CCA/UNDAF will be available in final form through COA or the office of the Resident Representative.

b. CPO/ CCF/ CPD. Dialogue with the programme country Government results in the CPO/ CCF/CPD, which is prepared by the Government in consultation with the UNDP country office. This document identifies key goals and opportunities for UNDP support to national programmes and priorities, consistent with the development goals endorsed by the Executive Board. The CPO/ CCF/ CPD is submitted to the Executive Board for final approval. A brief outline of the CPO/CCF/CPD, including financial information, shall be made available to the public during the preparatory stages by the office of the Resident Representative. Key representatives of civil society organizations will be included in the preparation of the CPO/ CCF/CPD. After its approval by the Executive Board, the final CPO/CCF/CPD, including financial annexes, shall be made available to the general public by COA as well as by the office of the Resident Representative in programme countries.

## 2. Documentation concerning country-specific activities

14. The category of operational documentation noted under (a) through (e) below describes UNDP-financed, country-specific activities and the ways in which they shall be made available through the office of the Resident Representative. Participation of key actors of civil society will be included in the preparation of some of these documents. The exception is (f), noted below, which shall be available to the public through COA in consultation with the Evaluation Office, in final form. Documents (a), (b) and (c) will be shared during preparatory stages in the form of brief outlines and summary statements. Documents (d) and (e) will be available in their final form.

a. Programme Support Document. Under each CPO, UNDP will be supporting a number of national programmes that may or may not have official documentation, at the discretion of the Government concerned. UNDP cooperation in these programmes is described in the programme support document. The content of a programme support document is similar to that of a project document (item below).

b. Project document. The project document, together with related documentation, is the principal written instrument that describes an UNDP-financed project. The project document identifies an overview of the country situation, the context of the project within UNDP objectives, the justification for funding, the project development objectives, expected outputs, activities supported by the project, inputs, and a budget for UNDP contribution. Associated documentation may include a annual work plan (AWP), a schedule of project reviews, a framework for reporting and evaluation, training programmes, equipment requirements, job descriptions, and a framework for the effective participation of national and international staff. The project document is signed by a government representative, UNDP, and the executing agency.

c. Technical document. The project document will describe a variety of outputs, some of which will be technical reports.

d. Performance country programme/project report. This is an annual and/or biennial country programme/project report (which, however, may not be prepared in all cases). It includes monitoring, review, and reporting documents and evaluations.

e. Programme performance report. This is a programme, policy, strategic, and process evaluation carried out by UNDP headquarters, however may not take place in all cases.

f. All UNDP corporate evaluations published by the Evaluation Office (EO) are made public through the EO website ([www.undp.org/eo](http://www.undp.org/eo)) and dissemination of reports to key stakeholders and partner organizations.

g. Country offices will include the IDP on their home page.

## B. Exceptions

15. The following categories of information may be claimed confidential:

a. Confidential information as defined in agreements or contracts to which UNDP is a party and restrict the UNDP use of such information as defined therein, including intellectual property and other proprietary information;

b. Internal notes, memoranda, and correspondence, including e-mail, among UNDP staff, including documentation relating to internal deliberative processes among UNDP staff, unless these are specified for public circulation;

c. Privileged information (e.g. legal advice)

d. Information concerning disciplinary and investigatory information generated within UNDP or for UNDP;

e. Personal, health or employment-related information about staff; and

f. Information relating to procurement processes that involves pre-qualification information submitted by prospective bidders, or proposals or price quotations.

## C. Public access to documents

16. All country specific documentation shall be available from the appropriate country office. Information and Communications Officers, who have been designated by the Resident Representatives or

the United Nations Information Center (UNIC) officer (where appropriate) in the country office, shall be responsible for assuring that requests from the public are adequately addressed, either by the country office or through other appropriate organizations, e.g., depository libraries, UN specialized agencies, NGOs. Country offices will include the IDP on their home page.

17. Certain of the documentation enumerated in paragraph 14, and particularly that which is presented to the Executive Board for formal adoption, shall be made available in the working languages of the United Nations. In other cases, documents will be available in the language(s) in which they are prepared.

Documentation not available within the country offices can be made available by post or electronic from, or in person through, the Communications Office of the Administrator (COA) in New York. COA will be the first point of contact, but depending on the nature of the documentation required, requests may be re-routed to the appropriate units at UNDP headquarters, or outside UNDP e.g., depository libraries, United Nations bookstores, etc. Requests for such documentation by post should be addressed to: Communications Office of the Administrator

United Nations Development Programme  
One United Nations Plaza  
New York, NY 10017, USA.

18. UNDP is currently studying the best practices for implementation of the present policy and plans to develop in a timely manner the necessary capacities to ensure successful implementation. This includes the development of a cost-recovery policy to facilitate the implementation of the policy, noting the increasing demands for documents from consultancy and other for-profit companies, research institutions and other international organizations. Attention will be given to identifying a variety of ways to make documents available to the general public, including by outsourcing information, with a view to ensuring reliable, convenient and easy-to-access channels. Select publications and documents will be made available to the public on a cost-recovery basis, even while the issue is being studied more carefully. Extensive use will be made of the internet to implement the information disclosure policy. The UNDP study will also review UNDP capacity to manage information on the internet, what should be placed on it, when and by whom, as well as the responsibility for updating information.

19. UNDP will use reasonable efforts to respond to written requests for documentation or information within 30 business days. In the event UNDP is unable to provide the requested documentation or information, it will provide an explanation in its response.

If the requester of information feels that his/her request has been denied improperly, or if the requester has failed to receive a response to his/her request within 30 business days, the requester may submit a follow up request for re-consideration, stating why they feel their request was improperly denied or delayed.

20. A Public Information and Documentation Oversight Panel shall be established to promote full implementation of the present policy. The oversight panel shall consist of five members, all appointed by the Administrator: three UNDP Professional staff members and two highly qualified individuals from the not-for-profit sector, one from a programme country and another from a donor country, appointed in their personal capacity.

21. In the event that a request for a document is denied in whole or part, after 30 days following his/her submission of a request to reconsider the denial, the requester may request a review of this determination by the Public Information and Documentation Oversight Panel. Requests for review should be directed to: Secretariat

Public Information and Documentation Oversight Panel  
United Nations Development Programme  
One United Nations Plaza  
New York, NY 10017, USA

Email: [IDPOversightPanel@undp.org](mailto:IDPOversightPanel@undp.org)

22. Requests for review should be accompanied by a statement by the requester as to why they feel their request of information was improperly denied. For example, that the document is appropriately governed by the presumption in favour of public disclosure, that the conditions for the withholding from public disclosure of confidential information in paragraph 15 above have not been satisfied.

23. The Public Information and Documentation Oversight Panel established pursuant to paragraph 20 above shall review the denial of requests to disclose a document or portion of a document to a member of the public. The Panel shall establish detailed procedures to govern this review, including, the mechanisms and procedures for review, and time limits within which a response should be provided. The oversight panel may also be charged by the Administrator with other functions as the need arises.

### III. Oversight Panel

#### A. Terms of Reference

##### *Membership*

The Panel will consist of five members -- three UNDP professional staff and two highly qualified persons from the not-for-profit sector -- all appointed by the UNDP Administrator. A representative from the Office of the

Administrator will serve as an ex officio member of the Panel, and will report to the Assistant Administrator and Director of the UNDP Bureau for Resources and Strategic Partnerships (BRSP). Members will serve for a period of one-year to be extended at the discretion of the Administrator. Appointments will be made during the first month of each calendar year or during the course of the year if a vacancy becomes available. In 1998, the chair of the panel shall be elected by panel members during the body's first meeting. Subsequently, a new chair shall be elected by panel members either during the first calendar year meeting of the body or by ballot submitted to the outgoing chair in January of the year in question. Nominations for membership will be received in writing by the Chair of the Panel and transmitted to the Administrator for consideration. The public will be informed of the nominations procedure through the Internet.

#### *Functions*

- § Reviews requests submitted to the panel, determines whether the UNDP Public Information Disclosure Policy has been properly applied, and seeks amicable solutions
- § If an amicable solution is not forthcoming, making recommendations to the Administrator on the outcome that would be most consistent with the application of the Public Information Disclosure Policy
- § Develops, as appropriate, more detailed mechanisms and procedures for the review of denied requests
- § Reviews the UNDP performance in implementing the Public Information Disclosure Policy and provides counsel on improvements/changes which should be made.
- § Once the Policy has been in effect for two years (mid-1999) and with the assistance of a working group on implementation of the Public Information Disclosure Policy, re-examines the Policy text for discrepancies as well as the UNDP capacity to provide information contained therein and assists in the re-issuing of an updated version of the policy.

The panel will meet semi-annually at UNDP headquarters. Any request for review submitted between meetings shall be held over until the next meeting of the body. In the event that a request for review is deemed to be urgent, that more than three requests for review are received or that a compelling reason exists, the chair may call an emergency meeting of the panel which may take place by teleconference or in person at UNDP headquarters. Minutes of the meetings will be made available to the public via internet or in hard copy upon request.

#### *Criteria for selection of Panel members*

##### *UNDP staff*

The three UNDP professional staff shall be selected on the basis of the following criteria:

- § Keen understanding of UNDP policies, structures, activities and focus areas
- § Impartiality
- § Thorough knowledge of the area of public information and familiarity with information systems
- § Political sensitivity
- § Ability to balance need for transparency vs. confidentiality
- § Access to mechanisms and resources for disseminating information to a wide range of groups and individuals in the public
- § Knowledge of information policies and activities of other organizations
- § Understanding of the public's "need-to-know" and "Freedom of Information" legislation
- § Proven ability to work with UNDP partners, such as governments and civil society organizations
- § Appreciation of UNDP country office perspective

##### *Non-UNDP staff (from the not-for-profit sector)*

There shall be one individual from a donor country and another from a programme country appointed in their personal capacity. These persons shall be selected on the basis of the following criteria:

- § Knowledge of UNDP work
- § Impartiality
- § Thorough knowledge of the area of public information and familiarity with information systems
- § Political sensitivity
- § Ability to balance need for transparency vs. confidentiality
- § Access to mechanisms for disseminating information to a wide range of groups
- § Awareness of information policies of other organizations
- § Gender balance will also be considered during selection of UNDP and non-UNDP Panel members.

##### *Financial implications*

Where possible and based on the criteria listed above, the Panel will be comprised of individuals with proximity to UNDP headquarters as a means of containing travel costs. The body's projected operating expenses are to be determined during its first meeting each year. These expenses may include printing and photocopying services, temporary support staff and telecommunications costs. UNDP is committed to covering these expenses. A budget detailing project expenses is to be presented to the working group on implementation of the Public Information Disclosure Policy -- key senior managers brought together by BRSP to develop an effective corporate response to the Policy -- which will be charged with identifying funds to cover the activities of the Panel.

B. Nomination Process for Members of the Oversight Panel

Through the Public Information Disclosure Policy, the United Nations Development Programme underscores its commitment to make information about its operations available to the public. The Policy stipulates the establishment of Public Information and Documentation Oversight Panel.