



The Global Fund to Fight AIDS, Tuberculosis and Malaria

Documents Policy

MAY 2007



I. General Principles

The general policy of the Global Fund to Fight AIDS, Tuberculosis and Malaria (“Global Fund”) is to operate in a transparent and accountable manner, as outlined in Section 3 of the Global Fund’s Framework Document. The Global Fund will make the fullest disclosure of records possible, consistent with the rights of individuals to privacy, the property rights of persons in trade secrets and confidential commercial or financial information, and the need of the Global Fund to promote frank internal deliberations. All Global Fund Board Members will also operate in an accountable manner and uphold the highest standards of ethical behavior and respect principles of transparency, while safeguarding confidentiality when required.

Information concerning the Global Fund’s decisions and operational activities will be made available to the public in the absence of a compelling reason for confidentiality. This policy is based on the premise that:

- (a) The effectiveness of projects supported by the Global Fund will be strengthened by public access to information, and
- (b) Broad availability to the public of information about the Global Fund’s projects will increase understanding and support of the Global Fund’s mission, and increase transparency and accountability.

II. Disclosure Categories

1. *Records Posted on the Website of the Global Fund*

- (a) Reports of each Board Meeting, following their approval by the Board, together with the full text of all decisions approved by the Board and accompanying documents.
- (b) List of current members of the Board, Alternates, members of Board delegations, members of the Technical Review Panel, membership of all committees, expert committees and other advisory panels.
- (c) Current rules and procedures of the Board, Technical Review Panel, committees, and any other Global Fund body.
- (d) Annual Report of the Global Fund
- (e) Approved budget of the Global Fund
- (f) Proposal applications for approved proposals, and, commencing from Round 7, all eligible proposal applications.
- (g) Core documents, as defined in the Board Operating Procedures

2. *Records to be Disclosed Upon Request*

Subject only to the exceptions set out below and any restrictions or mandates imposed by applicable law, all Global Fund records shall be available for public disclosure upon request.





III. Applicability

For the purpose of this policy, “Global Fund staff” shall mean members of the Board and their respective countries or organizations, Secretariat staff, members and staff of the Technical Review Panel, committees, contractors, and other individuals who are entitled to receive non-public Global Fund records based on their relations with the Global Fund. This policy applies to the Global Fund institutionally and to all Global Fund staff. For the purpose of this policy, “record” shall mean all recorded information maintained by the Global Fund.

IV. Exceptions

Notwithstanding the general principle requiring full disclosure of Global Fund records, there are limited legal and practical constraints which may affect the Global Fund’s ability to achieve full disclosure. These exceptions should only be triggered to protect the Global Fund’s interest and the legitimate interests of those who deal with the Global Fund. Wherever possible, third-party submissions to the Global Fund should be free of the type of information subject to these exceptions, such as business proprietary information, intellectual property claims, and other information requiring confidential treatment. In the event that such information must be submitted to the Global Fund, it should be notified to the Global Fund prior to submission, accepted by the Global Fund for treatment under one of the following exceptions, and marked for segregated treatment.

The Global Fund shall not disclose to the public, absent action by the Board dictating otherwise:

1. Records relating to internal deliberative process, including internal notes, memoranda, and correspondence among Global Fund staff, including documentation relating to internal deliberative processes, which includes activities of the Technical Review Panel and the committees; provided, however, that Global Fund staff may consult, as appropriate for the purpose of soliciting expert input, with institutions and individuals outside the Global Fund having specialized knowledge of specific issues and may share information with them prior to consideration by the Board or its committees.
2. Internal documents written by Global Fund staff to their colleagues, supervisors or subordinates, unless those documents are intended for public circulation in accordance with Global Fund policies.
3. Privileged information relating to legal advice and matters in legal dispute or under negotiation.
4. Personal or employment-related information about Global Funds staff, other than information directly related to the financial operations and budget of the Global Fund.
5. Intellectual property, business proprietary, or other protected information submitted by third parties, properly disclosed to the Global Fund and accepted by the Global Fund for confidential treatment.
6. Information related to procurement processes which involve prequalification information submitted by prospective bidders, proposals or price quotations, or record of deliberative process.
7. Recordings of meetings of the Board held in restricted session (referred to in this policy as “Executive Session”) under Section 14 of the Global Fund’s Board Operating Procedures (See Section V, below).





If a record contains both disclosable and nondisclosable information, the nondisclosable information will be deleted and the remaining record will be disclosed, unless the two are so inextricably intertwined that it is not feasible to separate them or unless release of the disclosable information would compromise or impinge upon the nondisclosable portion of the record. If the test of a document would not be appropriate for public release with redacted treatment, if appropriate an abstract will be prepared and release in its place.

V. Board Meetings Held in Executive Session

The Board may, in its discretion, conduct its business in Executive Session, attended only by Board Members and Alternate Members, as provided in Section 14 of the Board Operating Procedures. As is the case with all Board sessions, Executive Sessions shall be recorded to ensure the preservation of a full historic record of discussions is preserved. Following the adjournment of an Executive Session, the recording of such session shall be delivered immediately by the technical personnel with responsibility for it to the Office of the Inspector General for secure storage. Any request for access to Executive Session recordings shall be made to, and require the approval of, the Board.

The Board may decide not to record all or part of an Executive Session, or to discard a recording already made of an Executive Session.

VI. Cost

To the extent possible, and to the extent that it would be cost-effective, the costs of maintaining the above-mentioned policies should be recovered through the collection of reasonable fees for use of document reproduction equipment and for provision of copies of printed material, in accordance with cost recovery systems to be determined by the Global Fund, and which shall include provision for the waiver of any such fees in appropriate circumstances.

VII. Implementation

The Global Fund Secretariat shall be responsible for the detailed implementation of this general policy.

