

**Annual Press Conference 2008****Briefing Note No 14****The Bank promoting European objectives**

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Transparency and relations with civil society**Introduction**

The EIB considers transparency on how it makes decisions, works and implements EU policies crucial to strengthen its credibility and accountability towards European citizens and citizens elsewhere affected by its operations. Transparency is an important expression of the corporate responsibility of the Bank. Promotion of transparency represents one of the key objectives of cultural change at the Bank and is also a major element of the Bank's external communication policy, which must be based on sound facts and not on spin.

Public Disclosure Policy

Public disclosure of information is a key reference point for implementing the Bank's commitment to transparency. The Bank's Public Disclosure Policy, dating back to 2002 and reviewed in March 2006, is founded on a presumption of disclosure, unless there is a compelling reason for non-disclosure. In 2007, the Bank evaluated the revised policy after its first year of implementation. The evaluation, published on the EIB website, primarily took stock of deficiencies to help correct the shortcomings and to achieve full compliance with the policy. Particular efforts concerned the following elements:

- Reducing the average time for processing enquiries of a certain complexity (around 10% out of some 30 000 written queries received in 2007);
- Publishing in a timely fashion Environmental Impact Assessments (EIAs) or other environmental information on the Project List ("pipeline") on the EIB website;
- Increasing the consistency in giving precise explanations for a refusal of information;
- Strengthening the external recourse mechanism where it concerns complaints of maladministration in the EIB from non-EU citizens residing outside the EU or a legal person with no established office in the EU.

An evaluation of the Public Disclosure Policy's implementation in 2007 will be published early in 2008.

In June 2007 the Public Disclosure Policy was revised to take account of the Aarhus Regulation on public access to information, public participation in decision-making and access to justice in environmental matters. The Regulation, which allows the application of the provisions of the Aarhus Convention to EU institutions and bodies, aims to help the public to be more involved in environmental matters and to contribute actively to the preservation and protection of the environment. The Bank's policy complies with and in some respects goes beyond the relevant provisions of the Regulation, in particular where it concerns the processing of requests for information. While the Aarhus Regulation obliged the Bank to tighten the time limits for responding to requests for *environmental* information, the Bank decided to apply these shorter deadlines also for other – *non-environmental* – information requests.

The Aarhus Regulation calls for public access to information either following a request or by active dissemination, in particular through the website. To ease public access to environmental information held by the Bank, a special section on environmental information was created on the EIB website.

A public disclosure highlight in 2007, in terms of transparency on the Bank's decision-making process, was the publication, on a rolling basis, on the EIB website of the edited agenda and provisional summary of decisions of the EIB Board of Directors.

In 2009, the Public Disclosure Policy will be reviewed, in accordance with the Bank's commitment to undertake formal reviews of the policy every three years.

NGO queries and requests for information

In 2007, the Bank received 75 extensive and/or complex queries and requests for information from NGOs, which required a certain amount of coordination within the Bank or with external parties such as the

European Commission, project promoters, borrowers, or co-financiers. These requests in particular focused on projects related to transport, nuclear energy, mining, hydropower and waste, the majority involving loans in the New Member States and ACP countries (*please note that a number of projects and issues attracted more than one request for information*). A growing number of applications were addressed to the President and some to the EIB Board of Directors. On one occasion, an NGO formally lodged a complaint with the EIB's Secretary General on the way its inquiry had been handled by EIB staff. No NGO complaints about maladministration at the EIB were lodged with the European Ombudsman in 2007.

Public consultation on EIB policies and strategies

The Bank aims to meet the highest European and international standards in public consultation on policies and strategies. Well-run public consultations can generate valuable stakeholder contributions and reinforce the Bank's transparency, accountability and credibility. Following public consultation on the Public Disclosure Policy in 2006, a second public consultation was run in 2007, focusing on the EIB's Anti-Fraud Policy. Both consultations included two rounds, lasting 45 and 20 working days respectively and extended whenever appropriate. To allow as full a consultation as possible, the Bank has adopted a very flexible approach in terms of timetable and procedures. A direct dialogue with stakeholders was held at public meetings and workshops, in parallel to an online web-based consultation. Before consideration by the EIB Board of Directors, the final draft policy document was published, for information, on the EIB website for 15 working days, together with a Public Consultation Report. The Report outlined how the consultation had been conducted and brought together all stakeholder submissions and the Bank's reasoned positions on the extent to which these had been taken into account.

The role that civil society played in the two public consultations was very much appreciated by the Bank. Advocacy groups which are scrutinising the Bank's policies and activities in particular made an important contribution to these consultations.

By the end of the first quarter of 2008 another consultation will be launched on the EIB's Environmental and Social Statement. Other consultations will follow, starting with the EIB Transparency Policy, Public Disclosure Policy, and Complaints Mechanism Policy (scheduled for 2009).

Interaction with civil society

At the EU's institutional level, the Bank has established a very open and constructive policy dialogue with the European Parliament, which primarily takes the form of discussions of the EIB's activity in support of the Union's objectives. It enables the elected representatives of the EU citizens to incorporate the Bank's activity into the discharge of their legislative, budgetary and political responsibilities, thereby making for greater consistency of all Union initiatives. In 2007, in the presence of the Bank's President, Parliament discussed and approved at its February plenary session the Report on the EIB's activities in 2005, drawn up by the Committee on Economic and Monetary Affairs.

The Bank also maintains a close relationship with the European Economic and Social Committee, which plays an important role as an interface between EU institutions and civil society.

The Bank's relationship¹ with CSOs/NGOs is based on the acknowledgment that these organisations can have a valuable input in its policy development. They can also contribute to the Bank's awareness of local issues and provide other useful information on projects. The current interaction is characterised by new ways of engagement:

- The Bank has engaged in cooperative partnerships with expert CSOs which share particular objectives with the EIB, such as the Lisbon Agenda, sustainable development, environmental protection, or poverty alleviation.
- At the project level, the Bank increasingly engages and works together with CSOs and citizens' groups, for instance on a number of water projects in Africa.
- While the Bank will further pursue targeted working relations with expert organisations, it is also keen on sustaining and improving its contacts with policy advocacy NGOs campaigning on the Bank's

¹ A Civil Society Unit within the Communication Department coordinates the Bank's contacts with CSOs/NGOs. As the EIB's interface with these organisations, its task is to ensure consistency and quality of communication and to engage with civil society in an active way. The Unit increasingly seeks closer contacts with organisations which can help the public and, more specifically, citizens affected by EIB operations, in obtaining information about the Bank. Inside the Bank, the Unit provides advice on civil society contacts and issues. It also runs, together with the Human Resources Department and external experts, in-house awareness and capacity building programmes on the Bank's interaction with civil society to build and improve the knowledge base and commitment among staff for communication with civil society representatives.

activities. Contacts with these organisations have increased in recent years and increasingly developed a dialogue component. The importance attached to these contacts was underscored by the Bank's participation in events organised by these NGOs, such as a conference on "The European Union's Financing in the Energy Sector in Africa. Which role for the European Investment Bank and Infrastructure Partnership Trust Fund?", held in Berlin² on 5 October. The Bank itself organised a roundtable discussion with European peacebuilding and conflict prevention organisations, under the umbrella of the European Peacebuilding Liaison Office (EPLO), and Amnesty International.

As part of its ongoing dialogue with civil society the EIB also held two workshops during 2007. Firstly, on 24 May in Paris, dealing with the topics "Partnering with NGOs in water and sanitation projects in developing countries", and "EIB environmental and social safeguards and appraisal guidelines". The second workshop was organised in Lisbon on the occasion of the European Development Days and discussed the Bank's Economic and Social Impact Assessment Framework (ESIAF) as well as standardisation of indicators. The CSOs and the EIB decided the programme together and provided the speakers for the workshops. The workshops also provide CSOs with an opportunity to arrange side events with EIB staff on bilateral issues, notably projects.

Another key event was the Annual CSO Briefing on 9 February, at which Vice-President de Fontaine Vive presented the first results of the previous year to Brussels-based CSOs. The EIB Forum in Ljubljana in September also provided an occasion for Mr de Fontaine Vive and members of senior management to discuss with NGO representatives.

In-house awareness and capacity building programme on interaction with civil society

In 2007, a new in-house awareness and capacity building programme on the Bank's interaction with civil society was launched, including introductory and in-depth training, both Bank-wide and tailored to the needs of individual departments, as well as presentations for, and discussions with, all interested staff members. Run by external consultants, the programme also covers related issues, including public disclosure of information.

For further information on the EIB, visit its website www.eib.org.

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² Organised by CEE Bankwatch Network, the Bretton Woods Project, Both ENDS, WEED, Campagna per la Riforma della Banca Mondiale, Les Amis de la Terre, Terre des Hommes and Urgewald.