

Developing Country NGO Delegation 43rd Board Meeting Constituency Statement 14-15 May 2020

Ahead of the previous Global Fund Board Meeting, the Developing Country NGO constituency called for all stakeholders, including the Board, Secretariat and implementers to reflect on what business unusual may look like for the key areas where the Global Fund is underperforming or faces challenges. At this time, business is certainly very unusual and we are operating in a very fast-changing environment due to COVID-19. As we navigate this new normal, the Developing Country NGO constituency urges that we do not lose sight of our core principles that are our strength, such as the meaningful inclusion of civil society and communities at all levels of decision-making, accountability, and serving people living with HIV, TB and/or malaria,

The Developing Country NGO constituency provides the following comments and questions on the 43rd Board Meeting documents:

COVID-19 Business Continuity and the three diseases:

The Developing Country NGO constituency commends the Executive Director and the Secretariat for its swift response to adapting to the effects of COVID-19 on the three diseases and the operations of the Global Fund, and for the transparent and consistent communications with the Board. However, we remain concerned about the impact that COVID-19 is having on the ability of civil society and communities to engage meaningfully in the C19RM application processes and the current country funding applications, as well as the interruptions to HIV, TB and malaria services that civil society and communities have seen in-country, and human rights violations resulting from in-country COVID-19 restrictions during lockdowns.

A survey by the Anglophone Africa Community, Rights and Gender Regional Platform of 100 civil society and community organisations in the region, found a number of disruptions to services, including interruptions in ART refills, health providers prioritising COVID-19 over other diseases and services, limited access to HIV prevention options, including condoms and lubricants, as well as HIV testing services. Many communities are also afraid to access health care services due to fears of contracting COVID-19 at health facilities.

With regards to TB, many clients are unable to access early diagnostics services and treatment due to public transport not operating during lockdown and because health care facilities discourage on-site visits for the people with respiratory symptoms, leading to delays on timely diagnostics of TB and consequent start on treatment for people with TB. There is also an increase in clients being lost to follow up as Community Health Care Workers are unable to conduct home visits due to lockdown restrictions. Many communities have also reported that people with symptoms of malaria are afraid to access health care services due to fears of quarantine because of the similarities in malaria and COVID-19 symptoms.

How will the Global Fund country teams work with CCMs and governments to further address these issues?

The Developing Country NGO constituency is incredibly concerned that communities and civil society are on many occasions being excluded from the decision-making processes around COVID-19 in-country, including accessing funds through the 5% flexibilities and the COVID-19 Response Mechanism (C19RM). The principle of meaningful engagement and inclusion of civil society and communities is not being upheld by the government-dominated CCMs in the context of lockdowns. ***How will country teams work with CCMs and civil society and communities to ensure proper engagement of all stakeholders?***

We are also very concerned about the lack of health services for key populations and the human rights violations they face. We have seen a number of disruptions in services such as harm reduction services and human rights violations, under the auspices of COVID-19 regulations. Concerns have also been raised by civil society and community groups such as Harm Reduction International and the International Network of People who Use Drugs that funds may be directed away from harm reduction services or that additional funds for harm reduction may not be requested when the need is great.

The Developing Country NGO constituency again raises the need for Russian civil society and communities to be allowed to apply for C19RM funding under the eligibility allowed by the NGO rule, as Russia is the country with the second highest number of cases globally, with no support for HIV and TB civil society and communities in addressing challenges of COVID-19.

The Developing Country NGO constituency reiterates the need for accountability for the additional funds provided for COVID-19 under the grant flexibilities and C19RM support provided by the Global Fund are spent. We recommend that funds be made available to support community-led monitoring in-country to support accountability efforts. The Delegation requests answers to the following questions. ***How will we measure the success of C19RM and all the work done by the Global Fund on COVID-19? Will there be new impact indicators?***

The Delegation appreciates the actions outlined by the Office of the Inspector General to ensure accountability across the Global Fund's operations. In addition to these measures, we recommend an audit of how these funds were spent by the Global Fund and in-country.

GF/B43/04: Annual Report on Community Rights and Gender

While we appreciate the work of the Community, Rights and Gender Department for this report, we reiterate our statement from the 12th Committees and again request a Deep Dive on Strategic Objective 3 for the upcoming Strategy Committee and Board Meeting, to allow us to interrogate and understand what we can do to make Strategic Objective 3: Promoting and Protecting Human Rights and Gender Equality (SO3) a reality across: the Board; the Secretariat; Technical Partners; Implementers; and the populations we serve.

We recognise that the 2017 – 2019 cycle saw some increased inclusion of sex and age disaggregated data in funding proposals and performance frameworks, ***what will be done to increase the range of disaggregated data still needed, particularly for TB and malaria?***

Given that the Secretariat has undertaken the cross-departmental Community-Based Monitoring (CBM) Change initiative to promote the uptake and scale-up of CBM in grants in the new funding cycle, ***how many country grants included CBM in their funding applications?*** Given that governments are unlikely to want to be monitored, we are disappointed that only \$ 2 million has been allocated to CBM in the Community Systems Strengthening Strategic Initiative. ***What more will be done to ensure that CBM is prioritised by countries? What more will be done to monitor human rights violations during COVID-19 lockdown measures?***

Management Response to Office of Inspector General Advisory Review on Human Rights:

The Developing Country NGO constituency is pleased to finally see the Management response to the OIG Advisory Review on Human Rights after pushing for this OIG Advisory (and a Secretariat response to the same) for many years. We recognise that much was being done to strengthen human rights by the time of the OIG's Advisory. To date, we have heard much about the CRG Accelerate but have not seen any documentation of what exactly its mandate is and parameters of operation, and ***request more information on the details of how CRG Accelerate is operationalised and resourced to fulfill its mandate.*** We also have no information on the scope of work for the Breaking Down Barriers (BDB) Steering Committee and are surprised that it is not chaired by the CRG or Human Rights departments. The absence of this information on CRG Accelerate and the BDB Committee makes it difficult to assess the value of the Secretariat response.

The response also lacks information of what actions will be pushed and taken beyond the Secretariat, across all levels of the Global Fund including in-country. There are no timeframes for implementation or completion of the OIG recommendation nor are there clear time-bound reporting deadlines. This is disappointing for the Delegation and we ask: ***What actions will the Secretariat take to operationalise these actions at country level? What are the timelines for implementing the actions outlined? What is the plan for reporting to the Board on the status of implementation?***

GF/B43/10: Strategic Performance Reporting (end-2019)

The Developing Country NGO constituency is pleased to note that 5 out of 6 key components of KPI 1 is on track or almost on track – but urges that more work is done to reduce HIV incidence. We also note that all indicators around human rights and key populations are where the Global Fund is still not reaching its targets. ***What will the Global Fund do differently to address this, and ensure that countries implement measures for human rights and key populations?***

Data quality and data accuracy continues to be cited as a problem, meaning that for each of these indicators, we cannot be sure that the data shown reveals the extent of our progress or failures. ***In which countries is the HMIS lagging behind in terms of data quality, and what actions are being taken to address data quality and accuracy?***

The Strategic Performance Reporting Annex 1 states that Secretariat-level country portfolio reviews are conducted once per year for High Impact countries and once per funding cycle for Core and COE countries. We echo the concern of the United States that this very limited frequency is inadequate for identifying performance issues and seeking solutions, particularly in COE countries.

GF/B43/02: OIG 2019 Annual Report and GF/B43/03: OIG Joint Agreed Management Actions

The Developing Country NGO constituency applauds the Office of the Inspector General for the exceptional quality of work. As we prepare to develop the new Strategy, this report serves as an excellent resource to evaluate where we have fallen short in the current Strategy.

While we appreciate the steps outlined to adjust the OIG ways of working in the face of restrictions linked to COVID-19, ***given that the situation is unlikely to change in the near future, how will the OIG ensure that audits can continue?*** In addition, as mentioned above, we recommend that the OIG conduct a review of all funds spent on COVID-19 to ensure accountability and transparency. This would assist us greatly to reflect and learn lessons for when responding to new outbreaks or other emerging pandemics.

Update from the Technical Review Panel: Reflections on Window 1:

While it is challenging to provide comments without having seen a presentation, the Developing Country NGO constituency has received a number of concerns about the meaningful engagement of civil society and communities in Window 1, and that Fund Portfolio Managers (FPMs) are managing and over-influencing this process, often to the detriment of civil society and communities. We call on the Secretariat to be explicit about the financial support (for community engagement and time on the CCM) that is allocated to civil society through the CCM budget, including (in some countries) for communities' engagement during the country dialogue. We also call on the TRP to return funding requests with specific and concrete guidance and instructions to revise and strengthen gender-sensitive and transformative interventions, programmes and services if they do not include interventions to address the needs and rights of key populations and women and girls.

We request the number and percentage of civil society and community Principal Recipients that submitted the funding requests, compared to the current allocation? How many transition grants were submitted? What is the opinion of the TRP and GAC on how transitioning will take place, in the face of the economic impacts of COVID-19 in countries?

GF/B43/05: Strategy Development

While the Developing Country NGO constituency appreciates that the feedback from the various constituencies was included in this document, it still lacks a concrete plan to ensure community voices are well integrated into the overall development of the new strategy.

The Developing Country NGO constituency strongly believes that we cannot begin work on the developing the next Strategy, until we have had an honest and frank review of the progress made in our current Strategy, including identifying gaps and challenges to be addressed in the upcoming Strategy. There are a number of reviews by the TRP, TERG, OIG and our Strategic Performance reporting that could be synthesised for this kind of review in addition to the TERG SR2020 review due to be finalised in fall 2020. We would urge that some kind of synthesis of all report findings does occur. **We encourage the Global Fund to engage with partners such as UNAIDS to share methodologies for this kind of review, and align strategic processes where relevant.**

In terms of process, we believe it is reckless to work from a Strategy Development timeline that is not adjusted to reflect the new reality of COVID-19 we face. We also recommend that the start of the Strategy Development consultations be postponed and lengthened, as many of the stakeholders and key people to be consulted are currently very much involved in the COVID-19 response.

The Developing Country NGO constituency requests that ways to consult with communities and civil society more broadly, outside the online written feedback, be developed and recommend that the Secretariat engage Communications for Development (C4D) experts to advise how the Strategy Development Process can best include communities and civil society meaningfully within the virtual modality. They could also advise on how best the Partnership Forums can be structured virtually to ensure maximum and meaningful participation.

Given the limitations of virtual engagements, we also recommend that in-depth interviews with key stakeholders be conducted to gather more detailed qualitative responses, especially from communities and civil society. Focus group discussion with partners and stakeholders would also be beneficial to attain detailed information from stakeholders who may not be able to participate meaningfully in virtual consultations.

The Strategy will need to be fit for purpose and will need to consider how the Global Fund responds to emerging pandemics. In terms of content, the Developing Country NGO constituency believes that the four Strategic Objectives should remain, with a focus on innovative ways that we can address our shortcomings in the previous Strategy, strengthen our implementation of these strategies in the new contexts in which we find ourselves, while working towards achieving the Global Funds purpose and goals.

Finally, we recommend that the Audit and Finance and Strategy Committees evaluate how much funding is required to deliver on the Strategy we develop.

GF/B43/06: Annual Report and Opinion of the Ethics Officer

The opinion puts the ethical maturity level of the Global Fund as 'initiated'. ***What is the reason for the slow progress in the area?*** Have the OIG AMAs on ethics and integrity framework met sufficient traction and investment from management? How do we explain that three years down the line, not enough progress has been made?

We welcome the shift of focus of Ethics Officer's work to CCMs, implementers and suppliers and would recommend a continued attention to country-level compliance with the Global Fund ethical standards. The report on implementation of AMAs mentions delays expected due to COVID-19. ***What is the mitigation plan for the Ethics Office to remain on track, especially for the development and review of the Code of Conduct for Suppliers and Recipients, which is particularly urgent given the funding request process and the C19RM applications?***

GF/B43/07: Governance Culture Initiative

What is the impact of COVID-19 on the Governance Culture Phase II, especially in terms of how the Task force intends to adjust its scope of work and mandate to achieve trust building targets within the context of increased virtual interactions?