Developing Country NGO Delegation 42nd Board Meeting Constituency Statement  
14-15 November 2019

The 42nd Board Meeting presents an opportunity to critically reflect on the 2017 - 2019 Allocation period and to urgently course-correct where we have identified challenges. While we congratulate the Secretariat for the incredible achievements of the 6th Replenishment, it is obvious that if we continue with business as usual, we will not deliver on our promises including saving 16 million lives. As the Board approaches the conversations, the Developing Country NGO Delegation urges all stakeholders, including the Board, Secretariat and implementers to ask what doing business unusual looks like for the key areas where we are underperforming and face challenges.

The Developing Country NGO Delegation have the following comments and questions on the 42 Board Meeting documents:

GF/B42/19: Strategic performance reporting Mid-2019

The Developing Country NGO Delegation finds the update on progress on human rights and services for key populations of grave concern. We raised a number of questions at the previous Strategy Committee meeting about the challenge of gaps in data availability (particularly for human rights commitments), as well as the considerable discrepancies in data from various sources and the lack of progress on KPI 5 (key population coverage) and KPI 9c (human rights and key populations in transitioning countries).

We also have concerns about the availability and quality of data for some other KPIs and would request that for the upcoming strategy period that more effort be focused on ensuring data quality, as well as availability. For the next strategy, we also need to think about how we can measure outcomes and impact of the human rights investment, to ensure that it is going to the right actors and right interventions.

In addition, considering the slow progress in the reduction of HIV incidence in adolescent girls and young women (AGYW for KPI 8), what are the concrete actions Secretariat will take.


We welcome the TRP findings that overall applications have been improving on funding requests, especially if they are based on a costed National Strategic Plans (NSP) for the three diseases. However not all countries have the capacity to identify and estimate the costs of their NSP and therefore many of them are likely submitting costs based on multiple unclear assumptions or based on international guidelines that are being implemented in theory but not in reality. What will the Secretariat do to support countries in the costing of their NSPs?

We note the useful recommendations contained in the report for where countries can focus efforts more strategically and call for this guidance to be added to Country Allocation letters and form part of any guidance by the Country Teams during Grant making. We commend the fund for quick publication of the report and request for shortened versions to be made into simple brochures and guidance sheets.

We also insist that for the next allocation cycle, countries need to consider migrants,
irrespective of their legal status, as beneficiaries of GF grant.

**GF/B42/05: Report of the Executive Director**

On the priorities for 2020 and beyond, we commend the recognition of the importance of community systems strengthening and resilient and sustainable systems for health. We suggest that community-based services and community systems strengthening be integrated into the health system of countries, before transitioning takes place. This will help raise the profile and increasing investment in community systems for health, and sustain gains at an early stage of grant cycles.

On Strategic Objective 3: Protecting and Promoting Human Rights and Gender Equality, will the allocation letters set a threshold for spending on human rights programming? How will the Secretariat increase resources for the Breaking Down Barriers programme?

While we commend the work done on the CRG Accelerate, we would wish this to be viewed as a critical part of the responsibility of ALL departments of the Global Fund rather than the responsibility of the CRG department.

While we agree that the Global Fund can act to enable changes in the policy and legal environment of countries and that it is ultimately local political and community leadership that determines the pace and extent of change, the Global Fund can assist this by strengthening Community leadership and strategically supporting Advocacy and Legal challenges. This could best be delivered by strengthening multi-country initiatives challenging legal barriers. The scaling back of regional grants in the Catalytic Investments poses a challenge to this work.

*What will Secretariat do to support this work?*

**For Decision:**

**GF/B42/02: Sources and Uses of Funds for the 2020-2022 Allocation Period**

The Developing Country NGO Delegation is supportive of this Decision Point. However, we would like to know how the integration of the additional funds early in the grant cycle will help address increased absorption? Noting the observations made in the West and Central Africa Advisory around poor absorption, can the Secretariat spell out the measures in place to address the bottlenecks? The Delegation is concerned that releasing more money to countries that have been under absorbing without addressing the absorption bottlenecks (corruption, procurement challenges, slow selection of PRs and SRs etc.) will be an exercise in futility. For business unusual, the Global Fund will need to look at each country where there is poor absorption, and address the bottlenecks, by working with technical partners and governments, even if this is beyond the scope of the Global Fund’s usual operations.

At the 39th Board Meeting in Skopje, as a Board we made a decision that Russia, Bulgaria and Romania would be eligible for the NGO rule mechanism, but it would be a subject for the funds’ availability. As replenishment results fits to the optimistic scenario now, what will be the implication for these countries. As we met our target, what will be the implication for these countries?

Lastly, we remind the Board of the call form the World Hepatitis Alliance and others, calling for the Global Fund to include Hepatitis C programming. We urge for the co-infections policy more substantially and more effectively than before.
GF/B42/04: Evolving the wambo.org Pilot for Non-Global Fund-financed orders

We would like to re-emphasize the importance of the development of a sustainability plan as it relates to Wambo.org and more broadly the Market Shaping Strategy. Wambo.org is, as stated, one element that can help transitioning countries mitigate risks of continued access to medicines, however, other solutions need to be found. A broader discussion on sustainability of access to commodities is needed to generate such concrete solutions and should be organized with the Global Fund with partners including WHO and Unitaid.

Regarding the legislative barriers to access to Wambo.org, we suggest that all transitioning countries and countries projected to transition by 2025 should go through assessments of their national procurement regulations and potential barriers to continued access to the Pooled Procurement Mechanism. We look forward to seeing a concrete plan of action to deal with barriers related to pre-payment and legislative barriers during the multi-stakeholder consultations planned early 2020.

Regarding transparency of wambo.org, please provide reassurance that all countries can access the prices available to all countries even in cases when their national laws and applicable international obligations in intellectual property provisions prevent them from accessing that price.

We note a number of problems with Wambo.org, that need to be addressed before the extension of the pilot. For example:

- **How will the platform be improved to be more user-friendly?**
- **How will the lengthy approval system be adjusted, to avoid delays in medicines procurement?**
- **What will be done to ensure quality assurance of commodities other than ARV and TB drugs and LLIN?**

Given the current challenges of the platform, we urge clearer focus for the 2020 stakeholders meeting/evaluation to address these shortcomings.

Lastly, we request that the timelines for the wambo.org pilot presented to the Strategy Committee at its 11th meeting last month be reflected in the decision point.

GF/B42/12: Update on STC Policy

In light of the monitoring and learning framework, and based on lessons learned from the 2017-2019 allocation cycle and independent reviews, we suggest revisiting Transition Readiness Assessments before the country dialogue for the transition grants takes place. We need data – such as data on government expenditures for the three diseases, including how much is spent on funding civil society organizations in the delivery of health services and strategic information on the legal environment.

_How can the Global Fund and partners assist to accelerate sustainability while countries are receiving transition grants and getting ready to exit from GF financing?_ While the emphasis is given to prevention efforts and advocacy, we would recommend that transition grants also proportionately focus on RSSH interventions. We would like to see country specific examples of proactive STC policy implementation in collaboration with partners, communities, civil society, and all relevant stakeholders.
We also request an update on how the Global Fund will address cases of failed transitions? We have examples Bosnia and Herzegovina where all harm reduction services have stopped post-transition, with the exception of two very small projects.

Lastly, in order to address the issues that are “out of the Global Fund’s control”, we would like to see continued exploration of support for civil society advocacy to address the lack of political will to finance HIV, TB, and Malaria interventions (particularly prevention and harm reduction), and to end discriminatory practices that will remain challenges to a sustainable response to the three diseases over the long term. Even if the Fund cannot fund these efforts over the long-term, it should maintain its leadership role in venues such as the GAP, in discussions among bilateral and private donors, in making the case for sustainable funding for civil-society led advocacy.

**GF/B42/10: Evolving the CCMs to deliver on the GF Strategy**

The Developing Country NGO Delegation supports the focus on ensuring the integration of CCMs within the national health structures. We recommend that a performance monitoring framework is developed to support this.

Given that the promising results are largely dependent on the support from the Global Fund secretariat CCM team, how will the maturity of evolved CCMs be sustained when the Secretariat support will no longer be available for various reasons? We also support the finding of the risk associated with the use of consultants and their costs as well as the limited stock-taking capacity of the CCMs to integrate lessons from consultants’ work. We support the call in GF/B42/05 for Global Fund partner organizations to step up to help deliver the results we must see. This is particularly relevant to the coordination of Technical Assistance and Capacity Building for CCM evolution, but is cross-cutting across many other areas of the partnership.

Lastly, how will OPEX funds for CCMs be used if the evolution of the 90 CCMs will be funded through Catalytic investments?

**GF/B42/14 Governance Culture Initiative – Phase 2**

The Developing Country NGO Delegation is concerned about the resources being spent on this initiative through the use of external firms and expensive Jeffersonian dinners, with unclear impact. The culture of the Board is reflected not in this initiative, but in the way in which the Secretariat and Board Members engage with each other. The concerning shortcomings of the Committee Selection Process, for example, show the realities of the Board culture. It is these kinds of shortcomings that need to be addressed to improve the Board culture.

While the ten themes and six priorities tell us what will be done, it does not indicate how it will be done. How does the EGC and Secretariat envisage to streamline the phase 2 activities?
For the proposed Task Force composed of the EGC members and one member each from the AFC and SC, we insist that representation of civil society and communities be included, in order to better address the limitations highlighted in the document. The diversity of the Board needs to be reflected in any Task Force attempting to address the challenges and possibilities that this diversity provides.

*Lastly, how will the Culture Protocol for the Global Fund be different from the existing Code of Ethics for Governance Officials?*