

Article IX, Section 5

Archives

REVIEW OF THE FUND'S TRANSPARENCY POLICY—ARCHIVES POLICY

1. Outside persons, on request, will be given access under the terms specified in this Decision to documentary materials maintained in the Fund's archives.

2. Access will be given as follows:

(i) Executive Board documents that are over 3 years old;

(ii) Minutes of Executive Board meetings that are over 3 years old, with the exception of Minutes of Executive Board meetings discussing a member's use of (i) the Fund's resources, (ii) the Policy Support Instrument, and the Policy Coordination Instrument, to which access will be given after 5 years.

(iii) BUFF Statements by the Managing Director or Fund Staff to the Executive Board, BUFF/EDs, Gray Documents, and Green Documents that are over 3 years old, with the exception of such documents discussing a member's use of (i) the Fund's resources, (ii) the Policy Support Instrument, and (iii) the Policy Coordination Instrument, to which access will be given after 5 years.

(iv) Précis of Executive Board Meetings (replaced by Weekly Précis and Weekly Decisions Report), Executive Board Seminars Agendas and Minutes, Secretary's Journal of Executive Board Informal Sessions Minutes, and Executive Board Committee Minutes that are over 5 years old; and".

(v) Other documentary materials maintained in the Fund's archives that are over 20 years old.

3. Access to Fund documents specified in paragraph 2 above that are classified as "Secret" or "Strictly Confidential" as of the date

of this Decision will be granted only upon the Managing Director's consent to their declassification. It is understood that this consent will be granted in all instances but those for which, despite the passage of time, it is determined that the material remains highly confidential or sensitive.

4. Executive Board documents covered by Decision No. 15420-(13/61), adopted June 24, 2013, on the Fund's Transparency Policy, that are classified as "Strictly Confidential" after the date of this Decision will be automatically declassified when the respective time periods specified in paragraph 2 have elapsed, unless at the time of their initial classification as "Strictly Confidential, the authoring department specifies that the document in question shall not be subject to automatic declassification. If a specification is made that a document shall not be subject to automatic declassification, paragraph 3 of this Decision shall apply to the declassification of that document.

5. Access to the following will not be granted: (a) legal documents and records maintained by the Legal Department that are protected by attorney-client privilege; (b) documentary materials furnished to the Fund by external parties, including member countries, their instrumentalities and agencies and central banks, that bear confidentiality markings, unless such external parties consent to their declassification; (c) personnel files and medical or other records pertaining to individuals; and (d) documents and proceedings of the Grievance Committee.

6. To enable easier and wider public access to the Fund's Archives, archival material covered by this Decision may be made available through a variety of means, including through a designated section on the Fund's external website. Accordingly, a "request" under paragraph 1 of this Decision may be made orally in person at Fund Headquarters or by telephone; in writing by hardcopy or electronic means such as e-mail or facsimile; or through a portal in the Fund's external website designated for access to archival material. Requested material may also be conveyed to the public by hardcopy, electronic means and web-based modalities.

7. Since the Board's approval of the Policy on Access to Fund Archives in 1996, staff has continued to follow the long-standing

policy of requesting Board consent for ad hoc exceptions to the policy on behalf of external researchers. A reasonable cost recovery scheme may be maintained for administering ad hoc requests for Board approval of exceptions to the terms specified under this Decision. No charge shall be assessed for requests received from government officials of member countries.

8. Decision No. 11192-(96/2), January 17, 1996, as amended, on the Opening of the Archives and Decision No. 12981-(03/34), April 9, 2003 on Review of the Policy on Access to the Fund's Archives are repealed.

9. This Decision is expected to be reviewed by the Executive Board at regular intervals in tandem with the regular reviews of the Fund's Transparency Policy, Decision No. 15420-(13/61), adopted June 24, 2013.

10. This Decision shall become effective on March 17, 2010. (SM/09/264, Sup. 3, 12/9/09)

*Decision No. 14498-(09/126),
December 17, 2009,
as amended by Decision Nos. 14766-(10/115), November 29, 2010,
15547-(14/19), February 27, 2014, and
16234-(17/62),
July 14, 2017*

COOPERATION WITH INVESTIGATIONS ON FUND ACTIVITIES BY AUDITING
INSTITUTIONS OF MEMBERS—PROCEDURES

The Executive Board of the International Monetary Fund adopts the following procedures to cooperate, upon request, with investigating agencies of members for the preparation of reports on the Fund and its activities. In keeping with the multilateral character of the Fund and in light of the many existing mechanisms to assess the Fund and its activities, the Executive Board expects that restraint will be exercised in requesting such investigations.

1. All requests from official investigating agencies will be notified to the Executive Board at least two weeks before the commencement of any cooperation with the agency pursuant to the request. The

SELECTED DECISIONS AND SELECTED DOCUMENTS

notification will include the full text of the terms of reference of the enquiry and any special features of the enquiry. Executive Directors will have an opportunity to comment on all aspects of the notification, as they deem suitable.

2. Management and staff will be prepared to meet a request if it is channeled through an Executive Director's office and provides:

- (i) a precise description of the terms of reference of the enquiry; and
- (ii) written assurances that:
 - confidential information provided in the course of the enquiry will not be disclosed;
 - management and staff will be given an opportunity to review any report resulting from the enquiry before its circulation outside the agency to ascertain that no confidential information is being disclosed in the report and that the factual information is correct; and
 - the views of management and staff will be included in the report in an acceptable manner.

3. In principle only documents and information available to the Executive Board will be made available to the agency; the consent of Executive Directors whose statements are involved should be requested before transmitting drafts or Executive Board minutes to the agency. Requests by the agency for access to additional documents and information (other than those relating to the Fund's internal advisory procedures) will be submitted to the Executive Board for approval if management supports the request. The Executive Board will not approve the request unless it has reviewed the relevant document or information; the procedures for the review will ensure the confidentiality of the document or information.

4. The Executive Board will be informed of requests which are denied by management under paragraph 2 or 3. In such cases, management or the relevant Executive Director may consult with the Executive Board.

5. All published reports resulting from such investigations will be circulated to the Executive Board for information, together with an assessment of the staff resources used by the Fund in the enquiry.

6. If, in the judgment of management, an investigative agency did not respect the written assurances provided in accordance with paragraph 2(ii), it shall so inform the Executive Board and propose any remedial action it considers necessary.

7. These procedures will be reviewed not later than January 30, 2004. (SM/00/97, Rev. 1, Sup. 2, 2/2/01)¹

*Decision No. 12424-(01/13),
February 5, 2001,
as amended by Decision No. 12936-(03/8),
February 4, 2003*

¹ Ed. Note: The Executive Board reviewed the procedures on July 24, 2012 (Decision No. 15211-(12/76)). Pursuant to this decision, the procedures shall be reviewed again in five years.