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**Global Green Growth Institute**  
Fifth session of the Council  
Seoul, 19-20 June 2014

## **Decision on the Disclosure Policy**

The Council,

*Recognizing* the need for transparency in the work of the Global Green Growth Institute; and,

*Recalling* Article 13 of the Agreement on the Establishment of the Global Green Growth Institute, stating that the organs of the Global Green Growth Institute shall develop a comprehensive disclosure policy which ensures transparency in the GGGI's work;

1. *Approves* the Disclosure Policy, as attached in annex 2.

### **Background note: Disclosure Policy**

The Council approved the Interim Disclosure Policy (A/1/2) at its first session in October 2012. The Interim Disclosure Policy remained in effect until it was superseded by the Disclosure Policy (C/2/9), adopted at the second session of the Council in January 2013.

The current Disclosure Policy remains in effect until the first session of the Council held in 2014, which is the fifth session of the Council on 19-20 June 2014, at which time the Policy needs to be reapproved.

The Secretariat has identified areas in the Disclosure Policy that may be improved to streamline the Policy and reduce redundancies. These editorial revisions are shown in the attached proposed Disclosure Policy and include:

- Standardizing language: “working days” is now used throughout the Policy;
- Clarification that final discussions, decision and documents received, reviewed and adopted by the governance bodies are disclosed;
- Allowing the President of the Assembly and Chair of the Council, as appropriate, to approve the disclosure of previously non-disclosed information to Members;
- Clarifying language regarding the Disclosure Policy in relation to Privileges and Immunities.

The Council is requested to approve the Disclosure Policy with the proposed editorial revisions, as attached.

## Disclosure Policy

The Global Green Growth Institute (hereinafter “GGGI”) is committed to operating in a transparent and accountable manner, and in accordance with the principles set out in Article 13 of the Agreement on the Establishment of the GGGI. It is the policy of the GGGI to publically disclose information concerning its decisions and operational activities in the absence of a compelling reason to consider such information as confidential.

This Disclosure Policy (hereinafter the “Policy”) is based on the premise that public access to information is a key component of effective participation of all stakeholders and will increase understanding and support of the GGGI’s mission.

### I. Scope

This Policy applies to all recorded information in possession of or maintained by the GGGI.

### II. Disclosure Categories

#### 1. *Records to be posted on the GGGI’s website*

Subject to the exceptions set out below and the requirements of applicable law, the following records shall be posted on the GGGI’s website within 30 working days of their issuance:

1. The final discussions, decisions and documents received, reviewed and adopted by the Assembly, Council and subsidiary bodies;
2. The criteria on which non-state entities are granted Observer status;
3. The criteria on which experts and non-state actors in the Council are selected;
4. The criteria on which the members of the Advisory Committee are approved;
5. List of current participants in all of the GGGI’s statutory organs;
6. The criteria and methodology for country program selection;
7. The GGGI’s rules and procedures, including Rules of Procedure of the Assembly, Council, Advisory Committee and subsidiary bodies;
8. The GGGI’s annual audited financial statements;
9. Annual amount of donation received and the use of donated funds;
10. Final documents on the annual work program and budget, and project implementation updates issued by the Secretariat;
11. Major procurement solicitation notices issued, and name of vendor and contract amount awarded; and,
12. Recruitment of staff and employees.

## 2. Records to be disclosed upon request

Subject to the exceptions set out below and the requirements of applicable law, all other GGGI records shall be made available upon request, as and when they are developed and become available.

### III. Exceptions

Pursuant to section IV, the following information shall not be disclosed to the public:

1. Information received from or provided to the GGGI by its Members or other third parties with a request that the information be maintained as confidential or where there exists a compelling reason to consider such information confidential, as to be determined by the Secretariat. Such information includes intellectual property, business proprietary, or other protected information submitted by third parties, properly disclosed to the GGGI and accepted by the GGGI for confidential treatment;
2. Records relating to internal deliberative processes, including internal notes, memoranda and correspondence among the GGGI Secretariat staff, except as appropriate for the purpose of soliciting expert input with institutions and individuals other than the GGGI Secretariat staff;
3. Information covered by legal privilege, including information relating to legal advice and matters in legal dispute or under negotiation, or regulatory proceedings, or that subjects the GGGI to an undue risk of litigation, or is related to internal audits and investigations;
4. Personal or employment-related information about the GGGI staff, other than information included in the work program and budget;
5. Information related to procurement processes which involve prequalification information submitted by prospective bidders, proposals or price quotations, or records of deliberative processes;
6. Recordings of meetings of the Assembly, Council or any subsidiary body held in closed session;
7. Information whose disclosure is likely to endanger the safety or security of any individual, violate his or her rights, or invade his or her privacy;
8. Information whose disclosure is likely to endanger the security of the Members or prejudice the security or proper conduct of any operation or activity of the GGGI;
9. Commercial information, if disclosure would harm either the financial interests of the GGGI or those of other parties involved;
10. Information which the GGGI believes would, if disclosed, seriously undermine a policy dialogue with a Member, prospective Member, or an implementing partner; and
11. Other kinds of information which, because of its content or the circumstances of its creation or communication, must be deemed confidential, as to be determined by GGGI senior management.

If a record contains both disclosable and nondisclosable information, the GGGI may decide, at its discretion, to redact the nondisclosable information and disclose the remaining record.

If the text of a document would not be appropriate for public release with redacted treatment, an abstract will be prepared and released in its place, if appropriate.

#### **IV. Disclosure of Information to Members**

For the purpose of this Policy, Members of the GGGI and their representatives shall not be considered members of the public and shall, at their written request, be provided access to the same information available to the GGGI Secretariat staff, subject to approval based on a recommendation from the Director-General to the Chair of the Council.

#### **V. Privileges and Immunities of the GGGI**

Nothing in or relating to this Policy will be deemed a waiver, express or implied, of any of the privileges and immunities of the GGGI that it may enjoy under any national law or international law, or any agreement between any parties.

Without limiting the generality of the previous sentence, the disclosure of information in response to a request for disclosure will not constitute a waiver, express or implied, of any of the privileges and immunities of the GGGI that it may enjoy under any national law or international law, or any agreement between any parties.

#### **VI. Processing of Information Requests**

1. Any person or organization may request the disclosure of non-confidential information.
2. Requests should be directed to:  

Hyo Eun Jenny Kim  
Director  
Strategy, Policy and Communications  
E-mail: jenny.kim@gggi.org
3. The requester is entitled to a preliminary response from the GGGI Secretariat within 15 working days of receipt of the request and an estimate of the time required for a full response.
4. For information requests that involve the reproduction of material, the GGGI may charge a fee for material and labor cost, which will be communicated to the requestor and will need to be paid in advance.
5. The GGGI may partially or wholly deny a request, as follows:
  - a. In accordance with the limitations set out or referred to in this Policy;
  - b. If the request is deemed by the GGGI to be an excessive demand upon the GGGI's resources; or,
  - c. If the request, in the judgment of the GGGI, appears to be frivolous.
6. If a request is denied, the requestor may seek the review of the decision by addressing a letter to the GGGI Deputy Director-General for Management and Administration. The Deputy Director-General for Management and Administration will review the handling of the request for information and make a determination on how to proceed. The outcome

of the review will be communicated to the requestor and there will be no requirement for providing a detailed explanation of the outcome of the review.

**VII. Reproduction of information**

The implementation of this Policy will be subject to existing rules on intellectual property and other proprietary rights including, but not limited to, patents, copyrights, and trademarks, which may, inter alia, limit a third party's right to reproduce or exploit information.

**VIII. Disclaimer**

No representation is made or warranty given, express or implied, as to the completeness or accuracy of information made available by the GGGI. The requestor shall apply discretion when using the information made available by the GGGI. The GGGI will not be liable for any direct or indirect loss arising from the use of the information.

**IX. Effective period**

This Policy shall become effective on 19 June 2014.