
Annual Report on Status of Board Decisions

44th Board Meeting

GF/B44/12

11-12 November 2020, virtual

Board Information

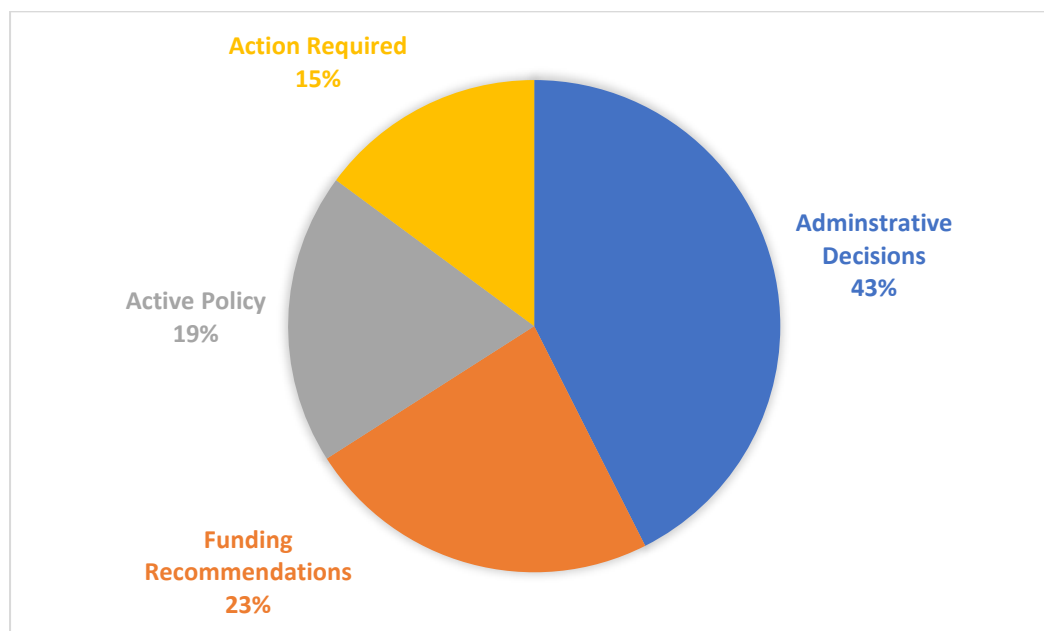
Purpose of the paper: As required under the Governance Plan for Impact, this paper is prepared on an annual basis by the Legal and Governance Department and provides an update on the status of past Board Decision Points, for Board information.

What is the topic of this update?

1. This report is submitted by the Legal and Governance Department and presents a status update on Board decisions as of 16 October 2020.¹ This report supports the Board, the Board Leadership and the Coordinating Group in overseeing follow-up to past Board decisions, and provides assurance that decisions are being monitored. Tracking of Board decisions focuses on (a) “Active Policy Decisions” approving policies, frameworks, models, and core governance documents, and their associated reporting requirements; and (b) “Action Required Decisions” with time-bound follow-up action or actions, such as Board-initiated projects.

What is the current status?

2. The Board has approved a total of 46 decisions from 21 October 2019 to 21 October 2020. Figure 1 below displays the approximate proportion of Board decisions per classification category, for this one-year period, following the classification methodology described in Annex 5².



Input Sought

3. This routine report is provided for Board information. Board members are invited to contact the LGD for further information upon request. The next Annual Report will be submitted to the Board for the November 2021 Board Meeting

¹ Regular reporting on Board decisions is shared in line with the Governance Plan for Impact (GF/B32/08) approved by the Board in November 2014 (GF/B32/DP05) which called on the Office of Board Affairs (“OBA”), now Legal and Governance Department (“LGD”), to enhance institutional memory management tools and processes. The enhancements responded to improvements identified through the Office of the Inspector General’s 2014 Governance Review, such as the importance of the Board’s decision-making to be informed by a “clear appreciation for the legacy of active decisions”, and to enable increased visibility over the status of implementation of past Board decisions.

² Note on calculation: a small number of decisions have two classifications insofar as they enact policy and also require follow-up action.

Annexes

- Annex 1: *Action Required* Decisions
- Annex 2: *Active Policy* Decisions
- Annex 3: Decisions closed since November 2019
- Annex 4: Register of Administrative DPs and EDPs for the period 21 October 2019 – 21 October 2020
- Annex 5: Decision classification methodology

Background Materials

- Public database of Board decisions: <https://www.theglobalfund.org/en/board/decisions/>
- Public database of Board-approved funding recommendations: <https://www.theglobalfund.org/en/funding-decisions/>

Annex 1 ACTIVE Decisions – Action Required: Decisions dating from January 2011 to 21 October 2020

Reference #	DP Title	DP Description	DP Hyperlink	Status Update - 2020
GF/B42/DP05	Evolving the wambo.org pilot for non-Global Fund financed orders	The Board approves the recommendation of the SC as presented in GF/B42/04-Revision 1: to further the development and advancement of the wambo.org pilot; making the wambo.org available for non-Global Fund financed orders by governments and non-government development organizations in Global Fund eligible and transitioned countries, for all products, services and functionalities available on wambo.org – subject, if applicable, to agreement by the product catalogue owners, as described in GF/B42/04- Revision 1, up to a cap of USD 50 million of transactions	https://www.theglobalfund.org/board-decisions/b42-dp05/	COMPLETED: The Secretariat undertook consultations early in 2020, COMPLETED: The Strategy Committee approved the reporting metrics for the evolved pilot. ONGOING: bi-annual reporting on progress of the wambo.org pilot to the Strategy Committee PENDING: an evaluation of the wambo.org pilot in 2022.
GF/B38/DP09	Approval of Policy to Combat Fraud and Corruption	Develop implementation plan for CFC Policy. Regular reporting requirement on implementation by Ethics Officer to EGC, and by ED/IG to the EGC or AFC when any exceptions to this policy are allowed.	https://www.theglobalfund.org/board-decisions/b38-dp09/	IN PROGRESS Implementation to date includes adoption and roll-out of Code of Conduct for CCMs (approved by the EGC: see GF/EGC12/EDP03), and development of IDD Framework. Routine reporting to EGC by Ethics Officer. Following OIG Audit on Managing Ethics and Integrity at the Global Fund AMAs have been agreed to continue to strengthen the framework and implement the PCFC. Routine reporting to AFC and EGC by Secretariat.
GF/B37/DP09	Wambo.org: Progress Update and Steps for Advancement	Approval of report and a limited piloting program. Request that (1) Secretariat provide SC with draft of success indicators for pilot by next meeting (June 2017) and (2) report regularly back to SC. Delegation of authority to approve further pilot transactions to SC.	https://www.theglobalfund.org/board-decisions/b37-dp09/	(1) COMPLETED: Secretariat provided SC with draft of success indicators, pilot phase commenced. (2) ONGOING: Reporting to Strategy Committee. March 2019 SC approved additional pilot transactions. 2019 – Board approved expanded pilot scope with lifted access constraints on sources of funding / additional buyers / additional product catalogues. July 2020 – Strategy Committee approved reporting metrics for the ongoing expanded pilot.
GF/B37/DP07	Administrative Agreement with the World Bank	Based on the recommendation of the AFC, the Board authorizes the Secretariat to enter into the proposed administration agreement with the World Bank for a performance-based funding project in the Democratic Republic of Congo (DRC). The Board confirms that this decision does not set a precedent for future investments with development partners or for existing relationships with partners, and requests the Secretariat develop a framework to guide future consideration of such investments, for presentation to and review by the AFC, in consultation with the Strategy Committee, for recommendation to the Board.	https://www.theglobalfund.org/board-decisions/b37-dp07/	IN PROGRESS: In October 2019, the Global Fund and the World Bank signed a co-financing framework agreement to accelerate efforts by countries to end HIV, tuberculosis and malaria and build sustainable systems for health. The Global Fund also signed a framework agreement with the Inter-American Development Bank in 2018. Both framework agreements allow the OIG to execute its mission in accordance with its Board-approved Charter, enabling provision of assurance to the Board. Discussions on framework agreements with other development banks are ongoing. COMPLETED: In October 2019, the Secretariat and OIG presented an update on OIG Access Rights in Contractual Agreements (contained in GF/AFC11/10a), notifying the AFC of the following: OIG and the Secretariat agreed to expand the discretion of the Secretariat to approve non-material modifications to the Global Fund Standard Terms and Conditions for Goods and Services ("STC"); and Regular reporting to the AFC shall be provided by the OIG in the form of "negative assurance" (i.e. OIG confirmation to the AFC that there were no agreements cleared under the process which limit the OIG's ability to fulfil its mandate) as part of OIG regular reporting.
GF/B36/EDP09	Performance Targets for the 2017-2022 Strategic Key Performance Indicator Framework	Approval of performance targets where proposals are complete.	https://www.theglobalfund.org/board-decisions/b36-edp09/	ONGOING for 2017-2022 Strategy period See also other decisions on individual KPI targets. (GF/B39/DP08; GF/B38/EDP18; GF/B43/EDP06)
GF/B36/EDP03	Employee Grievance and Dispute Resolution System	Request that Secretariat continue its work reviewing Global Fund's employee grievance and dispute resolution system and MEC decisions to strengthen the system. Also requests they continue review of the ILOAT system and provide alternative model for review and decision at AFC October 2017 meeting.	https://www.theglobalfund.org/board-decisions/b36-edp03/	ON HOLD: AFC discussion with Secretariat at AFC07 (July 2018) noted initiative is on hold and current internal mechanisms are effective. Additionally, there is an OIG advisory review planned for 2021 which will examine the internal justice mechanisms in place at the Global Fund.

Annex 2 ACTIVE Decisions – Active Policies: Decisions approved between 21 October 2019 – 21 October 2020

Reference number	Decision Point Title	Description of Decision	DP Database Hyperlink	Status October 2020 (Status as per most recent Board or committee discussion)
GF/B42/EDP11- GF/B43/EDP12	Additional Support for Country Responses to COVID-19 Extension of C19RM Timeline and Operational Flexibility for COVID-19	The Board approves the creation of a temporary COVID-19 Response Mechanism to provide additional support for country responses to the pandemic and to ensure the continuity of the fight against HIV, tuberculosis, and malaria. The Board approves that the Secretariat may continue to approve requests for C19RM funds through 15 April 2021; Requests the Secretariat to return to the Board, through its Committees as relevant, for additional consideration and approval should further extensions of C19RM be required as the pandemic continues to evolve, or if total additional funding for C19RM exceeds USD 500 million; and Approves that the operational flexibility under paragraph 3 of GF/B42/EDP10, delegating authority to the Secretariat to grant limited exceptions to the Quality Assurance Policies to waive the requirement for pre-shipment sampling and testing for Expert Review Panel-approved products, vector control products, and condoms, where such testing may delay the delivery of products to countries, will apply through 15 April 2021.	https://www.theglobalfund.org/board-decisions/b42-edp11/ ; https://www.theglobalfund.org/board-decisions/b43-edp12/	ACTIVE POLICY (time-bound): The Secretariat may approve requests for C19RM funds for an initial six-month period through 30 September 2020. This was extended through GF/B43/EDP12 until 15 April 2021. C19RM funds may be used through 30 June 2021, unless extended by the Board.
GF/B43/EDP07	Extending the Wambo.org pilot to include COVID-19 products	To support the response to COVID-19 and mitigate its impact on HIV, tuberculosis and malaria programs in implementing countries, the Board decides to use wambo.org for non-Global Fund-financed procurement of the COVID-19 products it makes available to Global Fund Principal Recipients using grant funding.	https://www.theglobalfund.org/board-decisions/b43-edp07/	ACTIVE POLICY (time-bound): It is time-limited until end of 2020, to be excluded from the pilot's limit of USD 50 million for transactions but to be reported to the SC and evaluated in conjunction with the pilot. Together with the Strategy Committee, broader discussions of wambo.org's future strategy for the Pilot and its role and market influence to be resumed within the development of the Phase 2 of the Market Shaping Strategy and the next Global Fund Strategy in 2020-2021. <i>Strategy Committee recommended to the Board in October 2020 an extension of the timeline for using the wambo.org pilot for COVID-19 products. The Board has received this recommendation as an EDP in October 2020.</i>
GF/B43/EDP06	Revisions and Target Setting for Key Performance Indicators 6a, 6f, 9c, 12b	The Board approves the Revisions and Target Setting for Key Performance Indicators 6a, 6f, 9c, 12b as presented in GF/B43/ER06.	https://www.theglobalfund.org/board-decisions/b43-edp06/	ONGOING policy.
GF/B43/EDP05	Amended and Restated Code of Conduct for Governance Officials	The Board approves the Amended and Restated Code of Conduct for Governance Officials. Shall supersede any and all prior versions.	https://www.theglobalfund.org/board-decisions/b43-edp05/	ONGOING policy.
GF/B43/EDP04	Amended and Restated Policy on Conflict of Interest	Based on the recommendation of the EGC, the Board approves the Amended and Restated Policy on Conflict of Interest. Shall supersede any and all prior versions.	https://www.theglobalfund.org/board-decisions/b43-edp04/	ONGOING policy.

GF/B43/DP03	Approval of the Terms of Reference of the Inspector General Nomination Committee and revisions to the Terms of Reference of the Inspector General	The Board approves i) the terms of reference of the 2020 Inspector General Nomination Committee, as set out in Annex 1 to GF/B43/12 – Revision 1; and, ii) the revised terms of reference of the Inspector General, as presented in Annex 2 to GF/B43/12 – Revision 1,	https://www.theglobalfund.org/board-decisions/b43-dp03/	COMPLETED: The Board requested Board Leadership to submit a Chair, Vice-Chair and the membership of the nomination committee to the Board for approval. (see GF/B43/EDP10) EFFECTIVE upon the commencement of the term of the next Inspector General (Inspector General TOR).
GF/B42/DP06	Revisions to the selection process of the members of the Board Standing Committees and to the Charters of the Board Standing Committees	<p>The Board decides that the principles when assessing proposed members for committee membership, pursuant to article 43.3 of the Board and Committees Operating Procedures as of the next selection process of the members of the Board Standing Committees, should be as follows:</p> <p>Each voting constituency should be represented in the Strategy Committee (“SC”) and the Audit and Finance Committee (“AFC”) for at least one term within a three two-year terms cycle;</p> <p>Each voting constituency should be represented, in any given term, in at least, the SC or the AFC;</p> <p>For the above committees, the implementer group representation should include government and civil society/communities;</p> <p>Each voting constituency should have the opportunity to have an individual nominated by it serving in their personal capacity in the EGC within a three two-year terms cycle;</p> <p>In setting out the list of proposed members, the Board Leadership shall consider experience, competency, continuity and gender balance.</p> <p>Decides to amend article 4 of the Charter of the EGC, article 3.a. of the Charter of the SC and of the Charter of the AFC by, in each case, increasing the number of voting representatives of constituencies from the implementer group by one; decides to amend article 3.b. of the Charter of the SC and of the Charter of the AFC by increasing the number of voting representatives of constituencies from the donor group by one in each case.</p> <p>Shall supersede any and all prior versions.</p>	https://www.theglobalfund.org/board-decisions/b42-dp06/	ONGOING Policy EFFECTIVE May 2020: The amendments to the EGC Charter, the AFC Charter and the SC Charter set out in paragraphs 3 to 5 of this decision point entered into force in May 2020.
GF/B42/DP03	Sources and Uses of Funds for the 2020-2022 Allocation Period	<p>1. The Board decides the amount of sources of funds for allocation for the 2020-2022 allocation period is USD 13.00 billion of which:</p> <ul style="list-style-type: none"> i. USD 13.25 billion, derived from the announced replenishment results of the Sixth Replenishment (2020-2022), net of certain adjustments; and ii. USD 0.65 billion of forecasted unutilized funds from the 2017-2019 allocation period; iii. to which a reduction of USD 0.90 billion of forecasted aggregate operating expenses for the 2020-2022 allocation period is applied. <p>2. the Board approves the use of an additional USD 0.09 billion for the 2020-2022 allocation period’s catalytic investments,</p> <p>3. the Board requests that the Secretariat include an additional USD 0.60 billion in the amount used to determine country allocations pursuant to the Allocation Methodology for the 2020-2022 Allocation Period as approved pursuant to GF/B41/DP03 (the “Allocation Methodology”).</p> <p>4. Accordingly, the Board decides the amount of sources of funds for country allocation for the 2020-2022 allocation period is USD 12.11 billion, to which USD 0.60 billion will</p>	https://www.theglobalfund.org/board-decisions/b42-dp03/	ONGOING Policy (2020-2022 allocation period).

		be added prior to determining the country allocation, to be used in accordance with the Allocation Methodology and decision point GF/B41/DP03.		
GF/B41/EDP16	Indicator Revision and Performance Target for Key Performance Indicator 10: Resource Mobilization; Key Performance Indicator 12a: Availability of affordable health technologies: Availability; Key Performance Indicator 12b: Availability of affordable health technologies: Affordability	<p>the Board approves:</p> <p>the wording revision for Key Performance Indicator 10 as presented in GF/B41/ER12</p> <p>the indicator revision and performance target for Key Performance Indicator 12a as presented in GF/B41/ER12</p> <p>the 2020 performance target for Key Performance Indicator 12b as presented in GF/B41/ER12</p>	https://www.theglobalfund.org/board-decisions/b41-edp16/	EFFECTIVE 2020 with the exception of 12b. 12b is SUPERSEDED by decision point GF/B43/EDP06
GF/B41/EDP15	Revisions to the Committee Leadership Selection Process, the Due Diligence Process and the EGC Size and Composition	<p>The Board approves (i) the proposed amendments to the Operating Procedures of the Board and Committees of the Global Fund ("BCOP") set out in Annex 1 of GF/B41/ER11; and (ii) the proposed amendments to the Charter of the Ethics and Governance Committee ("EGC Charter") set out in Annex 2 of GF/B41/ER11.</p> <p>The Board endorses the due diligence process overview set out in Annex 4 of GF/B41/ER11.</p>	https://www.theglobalfund.org/board-decisions/b41-edp15/	EFFECTIVE 2020: The proposed amendments to the BCOP shall enter into force upon the adoption of this decision point. The proposed amendments to the EGC Charter shall enter into force upon the expiry of the term of the current EGC in May 2020.

Annex 3 Decisions Superseded or Completed in the period between 21 October 2019 – 21 October 2020

Reference Number	Decision Point Title	Description of Decision	DP Database Hyperlink	Status October 2020
GF/B39/EDP17	Key Performance Indicator 12b: Availability of Affordable Health Technologies: Affordability	Board approves the 2019 performance target of USD 115 million for Key Performance Indicator 12b as presented in GF/B39/ER14A.	https://www.theglobalfund.org/board-decisions/b39-edp17/	SUPERSEDED The most recent revision of KPI 12b is GF/B43/EDP06.
GF/B39/DP06	Strengthening the Processes for Selection of Committee Leadership and Committee Members	Board requests the EGC to undertake a review of the existing committee selection process and prepare to make a recommendation to the Board for a decision at the 40th Board Meeting. Also requests that the EGC requests feedback broadly from across Board constituencies when formulating its recommendations and invites a representative of civil society to be included in these deliberations.	https://www.theglobalfund.org/board-decisions/b39-dp06/	COMPLETED: The Board approved the revisions to the Committee Selection Processes to the Board in November 2019 (GF/B41/EDP15, GF/B42/DP06).
GF/B39/EDP08	Terms of Reference of the Board Leadership Nomination Committee and Corresponding Amendments to the Core Governance Documents	Amendments to the three standing committees' charters were made in August 2018	https://www.theglobalfund.org/board-decisions/b39-edp08/	SUPERSEDED: Core governance documents amended by GF/B42/DP06.
GF/B34/EDP07	Enhanced Governance Structure	The Board a) establishes the following three standing committees (the "Standing Committees"): i. Audit and Finance Committee ii. Ethics and Governance Committee; iii. Strategy Committee; b) The following core governance documents, e.g. standing committees charters become effective.	https://www.theglobalfund.org/board-decisions/b34-edp07/	1. ONGOING the three standing committees are operational; 2. SUPERSEDED: Committee Charters amended by GF/B42/DP06.
GF/B33/EDP26	Global Fund Strategy Cycle	Approved move to a 6-year strategy period. Strategy Committee to develop a timeline for developing and finalizing the strategy that will commence immediately after the 2017 – 2022 Strategy as part of the mid-point review of the 2017 – 2022 Strategy.	http://www.theglobalfund.org/board-decisions/B33-EDP26/	COMPLETED: SC developed a timeline and consultative process for developing and finalizing the Strategy that will commence in 2022. The TERG has concluded and shared the outcome of its Strategic Review 2020 in September 2020.
GF/B33/DP10	Ethics and Integrity: Second Stage Policy Proposals	Two follow-up actions required: 1. Board Leadership with AEC to revise the Terms of Reference of the Ethics Officer; and 2. Board Leadership with AEC to conduct review of Code of Ethical Conduct for Governance Officials	http://www.theglobalfund.org/board-decisions/B33-DP10/	1. COMPLETED (2015): Terms of Reference of the Ethics Officer: approved by the Board on 29 July 2015 (GF/B33/EDP14). 2. COMPLETED: Code of Ethical Conduct for Governance Officials reviewed and recommended to the Board in June 2020 (GF/B43/EDP05)
GF/B28/EDP16	Revised Charter of the Office of the Inspector General and Terms of Reference for the Inspector General	The Board: 1. Approves the revised Charter of the Office of the Inspector General, as set forth in Annex 1 to B28/ER/12 (the "Charter");	https://www.theglobalfund.org/board-decisions/b28-edp16/	SUPERSEDED: 1. By GF/B40/EDP14 and 2. by GF/B43/DP03.

		2. Approves the Terms of Reference for the Inspector General (the "TOR"), as set forth in Annex 2 B28/ER/12 (the "TOR");		
GF/B27/DP05	Revision to the Policy on Ethics and Conflict of Interest for Global Fund Institutions	The Board approves the revised Policy on Ethics and Conflict of Interest for Global Fund Institutions attached as Annex 1 of GF/B27/07 and the revised Declaration of Interest Form attached as Annex 2 of GF/B27/07 as updated to reflect the new Board Committee structure established with the Board's adoption of the Governance Reform at its Twenty-Fifth Meeting.	https://www.theglobalfund.org/board-decisions/b27-dp05/	SUPERSEDED by GF/B43/EDP05

Annex 4 – Register of Administrative DPs and EDPs for the period 21 October 2019 to 21 October 2020

Reference Number	DP Title
GF/B43/EDP15	Inspector General – Contractual Negotiations
GF/B43/EDP13	Appointment of 2 Replacement Members on the AFC and 1 on the EGC
GF/B43/EDP11	Extension of terms of the Board Chair and Vice-Chair (decision from virtual executive session on 25 August 2020)
GF/B43/EDP10	Appointment of the 2020 IGNC Membership
GF/B43/EDP09	Secretariat Appointment
GF/B43/EDP08	Approval of the Report of the Global Fund 43rd Board Meeting
GF/B43/EDP02	Appointment of Independent Committee Members
GF/B43/DP02	Approval of the Agenda
GF/B43/DP01	Appointment of the Rapporteur
GF/B42/EDP14	Appointment of the Members of the Standing Committees
GF/B42/EDP13	Appointment of the Chair of the Ethics and Governance Committee
GF/B42/EDP12	Locations and Dates for the 2020 Partnership Forums
GF/B42/EDP07-08	2019 Annual Financial Report & Statutory Financial Statements
GF/B42/EDP06	Appointment of a Replacement Member on the Strategy Committee
GF/B42/EDP05	Appointment of the Chairs and Vice-Chairs of the Standing Committees of the Board
GF/B42/EDP02	Approval of the Report of the Global Fund 42 nd Board Meeting

GF/B42/DP04	2020 Work Plan and Budget Narrative and the 2020 Operating Expenses Budget
GF/B42/DP02	Approval of the Agenda
GF/B42/DP01	Appointment of the Rapporteur

Annex 5 – Classification of Board Decisions³

Classification	Sub-classification	Definition
ACTIVE Decisions	Action Required	Decision requires a time-bound one-off action or set of actions. Includes projects and other assignments required of the Secretariat, the OIG, or a governance body.
	Active Policy	Decision provides the underlying authorization or approval of (1) active policies and guiding principles, (2) strategic/operational frameworks and models, (3) the most recent approval of core governance documents (Charters, TORs, Operating Procedures, etc.)
Reporting Requirement	n/a	Active Decision which requires routine reporting to the Board or other governance body.
Classification	Sub-classification	Definition
CLOSED Decisions	Completed	Time-bound one-off action, or series of actions, completed, or project delivered. Applicable timeframe for an approved policy, framework or model has reached its defined expiry date.
	Superseded	Decisions approving a past policy, framework, model or core governance document which is no longer in force, having been replaced by a more recent policy/framework/model/core document approved by Board Decision.
	Administrative - no follow-up required	Decisions with no follow-up action. Approval of a document for the record (agenda, report of a meeting); approval of annual financial statements; appointment of an individual to a role. Decisions which have been withdrawn or not approved are classified as 'Administrative', with an explanation included in the Notes field where applicable (for example, link to a subsequent approved decision).
	Funding Recommendations	Decisions of the Board, on the recommendation of the Grant Approvals Committee or previous equivalent body, relating to allocation of funding and grant extensions.

³ Developed under oversight of the Transitional Governance Committee, July 2015