



European
Investment
Bank

The EU bank



Webinar on the review of the EIB Group Transparency Policy





Welcoming remarks

Thomas Östros

Vice-President

Programme of the webinar

- Background to the review by Hakan Lucius
- The EIB Group Transparency Policy by Giuseppe Nastasi
- Overview of amendments under consideration by Juan Sterlin, Angela Filipas, Tom Gilliams, Sonja Derkum
- Discussion with EIB expert panel
- Closing remarks by Hakan Lucius



Background to the review

Hakan Lucius

Head of Corporate
Responsibility

Purpose of this webinar

- This webinar is intended to provide an opportunity to engage directly with the EIB on transparency, express your views and informally discuss
- These slides and a summary of the discussion will be uploaded on the public consultation web page
- We will first introduce the EIB Group, present the Transparency Policy and the main amendments currently under consideration. We will then open the floor for discussion

In the meantime...

- You can already submit written comments and questions through Slido
- To access the Slido event, please go to **sli.do** on your browser and insert the event code **M448**



You can “like” other people’s questions and comments to give them priority!



My name (and organisation)

2:26 PM

This is my comment



Introduction to the EIB Group



The lending arm of the European Union
since 1958



Specialist provider of risk finance to
small and medium-sized enterprises

Financing in 2020

€ 66.1 billion

€ 12.9 billion

The EIB: The bank of the European Union

Improving quality of life in Europe and beyond



The world's largest
multilateral lender



Leading provider of climate
finance



Governed by the EU
Member States

The EIB at a glance



**European
Investment
Bank**

The EIB bank

Largest multilateral lender and borrower in the world

We raise our funds on the international capital markets

We pass on favourable borrowing conditions to clients



>€1.5 trillion invested since 1985

More than 14,000 projects in over 160 countries

Crowding-in bank: € 4.5 trillion overall investment supported



Headquartered in Luxembourg

Around 3,500 staff, including finance professionals, engineers, economists & socio-environmental experts

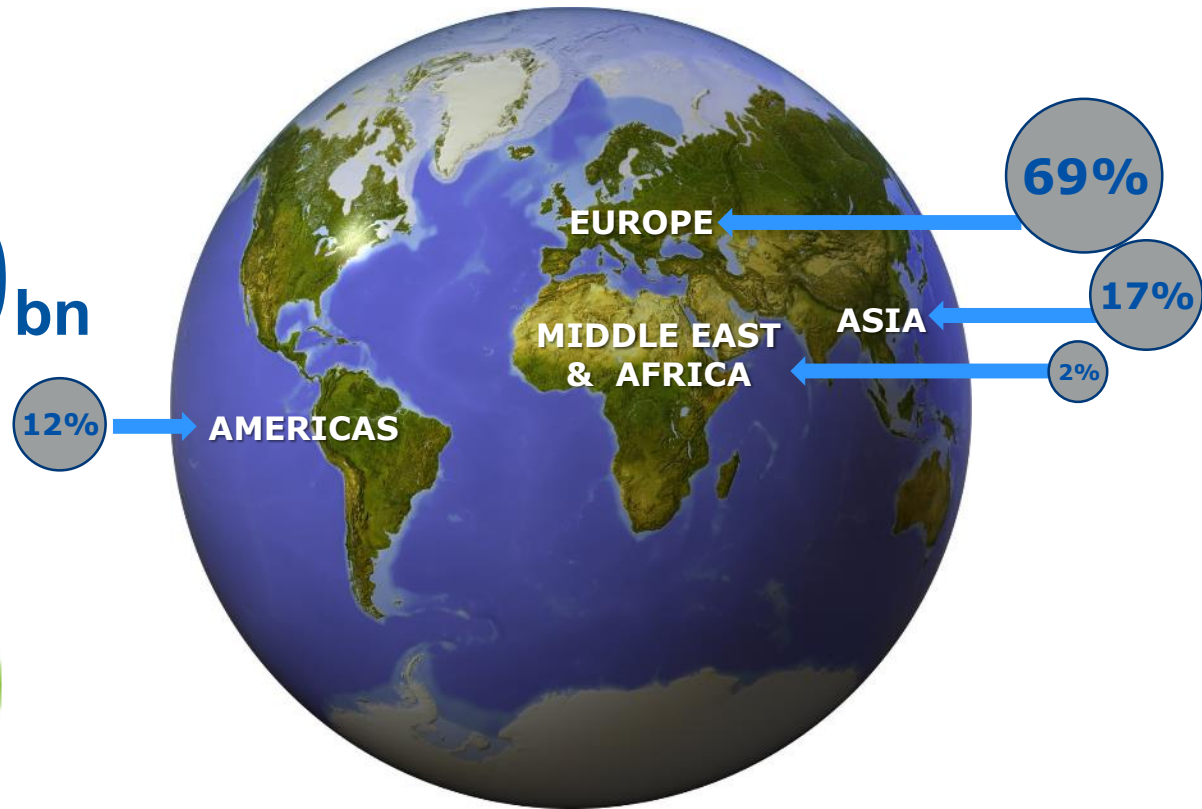
51 offices around the world

Funding

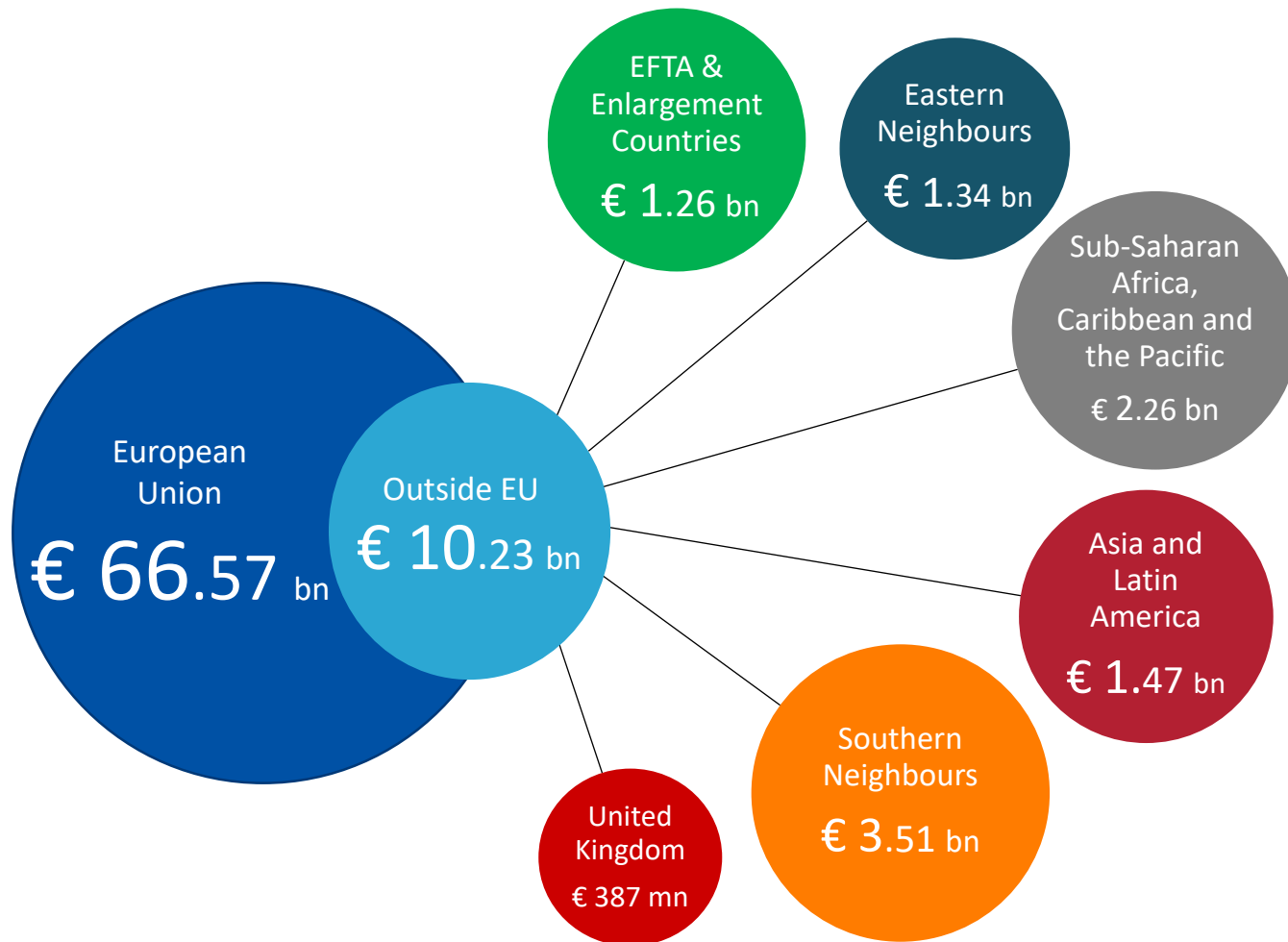
Borrowing
in 2020

€ **70.0** bn

Largest
supranational
issuer of
**green
bonds**



EIB Group financing in 2020 by region



Investing: Our priorities

SMALL AND MEDIUM-SIZED ENTERPRISES



€ 30.56 billion

ENVIRONMENT



€ 16.82 billion

INFRASTRUCTURE



€ 14.99 billion

INNOVATION



€ 14.43 billion

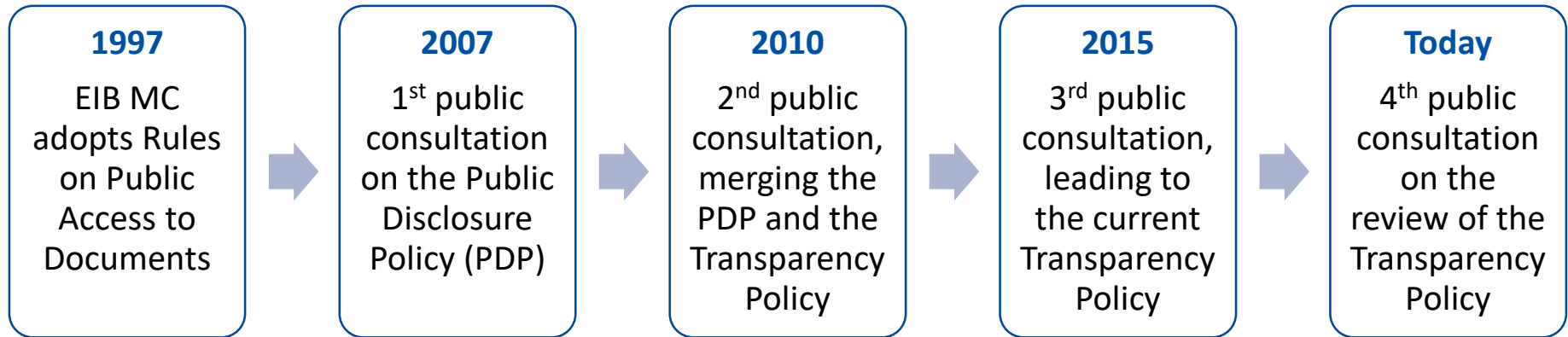


The EIB Group Transparency Policy

Giuseppe Nastasi

Associate Civil Society
Officer

The long history of transparency at the EIB

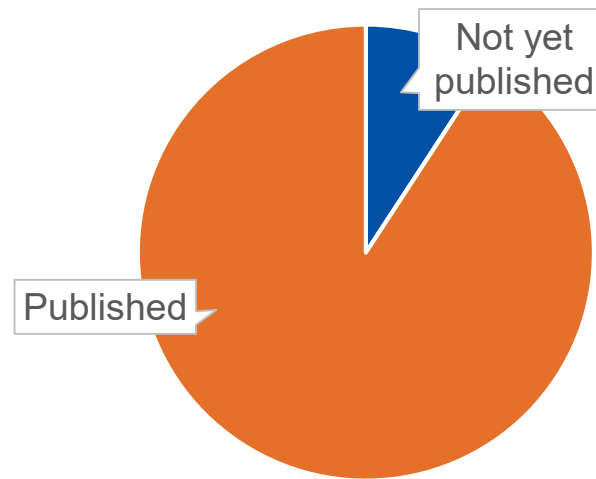


➤ Constant reaffirmation of **key principles**:

- **Proactive publication** of project-related information, environmental and social information and documents, governance information, etc.
- **Presumption of disclosure**: all information and documents not proactively published are available upon request, subject to limited exceptions
- **Stakeholder engagement** on key policies and standards

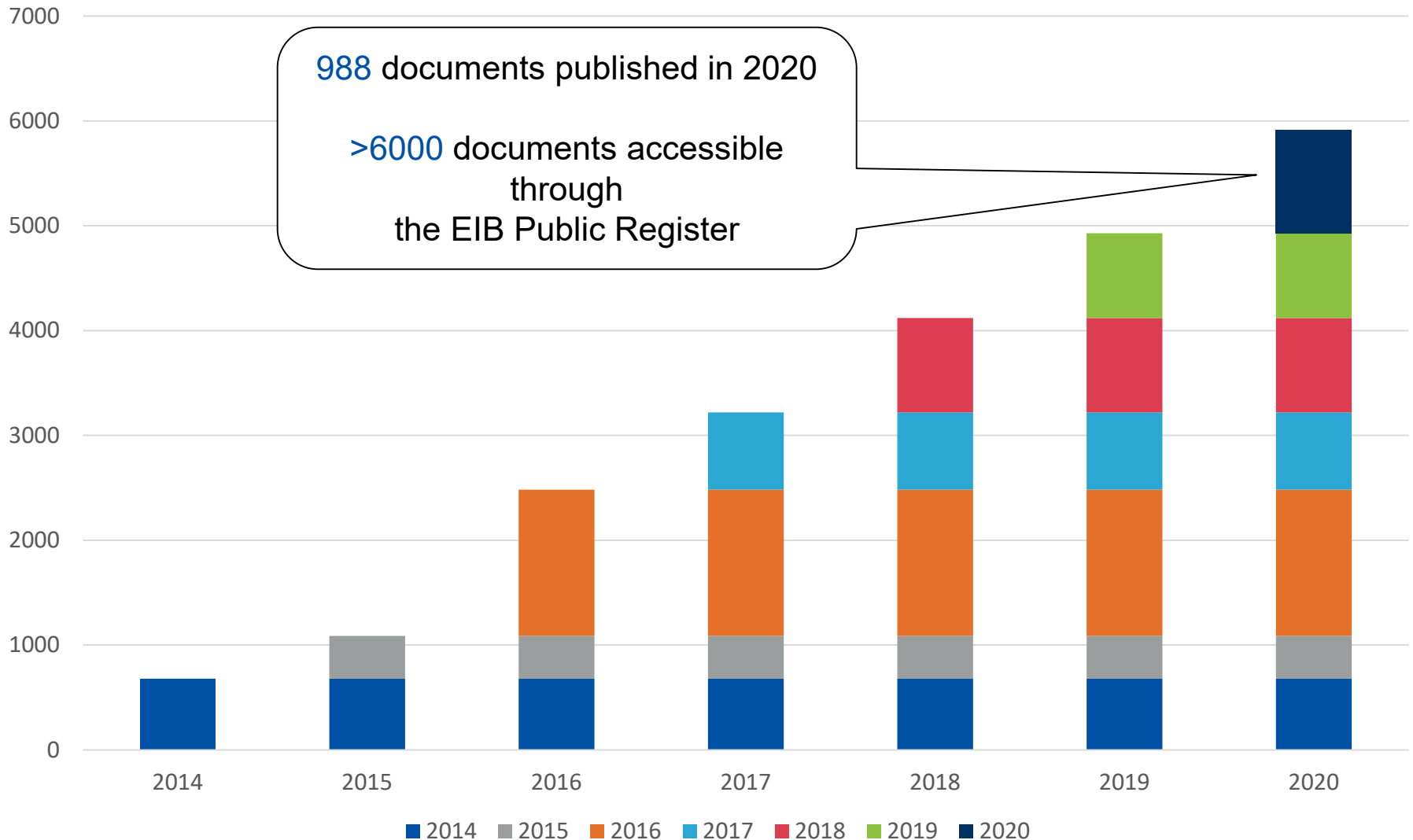
Proactive publication of project-related information in 2020

- 522 project summaries published (91% of 575 projects approved)
- 9% not yet published following client request to protect commercial interests (e.g. listed companies, corporate events such as mergers)

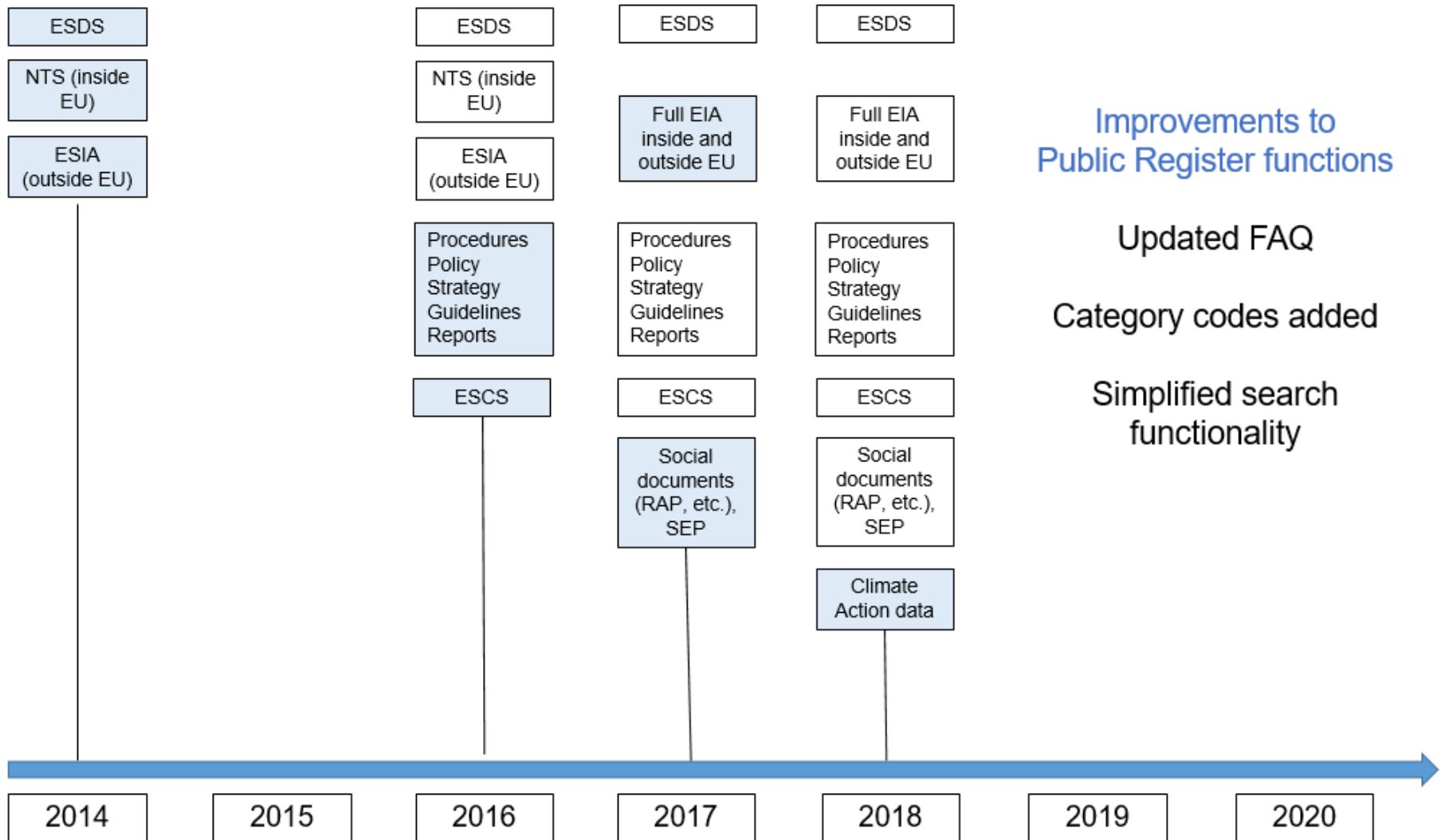


Data in this presentation are preliminary data from the upcoming annual report on the implementation of the EIB Group Transparency Policy in 2020. For final data, please refer to the report that will be published later this year and will be accessible through the “Publication” drop-down menu on the Transparency Policy web page.

Proactive publication of environmental and social documents (1)



Proactive publication of environmental and social documents (2)

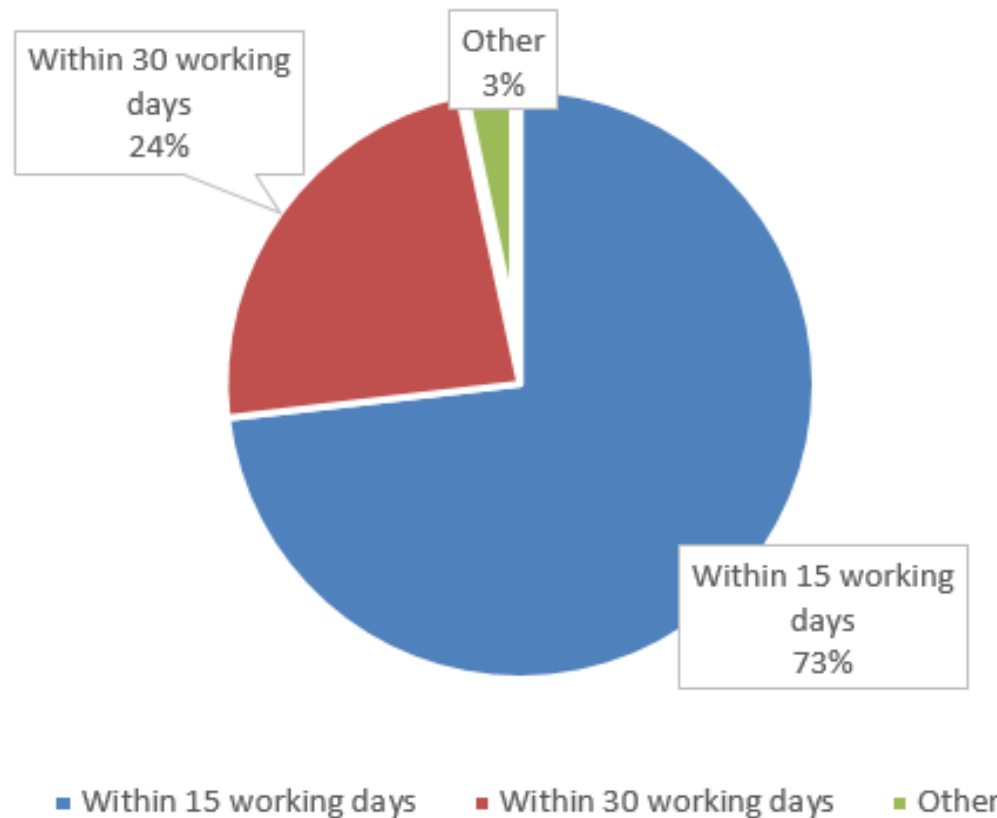


Disclosure upon request

- **Presumption of disclosure:** all information and documents held by the EIB can be disclosed upon request, subject to limited exceptions to protect legitimate interests
- **Public interest in disclosure:** can override certain exceptions (e.g. commercial interests, decision-making) leading to disclosure. Typical example: information relating to emissions into the environment
- **Timelines:** 15 working days from receipt of the request; in the case of complex requests, the EIB endeavours to reply within 30 working days

Disclosure upon request in 2020

- 150 requests received, up from 121 in 2019 (+24%). The overwhelming majority (97%) replied within 15 or 30 working days

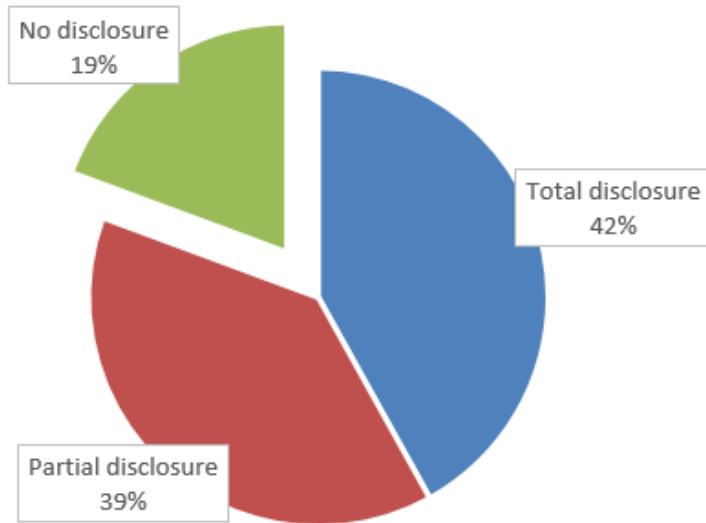


Exceptions to disclosure

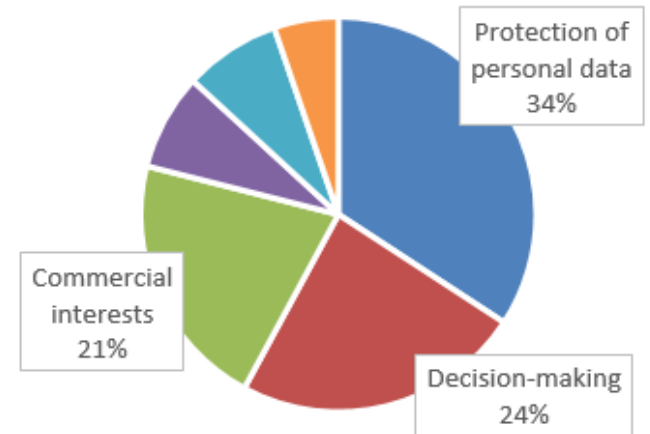
- Modelled after EU legislation, to **protect legitimate interests**: privacy, commercial interests, decision-making, the purpose of inspections, investigations and audits, etc.
- Need for the EIB, as a financial institution, to **maintain the confidence and trust** of clients, co-financiers and investors by safeguarding sensitive information (one of the Guiding Principles of the Transparency Policy)
- **Interpreted strictly**, particularly for environmental information
- **Overriding public interest in disclosure** (e.g. information relating to emissions into the environment) prevails over relevant exceptions (e.g. commercial interests, decision-making)

Exceptions to disclosure in 2020

- 81% of the disclosure requests handled in 2020 led to full or partial disclosure of the requested information or documents
- When disclosure had to be refused, this was mainly to protect the privacy of individuals, decision-making or commercial interests



■ Total disclosure ■ Partial disclosure ■ No disclosure



■ Protection of personal data ■ Decision-making
■ Commercial interests ■ Investigations
■ Court proceedings and legal advice ■ International relations

Stakeholder engagement at policy level

- Annual **EIB Board of Directors Seminar** with Civil Society
- **Public consultations**, e.g. on the Energy Lending Policy (149 contributions (~867 pages); 3 petitions with >30,000 signatures)
- **Stakeholder dialogues**, e.g. on the Climate Bank Roadmap (222 contributions (~1,100 pages), one petition with 13,884 signatures), as well as on the Hydropower Guidelines, Gender Action Plan, Non-Cooperative Jurisdictions Policy, etc.

...so why are we reviewing the Transparency Policy?



...so why are we reviewing the Transparency Policy?

- Comply with 5-year review requirement
- Reaffirm the key principles: proactive publication, presumption of disclosure (subject to limited exceptions) and stakeholder engagement
- Learn from experience over the last five years
- Clarify aspects that have raised questions of interpretation
- Make further appropriate improvements
- Listen to your experience and suggestions!

Public consultation documents

- In the interest of transparency and to promote the widest possible participation, we have made available:
 - A [draft revised Transparency Policy](#), with track changes showing the amendments currently under consideration and explanatory comments
 - An [explanatory note](#) with additional background and an overview of the main proposed amendments
 - An [online questionnaire](#), soliciting views about specific transparency matters
- Public consultation documents available in English, French and German on the public consultation web page – a direct link is available on the Slido event page



Overview of amendments under consideration

Juan Sterlin

Head of the Civil
Society Unit

Presentation approach

- Focus on what we consider as the most salient amendments, in rough order of appearance in the draft revised Transparency Policy
- For a full overview and more detailed explanations, please refer to the public consultation documents

Section on Guiding Principles

- New provision:

*“The EIB Group is committed to respecting **human rights** in all of its activities. Within the framework of this Policy, the EIB Group **does not tolerate retaliation** against individuals or organisations **for exercising their rights under this Policy.**”*

- Acknowledges that access to documents is a fundamental right, the exercise of which must not expose to retaliation
- Clarifies that this protection benefits both individuals and organisations
- Supports the effectiveness of the principle of non-discrimination already set out in the Transparency Policy
- Implemented through several other new provisions (further below)

Section on Publication of Information (1)

- New additions to **routinely published documents**:
 - Risk management information
 - Evaluation reports
 - Environmental, sustainability- and climate-related information
- New provision to formalise the practice of publishing **agendas and minutes of the meetings of the Board of Directors** and adding a timeliness element: they should be published “*as soon as possible after they are finalised*”
- Provision on the **EIB Public Register** moved up in the section because the Register does not contain only project-related information, but also other environmental and social documents

Section on Publication of Information (2)

- Clarifications of various provisions, e.g.:
 - The EIB cannot proactively publish information or documents in violation of disclosure exceptions or EU law
 - Outdated references to various types of documents held in the Public Register replaced with a reference to an updated online overview of the content of the Register
 - Express mention of project data sheets and their content
- New provision on the annual publication of the **Risk Management Disclosure Report**

Section on Disclosure of Information (1)

- **Clarifications** of various provisions, e.g.:
 - Information and documents “held by” the EIB: *“information/documents drawn up by the EIB or received by it and in its possession, in all areas of activity of the EIB”*
 - The EIB cannot disclose information or documents in violation of EU law
- Under the **public interest exception**, added references to:
 - Public security, following the example of EU legislation
 - The safety and security of individuals, e.g. to avoid exposing them to retaliation for exercising their rights under the Transparency Policy

Section on Disclosure of Information (2)

- Clarification of the commercial interests exception through illustrative examples of cases that are common in banking:
 - *“Business, financial, proprietary or other non-public information/documents created or received by the EIB*
 - *Information/documents relating to negotiations, legal documentation and related correspondence*
 - *Information/documents covered by a confidentiality agreement or in relation to which a third party has legitimate expectations that they would not be disclosed”*
- Non-exhaustive examples
- Disclosure still subject to case-by-case assessment
- Commercial interest exception still subject to the existence of an overriding public interests in disclosure

Section on Disclosure of Information (3)

- Investigations exception:
 - For readability and ease of reference, provision structured in subparagraphs and references to third parties moved to the footnote
 - Removal of the presumption of non-disclosure in relation to finalised investigations; relevant requests assessed on a case-by-case basis
 - In addition, possibility for the EIB to provide a summary of the findings of investigations

Section on Disclosure of Information (4)

- Clarification of timeline to respond by identifying common cases in which the EIB may need longer than 15 working days:
 - Information/documents in languages other than the EIB working languages
 - Third-party consultations
 - Large volume of information/documents
 - Historical information/documents
- New requirement to inform the applicant of the delay and its reasons

Section on Disclosure of Information (5)

- Financial intermediaries:
 - Deletion of the provision concerning individual allocations made by intermediary banks
 - The disclosure upon request of information and documents held by the EIB in relation to intermediated lending would be assessed on a case-by-case basis according to the provisions of the Transparency Policy

Section on Stakeholder Engagement (1)

- New provision:

*“The EIB upholds **human rights**, including the rights to...**information, participation and remedy**...stakeholders must be able to engage freely with the EIB and its promoters in **providing feedback, voicing opposition, and raising concerns**. Hence, the EIB does not tolerate acts of intimidation or reprisals in relation to EIB-financed activities, and **takes follow-up actions as and where appropriate.**”*

- Contributes to implementing the new provision on human rights
- Covers information, participation and remedy
- Commits EIB to take appropriate follow-up measures

Section on Stakeholder Engagement (2)

- **Streamlining** provisions on project-level stakeholder engagement to avoid repetitions and overlaps with the EIB Environmental and Social Standards, which:
 - Confirm the EIB's commitment to stakeholder engagement
 - Encourage promoters to follow good practices in project design, implementation and monitoring



The EIB will launch a public consultation on the review of the EIB's Statement on Environmental and Social Standards and Principles. An announcement will follow in due course.

To stay up-to-date on this and other initiatives relevant for civil society, please subscribe to our mailing list – a direct link is available on the Slido event page

Section on Promoting Transparency

- Additional encouragement to project promoters, borrowers and other competent parties to:
 - Make environmental and social information available to the public
 - Be open and transparent on their relationships and arrangements with the EIB
- New provision affirming the EIB's support for the recommendations of the [Task Force on Climate-related Financial Disclosures \(TCFD\)](#)

Section on Responsibilities

- Additional requirement for the EIB to provide **internal guidance and training** on transparency
- **Further reviews of the Transparency Policy** to be considered every five years
- Clarification of the content of the **annual reports on the implementation of the Transparency Policy**

Discussion



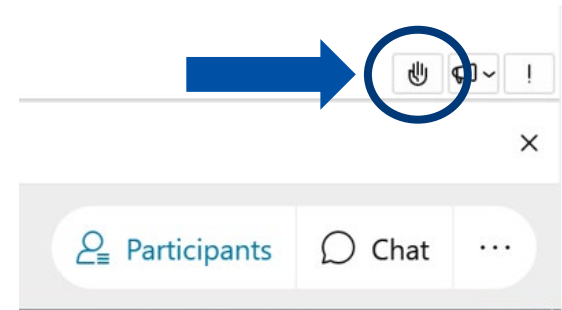
Participate actively...

Write your comments

- Submit and “like” written comments or questions on Slido
- Go to **sli.do** on your browser and insert the event code **M448**

Take the floor

- **Raise your hand** if you wish to speak
- When we give you the floor, we will unmute you



...and let others do the same

- Please start by introducing yourself by stating your name & organisation
- Please keep it short so that participants have equal opportunities to speak
- Lower your hand if you no longer wish to speak

EIB expert panel



Hakan Lucius
Head of Corporate
Responsibility



Sonja Derkum
Head of the Complaints
Mechanism



Juan Sterlin
Head of the Civil Society Unit



Tom Gilliams
Head of the Institutional,
Corporate and Litigation
Division



Giuseppe Nastasi
Associate Civil Society Officer



Angela Filipas
Senior Environmental
Specialist



Closing remarks

Hakan Lucius

Head of Corporate
Responsibility

Next steps

- These slides and a summary of the discussion will be uploaded on the public consultation page in the next few days
- The public consultation period will run **until 12 March**
- Contributions will be published from 15 March onwards
- The EIB's reasoned responses to the contributions, a revised draft of the Transparency Policy and a draft public consultation report will be published before submission to the EIB Board of Directors
- Submission to the EIB Board of Directors is expected in Q3 2021
- The final Transparency Policy, as approved by the governing bodies, will then be published on the EIB's website

Thank you!