

## Communities Delegation Communiqué 19<sup>th</sup> Global Fund Board Meeting, 5<sup>th</sup>-6<sup>th</sup> May 2009 Geneva, Switzerland

### INTRODUCTION

The 19<sup>th</sup> Global Fund Board Meeting was held on 5<sup>th</sup>-6<sup>th</sup> May 2009 in Geneva, Switzerland.

The 19<sup>th</sup> Global Fund Board Meeting is the first after the termination of the Administrative Services Agreement with the World Health Organisation (WHO), and highlighted issues regards to the current administrative procedures of the secretariat, as well as the adaptability of GFATM during the current economic climate. This Board Meeting is also the first after the transition process with a new Board Member, Alternate Board Member and Communications Focal Point.

This, along with the other key decision points from the meeting, is described in more detail as follows:

### REMEMBRANCE

At this meeting, an initiative was taken by the Communities Delegation to light a candle at the start of the Board Meeting in remembrance of Ms. Lynde Francis, a former member of the Communities Delegation and Board Member. On behalf of the Communities Delegation, Shaun Mellors lit the candle and paid tribute, after which a minute of silence was observed. Below is the transcript of the tribute:



*“Lynde Francis (8 November 1947- 31 March 2009) was a friend, mother, activist, grandmother, advocate, fellow delegation member, and friend of the Global Fund. She was a member of the Communities Delegation since 2007 where she served as the Acting Alternate Board Member. She served on the CCM in Zimbabwe and was a founding member of the Zimbabwe National Network of People Living with HIV.*

*Lynde was one of the first women in Zimbabwe to disclose her HIV status 23 years ago. She started an organization called The Centre in her own living room, initially as a strategy to support her in dealing with her own diagnosis, but realized the need that so many others had. The Centre soon grew into a strong community based organization that supported (and still continues to support) people living with HIV in Zimbabwe. Lynde served on many different boards and organizations, and was always a strong advocate for a holistic approach to dealing with living with HIV, and in many ways was a pioneer.*

*One of her favourite sayings was related to the value of good nutrition, which was “If your granny ate, then it is good for you...” encouraging and advocating PLHIV to remember healing foods and nutrients from their culture. She was an inspirational teacher, one that was willing to teach, but also one that was willing to be taught, a leader that led by example and a leader that was prepared to follow in order to empower, a friend who was always willing to assist and support those in need, and a friend who would never let you down.*

*We salute her commitment and passion and remember her kindred spirit...*

*We light this candle in her memory, but also as a sign of remembrance for all the other people living with HIV, TB and affected by Malaria who have passed away, or dealing with the daily challenges of*

*living with these diseases. We also request that this candle remains burning throughout this, and future board meetings, as a reminder that our battles are far from over, a recognition of the contributions that are made by many across the world, and as a symbol of our commitment to the voiceless for who we work and strive to make a difference...”*

This tradition will be repeated at every Board Meeting led by the Communities Delegation hereafter, in remembrance of the lives and efforts of activists, colleagues, friends, and loved ones who are living with, or have passed away from an AIDS-related illness, TB and/or Malaria.

#### **CLARIFICATION REGARDING KEY PERFORMANCE INDICATORS (KPIs) IN REPORT OF EXECUTIVE DIRECTOR**

The Communities Delegation highlighted that the GFATM remains the leader and only international organisation with clear KPIs on employment of communities, which was the final decision agreed at the Policy and Strategy Committee (PSC) with a 2% target (of total staff) hiring of affected communities in 2009, and 2.5% in 2010.

However, in the report of the Executive Director, the KPIs had been dropped.

This was clarified by H.E. Lennarth Hjelmaker during the PSC presentation, who explained that the KPIs which were taken out of the discussions were reintroduced again in the revised document of the PSC, and that the KPIs have not been dropped.

#### **GLOBAL FUND STRATEGY IN RELATION TO SEXUAL ORIENTATION AND GENDER IDENTITIES (SOGI)**

At the 19<sup>th</sup> Board Meeting, the PSC presented the revised strategy on SOGI, which was supported by the Communities Delegation. However, the delegation voiced its concerns on the following despite its support for the strategy:

- (a) The approach is still regarded narrow, as discussions and efforts are focused on populations in countries with concentrated epidemics, while other countries are overlooked. Interventions in these countries have to be considered and included in GFATM programmes;
- (b) The strategy needs to be more action-oriented with support provided at country level to enable realisation of the strategy especially in countries with laws that discriminate against, and criminalise sexual minorities. These key groups and community-based organisations often struggle to access GFATM resources despite being successful in interventions in the communities they work in.
- (c) There is a need for GFATM grantees to work with groups of sexual minorities more actively in the field.

The Board therefore passed the following decision point<sup>1</sup>:

*“The Board approves “The Global Fund Strategy in Relation to Sexual Orientation and Gender Identities (SOGI)” (GF/B19/4 - Attachment 3) and requests the Secretariat to report on progress of implementation of the strategy to the Policy and Strategy Committee at its next meeting.”*

#### **COUNTRY COORDINATING MECHANISMS (CCM) FUNDING POLICY**

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<sup>1</sup> For further information on the decision point, please refer to Decision Point GF/B19/DP7 at [http://www.theglobalfund.org/documents/board/19/GF-BM19-DecisionPoints\\_en.pdf](http://www.theglobalfund.org/documents/board/19/GF-BM19-DecisionPoints_en.pdf).

The Board adopted a decision<sup>2</sup>, in principle, for a new funding model for CCMs which allows for increased budget amounts and flexible funding modalities on the basis of key objectives, of which special concern would be the following:

- (a) Meaningful civil society and private sector participation (including access to funding for civil society);
- (b) Enhanced CCM capacity for programme oversight;
- (c) Improved capacity to implement the Gender Equality Strategy and the Sexual orientation and Gender Identities Strategy; and
- (d) Improved measurability and transparency of CCM performance.

The current funding model will continue to apply until the Portfolio Committee approval of the fully revised policy, which is expected to take effect in January 2010.

### **PREVENTING TREATMENT DISRUPTION**

The Board noted<sup>3</sup> with concern the increasing reports of threats to HIV/AIDS, tuberculosis (TB), and malaria treatment continuity, and the appropriate committee(s) were delegated the task of reporting back to the Board at the 20<sup>th</sup> Meeting with an update on these issues<sup>4</sup>, including an analysis that indicates which countries receiving GFATM support for HIV/AIDS, TB and malaria treatment are at risk of treatment disruption in 2009-10.

### **NOMINATION OF BOARD CHAIR FROM IMPLEMENTING BLOCK**

At this Board Meeting, the terms of the current Chair Mr. Rajat Gupta, Private Sector, and Ms. Elizabeth Mataka, Developing Country NGO, came to an end. As per Board regulations, the tenure of Chair/Vice-Chair is therefore expected to come from the Implementing Block and Donor Block respectively. Nominations were made prior to the meeting from the Implementing Block for the position of the Chair.

The position of the Global Fund Board Chair and Vice-Chair is extremely important to the Global Fund, as s/he represents not only their constituency and block, but also speaks on behalf of the Global Fund Board. This specific nomination becomes even more important as the Global Fund needs strong, credible voices that can articulate the resource mobilisation needs to ensure that the needs expressed by countries and civil society organisations, through good quality proposals can be met, a voice that can strengthen and develop the partnership during the times of economic crisis and a voice that can move the Global Fund forward as an innovative and much needed public private partnership.

On the first day of the Communities Delegation pre-meeting, it was informed of two possible candidates for Chair of the Board – Nigerian Minister of Health Babatunde Osotimehin and Ethiopian Minister of Health Tedros Adhanom Ghebreyesus.

However, the delegation was later informed on the day before the video conference between the Implementing Block and the candidates that the application of Minister Babatunde was not supported by the West & Central African Constituencies. This left Minister Tedros as the sole candidate for the seat of Chair of the Board.

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<sup>2</sup> For further information on the decision point, please refer to Decision Point GF/B19/DP20 at [http://www.theglobalfund.org/documents/board/19/GF-BM19-DecisionPoints\\_en.pdf](http://www.theglobalfund.org/documents/board/19/GF-BM19-DecisionPoints_en.pdf).

<sup>3</sup> For further information on the decision point, please refer to Decision Point GF/B19/DP31 at [http://www.theglobalfund.org/documents/board/19/GF-BM19-DecisionPoints\\_en.pdf](http://www.theglobalfund.org/documents/board/19/GF-BM19-DecisionPoints_en.pdf).

<sup>4</sup> For further information on article on these issues, please refer to <http://www.aidsmap.com/en/news/5C5851A4-C7AD-4A6E-85A7-111661B4CC2E.asp>.

In January 2009, the Ethiopian Parliament passed a controversial bill which imposed tight restrictions on aid agencies. The effects of the bill<sup>5</sup> are as follows:

- (a) Foreign agencies are prohibited from a number of areas including human rights, equality, conflict resolution and the rights of children;
- (b) Local groups that receive more than 10% of their funding from abroad would be considered foreign and are also banned from working in these areas; and
- (c) The bill bans international NGOs from the following activities:
  - i. Advancement of human and democratic rights
  - ii. Promotion of equality between peoples, sexes or religions
  - iii. Campaigning for children's rights or the rights of the disabled
  - iv. Conflict resolution and reconciliation
  - v. Work on criminal justice issues.

The Communities Delegation is concerned about what message this sends out, not only to the African Governments, but also to other partners around the world. The Global Fund is built on the principle of partnership between Government, civil society, private sector and private foundations. This law in Ethiopia defies a core principle on which the Global Fund is developed, as it effectively prevents civil society groups in Ethiopia from accessing much needed international funding and support for their identified priority areas.

The delegation is also extremely concerned about implications of the Charities and Societies Proclamation law adopted which is designed to strictly control and monitor civil society in an atmosphere of intolerance of the work of human rights defenders and civil society organisation<sup>6</sup>. Based on these facts and realities, the delegation decided that we could not support the nomination of Minister Tedros. Our lack of support does in no way reflect on the individual, but since the Board Chair represents a constituency, a Minister from Ethiopia heading the Global Fund Board and speaking on its behalf, we believe would be sending out the wrong messages, and defying the very principles of the Global Fund.

*A delegation member aptly expressed the following, "Instead of telling the world that what is going on in Ethiopia should not take place, we nominate a Minister from the country as the Chair of a Board that provides a safe space and equal speaking rights and votes for the civil society. Then what messages do we send out if we support Minister Tedros as the Chair? That the parliament is right in passing these legislations, and that instead of reprimanding the situation that is taking place, we applaud the situation and reward it by placing their Health Minister as our Board Chair?"*

The Communities Delegation was supported by at least half of the delegations in the implementing block, and a number of delegations from the donor block were also not in support of the candidature of Minister Tedros.

As the 19<sup>th</sup> Board Meeting progressed, a consensus candidate from the Latin America and Caribbean (LAC) delegation was proposed as discussions were at a deadlock. It was made very clear from the beginning that this candidate did not arise as a competitor, but as a possible candidate to aid the Implementing Block in reaching a consensus.

Unfortunately, no consensus could be reached on either candidate, with six of the constituencies supporting and four against the LAC candidate, and four of the constituencies supporting and six

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<sup>5</sup> Information derived from BBC at <http://news.bbc.co.uk/1/hi/world/africa/7814145.stm>.

<sup>6</sup> Information derived from Amnesty at <http://www.amnesty.org/en/news-and-updates/news/ethiopian-parliament-adopts-repressive-new-ngo-law-20090108>

against Minister Tedros. As the discussions progressed, LAC decided to withdraw their nomination as the block was unable to come to consensus on this candidate and after a request from the Eastern and Southern Africa constituency. This left Minister Tedros again as the sole candidate, which once again did not bring about consensus.

For the reason that consensus could not be reached, the Implementing Block decided to propose a decision of the entire Board, that would postpone the election of Chair until July so that the Implementing Block could find an appropriate consensus candidate

The Board is as follows:

*“The Board agrees to delay the election of the Board Chair and Vice Chair until no later than 15 July, 2009.*

*The Board requests a group representing the entire Implementing Voting Group, with assistance from the Secretariat, to recommend candidate(s) from the Implementing Voting Group before the election vote. Each constituency within the Implementing Voting Group shall appoint a participant for this group.*

*The Implementing Voting Group will ensure that its constituency members are fully informed and receive clear explanations in relevant languages of the nomination and election process and will facilitate discussion and agreement on the candidate(s).*

*The Board requests the Secretariat, supported by the Implementing Voting Group, to use other opportunities to explain the nomination and election process to delegations, such as at side meetings at the World Health Assembly, as well as efforts to directly inform individual delegations.*

*If there is only one recommended candidate for the Chair, the Board shall vote on the election of the Chair and Vice-Chair by electronic vote. If there is more than one recommended candidate, the Board shall vote on the election at a Special Board Meeting in person, combined with other business and with attendance limited to Board Members and Alternates.*

*As an interim measure, the Board decides to extend the terms of*

- (a) the current Board Chair and Vice-Chair, until the new Board leadership is appointed; and*
- (b) the current leadership and membership of the existing committees until the Twentieth Board Meeting after which the new leadership and membership of the committees will be established.*

*The Board requests the current Chair and Vice-Chair to constitute the new Market Dynamics Committee with full consultation with all Board members.*

*The Board requests the Policy and Strategy Committee (PSC) to review the procedures for nomination and election of the Board Chair and Vice-Chair taking into account lessons learned and report to the Board at its Twenty-First Meeting.*

*If an in-person Special Board Meeting is required, the budgetary implications of this decision are estimated to be approximately US\$180,000 for the Special Board Meeting.”*

In the interim, the civil society delegations will work to identify a candidate that meets the following criteria:

- Demonstrated capacity for resource mobilisation
- High level vision, leadership, and stature

- Committed to working with national and international civil society as equal partners in governance and implementation
- Knowledge of and support for the Global Fund's policies and architecture
- Is someone supported by the entire Board

## ENHANCING THE GLOBAL FUND'S RESPONSE TO HIV/AIDS

Our delegation highlighted the following during the discussion held regarding the role of GFATM as a strategic and responsible investor in HIV/AIDS:

- (a) The importance of ensuring drug adherence with the provision of ARVs;
- (b) That providing life-saving OIs can defer AIDS progression and not be dispensed only upon the diagnosis of AIDS;
- (c) The terminology of "vertical transmission" opposed to PMTCT, which seems to infer that the woman is the vector guilty of transmission, and the significance of the WHO "4 prong" approach to preventing vertical transmission;
- (d) For GFATM to be consistent with partners on the ground for consistent messaging; and
- (e) That the integration of SRHR, especially family planning to prevent unintended pregnancies in women living with HIV is crucial in the provision of interventions.

The above, along with calls from other delegations to strengthen investments in prevention, stronger country ownership, as well as ensuring that the most vulnerable populations are reached, were highlighted during the discussions.

## DELEGATION UPDATES

### 1. Leadership Transition Process<sup>7</sup>

At the pre-meeting, the Communities Delegation acknowledged and thanked the contributions of Out-going Board Member Mr. Javier Hourcade Bellocq and Out-going Communications Focal Point Mr. Shaun Mellors. The delegation also welcomed the In-coming Board Member Ms. Carol Nyirenda, In-coming Alternate Board Member Ms. Morolake Odetoyinbo, and In-coming full-time Communications Focal Point Ms. Rachel Ong.

During the pre-meeting, Javier highlighted the successes of the delegation, the challenges faced, and recommendations to move forward<sup>8</sup>. The details of the transition process will be distributed in the pre-meeting minutes shortly<sup>9</sup>.

### 2. Donor Dialogue

In an attempt to increase the financial stability of the Communities Delegation, a Donor Dialogue, which was co-hosted by the Ford Foundation and Open Society Institute (OSI), was organised during the pre-board meetings. The delegation used the opportunity to update donors on the transition process and introduce the new leadership of the Communities Delegation.

During this session, the donors were informed of priority areas that the delegation would be focusing on in the next two years, and the methodologies that would be employed to do so. These priority areas would be:

<sup>7</sup> Transition Plan available People Connector at [http://peopleconnector.org/file2.axd/04629c60-f082-47d3-936f-839a0f8bf023/Transition\\_Plan\\_12.01.09.doc](http://peopleconnector.org/file2.axd/04629c60-f082-47d3-936f-839a0f8bf023/Transition_Plan_12.01.09.doc)

<sup>8</sup> Reflections are available on the People Connector at [http://peopleconnector.org/file2.axd/8c97ed3a-d5f8-43d9-bb21-51994db4dcdd/End\\_of\\_term\\_report\\_JLHB.doc](http://peopleconnector.org/file2.axd/8c97ed3a-d5f8-43d9-bb21-51994db4dcdd/End_of_term_report_JLHB.doc)

<sup>9</sup> The pre-meeting minutes will be available on the People Connector.

- Improving Internal Delegation Communication – development of the following: mentorship programme, induction manuals, TORs, etc.;
- Resource Mobilisation – lobbying countries to take ownership on resource mobilisation as well as commitments;
- Meaningful Participation at country level – including involvement of vulnerable populations and greater representation of communities at regional meetings; and
- Capacity building – through partnerships with existing organisations and mechanisms to develop the capacity and awareness of our constituencies regarding GFATM issues to be more effective on CCMs, as well as strengthen community groups interventions through improved access to GFATM resources through partnerships with organisations to conduct training on proposal writing and GF specific issues .

The donors expressed support for the issues and acknowledged the commitments and contributions of the Communities Delegation on the Board, and are open to areas of collaboration.

For more details of the Donor Dialogue, a narrative will be distributed shortly after and available on the People Connector.