

## Access to Information Request Form

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### Access to Information Request (English)

Requestor Type	Other
Language Preference	English
Estimated date of records requested	July 1, 2010 to present
Enquiry Details	<p>Please provide the Consensus Building Institute's (CBI) report on "Conflict Management and Mitigation for Energy Projects in Nepal" (the CBI Report) which was finalized in September 2016. The World Bank refers to the CBI Report on page 3 of its First Progress Report on the implementation of Management's Action Plan in response to the Inspection Panel Investigation Report (INSP/93722-NP) on the Nepal Power Development Project (P043311), accessible at <a href="http://ewebapps.worldbank.org/apps/ip/PanelCases/87-First%20Management%20Progress%20Report.pdf">http://ewebapps.worldbank.org/apps/ip/PanelCases/87-First%20Management%20Progress%20Report.pdf</a>.</p> <p>The CBI Report analyses conflicts in Nepalese transmission and hydropower projects, and makes recommendations for conflict prevention and management. The Terms of Reference for the report are available on CBI's website at <a href="http://www.cbuilding.org/conflict-management-mitigation-energy-projects-nepal">http://www.cbuilding.org/conflict-management-mitigation-energy-projects-nepal</a>.</p> <p>I am submitting this request on behalf of the Struggle Committee of peoples from Sindhuli, Nepal affected by the World-Bank funded Khimti Dhalkebar Transmission Line. The CBI met with the Struggle Committee and interviewed them to develop their report, raising expectations that it would be shared with them. The Struggle Committee and their representatives have been repeatedly asking the World Bank for the report. Some Bank staff have suggested that it would be possible to disclose it. But the Struggle Committee are yet to receive the report.</p> <p>The CBI Report does not fall under any of the exceptions to disclosure listed in the World Bank's Access to Information Policy. For these reasons, to maximize transparency and access to information, the report should be disclosed as soon as possible.</p> <p>Some Bank staff have at times suggested the CBI Report is classified as deliberative. However, the report does not fall within the definition of "deliberative" in Section III(2)(i) of the Access to Information Policy. It is clear that the report is not meant to be solely for internal Bank deliberations, and/or deliberation with member countries and/or the board.</p> <p>Even if the report was "deliberative" at an earlier date, that status no longer applies. The CBI Report was submitted in final form one year ago, and included a recommendation for the Bank to facilitate dialogue and assist negotiations among project-affected people, the Nepal Electricity Authority (NEA), and concerned stakeholders in Sindhuli. This recommendation has been accepted by the Bank, and is now being implemented. Any internal debates about these issues – which may have needed to take place away from public scrutiny – are over.</p>

There are also strong public interest reasons to disclose the document urgently. The CBI Report includes an analysis of the drivers and dynamics of conflicts in energy infrastructure development in Nepal. As the Inspection Panel found, misinformation and lack of information from the Bank and Nepalese authorities have been at the root of the conflict in Sindhuli. Disclosure of the CBI Report as soon as possible, will help provide impartial conflict mitigation information – for the Struggle Committee, the Facilitator, and the NEA – in the World Bank-funded facilitated dialogue.

Since the CBI interviewed the Struggle Committee for the report, it is only natural that the Struggle Committee now wants to see the result. Disclosure will be a confidence building measure by the Bank to keep the ongoing facilitated dialogue on a positive footing.

Since the report was drafted by the CBI to be a public facing document – and since there were some delays in finalizing the report to make it appropriate for public consumption – there will be no potential harm from the disclosure of the CBI Report. For these reasons, the disclosure of the CBI Report on an urgent basis will unequivocally serve the public interest.

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Country of Residence	Nepal
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