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GCF: Comments on Proposed Information Policy

The Green Climate Fund (GCF), an international financial institution (IFI) which uses lending to promote compliance with the UN Framework Convention on Climate Change (UNFCCC), has prepared a draft policy on information disclosure for consideration by the Board at its fifth meeting in Paris from 8-10 October 2013. The Global Transparency Initiative (GTI) has prepared a Note analysing the draft policy.

"We very much welcome the fact that the GCF is moving forward quickly to put in place an interim policy on openness," said CLD Executive Director, Toby Mendel. *"However, the regime of exceptions to the right of access is far too broad, while the rules for processing requests are very weak and need to be strengthened."*

The focus of the current draft policy is very much on proactive disclosure of information, which takes up 26 of its 36 operative paragraphs. In contrast, only three paragraphs, containing three limited rules, are devoted to processing requests, and only one paragraph is devoted, respectively, to exceptions and appeals.

The key recommendations in the Note are:

The regime of exceptions is too broad and too many exceptions are not harm-tested.

The procedures for lodging and responding to requests should be substantially expanded to address important issues such as what needs to be included in a request, the time limits for responding to requests and providing assistance to requesters.

The policy should make it clear that appeals will be decided by a panel which includes representatives who are independent of the GCF.

We recognise that this is just an interim policy, but we believe it would be unfortunate to set a negative precedent regarding exceptions and would take little effort to improve the section on procedures. We urge the Board of the GCF to adopt a draft policy which will serve as a strong basis for openness during the interim period.

The Note is available at: <http://www.law-democracy.org/live/gcf-comments-on-proposed-information-policy/>.

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