



Investing in our future

# The Global Fund

To Fight AIDS, Tuberculosis and Malaria

Thirteenth Board Meeting  
Geneva, 27-28 April 2006

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## Approval of Agenda

### Decision Point:

The agenda for the Thirteenth Board Meeting (GF/B13/1) is approved, as amended at the Thirteenth Board Meeting.

There are no material budgetary implications for this decision.

Signed: 27 April 2006

Carsten Staur  
Point Seven

Dianne Stewart  
Secretariat



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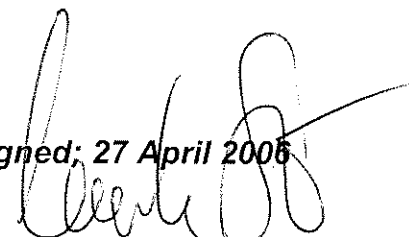
## Appointment of the Rapporteur

### Decision Point:

Mr. Carsten Staur from the Point Seven Constituency is designated as Rapporteur for the Thirteenth Board Meeting.


There are no material budgetary implications for this decision.

*Signed: 27 April 2006*



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Carsten Staur  
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## Approval of Report of the Twelfth Board Meeting

### Decision Point:

The Report of the Twelfth Board Meeting (GF/B13/2) is approved, as amended at the Thirteenth Board Meeting.

There are no material budgetary implications for this decision.

Signed: 27 April 2006

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## Progress on Strategy Development

### Decision Point:

The Board acknowledges the progress made on developing options for the strategic issues in Batch 1 as outlined in the Report of the Policy and Strategy Committee (GF/B13/7). In particular, the Board notes the agreed outcomes of the Policy and Strategy Committee set out in Annex 3 to the Report of the Policy and Strategy Committee (GF/B13/7).

In addition, the Board requests that the development of options continue, and that the Policy and Strategy Committee present to the Board the work on option development for Batches 2 and 3, as well as a draft strategy document, at the Fourteenth Board meeting.

There are no material budgetary implications for this decision.

Signed: 27 April 2006

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## Facilitating Pooled Procurement


### Decision Point:

The Board endorses, in principle, the recommendation of the Policy and Strategy Committee, as part of the strategic issue of "Optimizing Grant Performance", that the Global Fund facilitate the provision of voluntary pooled procurement for recipients of grants subject to the development and Board approval of a suitable feasibility and business plan. To that end, the Board requests that the Policy and Strategy Committee further explore possible strategic models for and implications of including Global Fund facilitation of the provision of pooled procurement, and report to the Board on progress at the Fourteenth Board meeting.

There are no material budgetary implications for this decision.

Signed: 27 April 2006

  
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## Earlier initiation of TRP Clarifications and LFA Assessments

### Decision Point:

The Board endorses the recommendation of the Policy and Strategy Committee, as part of the strategic issue of "Optimizing Grant Performance", that the Technical Review Panel (TRP) clarification and Local Fund Agent assessment processes begin prior to Board approval of the proposals submitted by the Country Coordinating Mechanisms ("CCMs"). The Board therefore requests the Portfolio Committee to recommend for approval to the Board specific conditions for the application of this decision in time for it to apply to the next round of proposals. These conditions shall include, but not be limited to, a statement to the CCM by the Secretariat that a TRP recommendation shall only result in the Global Fund awarding a grant if the recommendation is approved by the Board, which retains the sole authority to make such approvals.

There are no material budgetary implications for this decision.

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## Revision to the Continuity of Services Policy


### Decision Point:

The Board recognizes that the funding under the Continuity of Services Policy should apply to ongoing courses of treatment, whether the treatment is for a limited duration (such as tuberculosis) or is life-long (such as anti-retroviral therapy). To address this, the Board amends the decision at the Twelfth Board Meeting on Continuity of Services as set out in Annex 4 to the Report of the Policy and Strategy Committee (GF/B13/7).

There are no material budgetary implications for this decision.

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Geneva, 27-28 April 2006

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## Annual Report

### Decision Point:

The Board approves the Annual Report as presented in GF/B13/15 and as amended at the Thirteenth Board Meeting.

There are no material budgetary implications for this decision.

Signed: 27 April 2006

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## Follow-up to the Internal Oversight Services Report

### Decision Point:

The Board endorses the findings of the ad hoc Oversight Committee with respect to:

- (a) the management action plan prepared in response to the report of the WHO Office of Internal Oversight Services (the "IOS Report"); and
- (b) work carried out to date by the Global Fund's Deputy Executive Director and the Legal Counsel with respect to determination of accountability for adverse findings described in the IOS Report and the protection of whistleblowers.

The Board accordingly dissolves the ad hoc Oversight Committee and requests the Secretariat to continue to carry out the processes referred to in points (a) and (b) of this decision, with continued attention to the protection of whistleblowers. The Board requests the Inspector General to continue to oversee the work of the Secretariat in this area and report back to the Board as part of his normal periodic reports to the Board.

There are no material budgetary implications for this decision.

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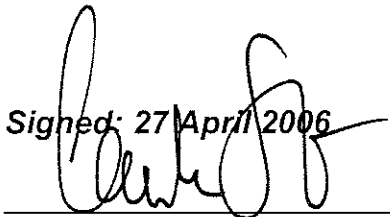
## Executive Director Performance Review 2005

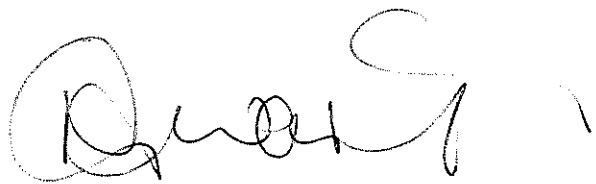
### Decision Point:

The Board takes note of the Report on Performance by the Executive Director (GF/B13/5), including performance against Key Performance Indicators in 2005, and expresses its satisfaction with the results achieved.

There are no material budgetary implications for this decision.

Signed: 27 April 2006

  
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## Executive Director Performance Review 2006

### Decision Point:

The Board approves the proposed 15 Key Performance Indicators for the Executive Director and associated 2006 targets as presented in Annex 1 of GF/B13/12.

There are no material budgetary implications for this decision.

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## Approval of Revised Board Operating Procedures and Bylaws (Executive Director clauses)

### Decision Points:

#### Decision Point 1:

The Board amends Article 8 of the Bylaws as follows:

Article 8. Secretariat

#### 8.1 Composition

The Secretariat is responsible for managing the day-to-day operations of the Foundation.

The Secretariat is headed by an Executive Director, who is selected by the Foundation Board based on merit, in a non-political, open and competitive manner. The Executive Director and acts as the chief executive officer of the Foundation and serves for a term of four years, renewable for not more than one additional term of three years.

The Executive Director is responsible to the Foundation Board for the day-to-day management of the Foundation, and for specific duties and responsibilities assigned to him or her by the Foundation Board.

Secretariat staff are selected by the Executive Director, under policies and procedures approved by the Foundation Board.

#### Decision Point 2

The Board amends Section 17 of the Board Operating Procedures as follows:

#### 17. Executive Director

The Executive Director shall attend all Board Meetings, and shall be responsible for the preparation and distribution of all materials required for the meeting, and for such other duties and responsibilities as may be assigned by the Board or the Chair. The Executive Director shall be appointed by the Board for a term of four years, renewable for not more than one additional term of three years ~~two-year renewable term.~~

Signed 27 April 2006

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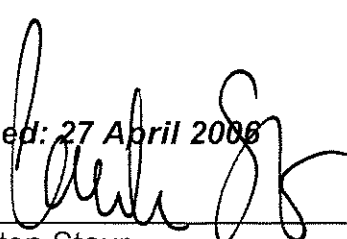
## Executive Director Recruitment Process

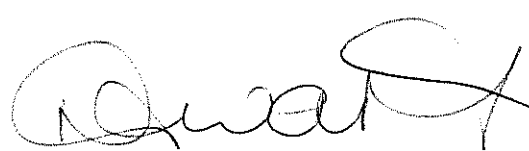
### Decision Point:

The Board approves the revised Terms of Reference for the Executive Director, attached as Annex 1 to the Report of the Executive Director Transition (GF/B13/14), which shall be used as the basis for the recruitment of a new Executive Director.

There are no material budgetary implications for this decision.

Signed: 27 April 2006

  
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## Comprehensive Funding Policy

### Decision Point:

The Board amends paragraphs (a) and (c) of decision point 3 under the Comprehensive Funding Policy approved at the Sixth Board Meeting as follows:

- 3 Proposals are approved for the entire term of the proposal (up to five years) with a financial commitment for the initial two years with the possibility of renewal for up to an additional three years, with the following conditions:
  - a The Board may approve proposals and commit funds for two years up to the cumulative uncommitted amount of assets [~~pledged through the calendar year of the Board decision~~] that the Board determines will be available at the time of signing the related grant agreements in accordance with 3(b);
  - b A sufficient amount of assets to meet the full cost of two years of implementation of approved grants must be deposited with the Trustee or readily available on demand prior to the Secretariat signing a grant agreement;
  - c Based on successful implementation of a grant, funding beyond its first 2 years receives priority over the funding of new proposals. A sufficient amount of assets to meet the cost of such additional funding for the grant must be deposited with the Trustee or readily available on demand prior to the Secretariat signing an amendment to the grant agreement committing such additional funding;
  - d No funds for appeals should be reserved. Successful appeals should be funded immediately if resources are available or as soon as new resources become available.

There are no material budgetary implications for this decision.

Signed 28 April 2006

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## Approval of Audited Financial Statements for 2005

### Decision Point:

The Board approves the 2005 Financial Statements of the Global Fund which have been audited by Ernst & Young, attached as Annex 7 to the Report of the Finance and Audit Committee (GF/B13/9).

There are no material budgetary implications for this decision.

Signed : 28 April 2006

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## Office of the Inspector General Work plan and Budget

### Decision Points:

#### Decision Point 1:

The Board approves the Charter of the Office of the Inspector General, attached as Annex 5 to the Report of the Finance and Audit Committee (GF/B13/9) with the addition of a reference to the Administrative Services Agreement with the World Health Organization (WHO).

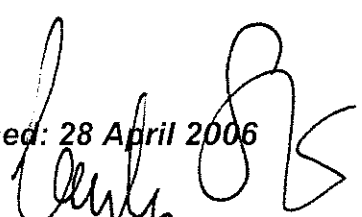
There are no material budgetary implications for this decision.

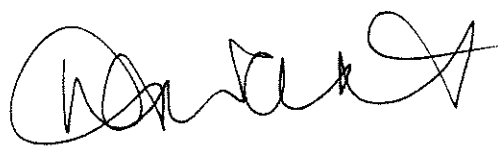
#### Decision Point 2:

The Board approves the 2006 budget in the amount of US\$2,015,000 to be used exclusively for the Office of the Inspector General ("OIG"), as set out on page 6 of the Report of the Finance and Audit Committee (GF/B13/9) and as proposed by the Inspector General and recommended by the Finance and Audit Committee. This amount supersedes and replaces the US\$823,000 which was allocated to the OIG in the 2006 Secretariat Operating Expenses Budget approved at the Twelfth Board Meeting.

The budgetary implications of this decision are a maximum of US\$1,192,000 in 2006 which would be reduced by any savings achieved on the budget approved for LFA fees and Secretariat expenses.

Signed: 28 April 2006

  
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## Resource Mobilization

### Decision Points:

#### Decision Point 1:

The Board adopts the Resource Mobilization Framework developed by the Finance and Audit Committee, attached as Annex 1 of the Report of the Finance and Audit Committee (GF/B13/9), and requests the Finance and Audit Committee to monitor the implementation of the framework, and its role in guiding the replenishment process, and report regularly to the Board.

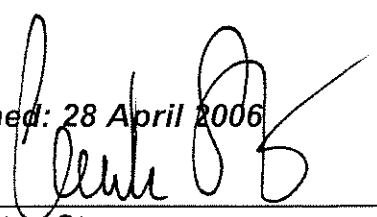
There are no material budgetary implications for this decision.

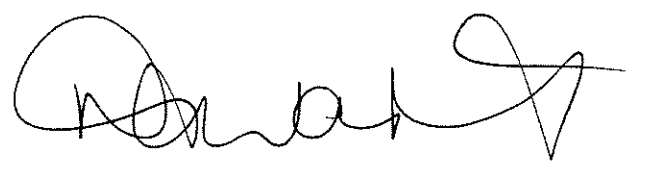
#### Decision Point 2:

The Board requests the Finance and Audit Committee to keep under review the strategy development process led by the Policy and Strategy Committee as it relates to Resource Mobilization and to develop a longer term resource mobilization policy in the light of the approved strategy.

There are no material budgetary implications for this decision.

Signed: 28 April 2006

  
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## Replenishment

### Decision Point:

The Board recognizes the importance of the replenishment in ensuring sustainable and predictable funding, and its role in increasing the Global Fund's donor base. The Board requests the Finance and Audit Committee to continue its oversight role of the process and to guide the Mid Term Replenishment.

There are no material budgetary implications for this decision.

Signed: 28 April 2006

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## Round 5 Appeals

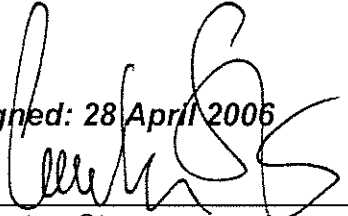
### Decision Point:


The Board approves for funding, in the amounts indicated, the following Round 5 proposals that were recommended by the Internal Appeal Panel in its Report to the Twelfth Board Meeting (GF/B12/8) and could not be approved for funding at the Twelfth Board meeting due to resource constraints:

- i. Equatorial Guinea (Malaria) -- US\$ 12,906,111
- ii. Philippines (Tuberculosis) -- Euro 11,709,434
- iii. Sudan (HIV/AIDS) -- US\$29,424,335
- iv. Sudan (Tuberculosis) -- US\$6,830,013

The Board's approval is made with the clear understanding the amount listed for each proposal is an upper ceiling rather than the final Phase 1 Grant amounts.

Signed: 28 April 2006

  
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## Launch of Round 6

### Decision Point:

The Board decides to launch Round 6 today.

The Sixth Call for Proposals, including the Guidelines for Proposals approved at this Board meeting, shall be issued by the Secretariat no later than thirty days after the date of this decision.

Round 6 proposals will be approved at the Fourteenth Board Meeting.

The Board requests the Finance and Audit Committee to present an estimate of resources available for Round 6 at the Fourteenth Board Meeting (based on the Comprehensive Funding Policy, as amended at the Thirteenth Board Meeting).

The Board has taken account of the various forecasts of assets presented at this Board meeting (GF/B13/11 Revision 1). The Board, noting the limited level of currently confirmed pledges for 2007, makes an urgent appeal to current and potential donors to expedite and increase their pledges for 2006 and 2007 so that Round 6 can be funded.

The budgetary implications in 2006 of this decision are US\$2,025,000, comprised of US\$710,000 for LFA fees and \$1,315,000 for TRP and Secretariat expenses.

Signed: 28 April 2006

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## Revised Eligibility Criteria for Round 6

### Decision Point:

The Board decides that for Round 6, proposals from applicants whose economies are classified by the World Bank as "upper-middle income" may become eligible if the applicant falls under the "small island economy" exception to the International Development Association lending eligibility requirements, regardless of national disease burden.

This decision does not affect the applicability of counterpart financing and other eligibility requirements.

The Board requests the Portfolio Committee to review eligibility criteria for upper-middle income countries for Round 7 and provide recommendations at the Fourteenth Board Meeting.

There are no material budgetary implications for this decision.

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## Approval of Round 6 Guidelines and Proposal Form

### Decision Point:

The Board approves the Guidelines and Proposal Form for the Sixth Call for Proposals (as presented in Annex 4 and Annex 5 of GF/B13/8), as amended at the Thirteenth Board Meeting.

There are no material budgetary implications for this decision.

Signed: 28 April 2006

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## Appointment of TRP Members and Support Group

### Decision Point :

The Board approves:

- a) Dr. Blaise Genton as a new Technical Review Panel (TRP) member to fill the vacancy of a Malaria expert commencing from Round 6;
- b) In respect of Round 6, seventeen (17) Alternate Member positions in total, and specifically in respect of the 2006 TRP replenishment process, those persons recommended by the Portfolio Committee and the Executive Director from the Support Group to fill the fourteen (14) Round 6 TRP Alternate Member position vacancies (as presented in Table 1 of Annex 7 of GF/B13/8); and
- c) A Technical Review Panel Support Group (as presented in Table 1 of Annex 7 of GF/B13/8), comprising the group of experts from which TRP membership will be replenished in the event of TRP member vacancies as they may arise.

There are no material budgetary implications for this decision.

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## Length of term for the Technical Review Panel Chair

### Decision Point:

The Board decides that the Technical Review Panel Chair may serve as Chair for no more than two rounds. The normal term limit of four rounds for TRP members may be extended for two rounds in the event that a member is approved as Chair.

There are no material budgetary implications for this decision.

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## Phase 2 Decision Making Process

### Decision Point:

The Board decides to extend the application of the Phase 2 Decision-Making Policies and Procedures set out in Annex 1 to the Report of the Portfolio Committee to the Twelfth Board Meeting (GF/B12/6) and as amended at the Twelfth Board Meeting, until the Fifteenth Board Meeting.

The Board requests the Portfolio Committee to review the Phase 2 Decision-Making Policies and Procedures and develop recommendations for the Board to consider at its Fourteenth meeting.

There are no material budgetary implications for this decision.

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## Funding for Green Light Committee Activities

### Decision Point:

The Board recognizes the essential service provided by the Green Light Committee as a unique entity that ensures the quality of multi-drug resistant tuberculosis control programs. The Board reaffirms its decision taken at the Third Board Meeting, which requires recipients of Global Fund grants to procure second-line anti-tuberculosis drugs through the Green Light Committee, and recognizes that the Green Light Committee provides a package of services for multi-drug resistant tuberculosis control treatment that cannot be disaggregated. The Board urges the Green Light Committee to develop a proactive resource-mobilization effort to attract other donor funding.

The Board decides that applicants:

- i. applying for grants with multi-drug resistant tuberculosis control components in Round 6 and beyond; or
- ii. submitting a Request for Continued Funding for grants with multi-drug resistant tuberculosis control components as of January 2007,

must include a cost-sharing element for Green Light Committee services. To limit transaction costs, this will be defined by the Secretariat in consultation with the Green Light Committee as a flat rate per grant per year that will not exceed US\$ 50,000 per grant per year. This figure is subject to review by the Portfolio Committee.

The Board requests the Secretariat to explore mechanisms to apply these cost-sharing principles for Green Light Committee services to programs funded by grants in Rounds 1 through 5 that are not already covered by paragraph (a) (ii) of this decision and report back to the Board at the Fourteenth Board Meeting.

There are no material budgetary implications for this decision.

Signed: 28 April 2006

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## Grant Consolidation


### Decision Point:

The Board supports in principle the concept of Grant Consolidation and requests that the Portfolio Committee explores the implications of, and possible models for grant consolidation, and to prepare a report and recommendation to the Board at the Fifteenth Board meeting.

The budgetary implications of this decision for 2006 will be reviewed by the Secretariat and submitted to the Finance and Audit Committee for review and approval.

Signed: 28 April 2006

  
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## Local Fund Agents

### Decision Point:

The Board takes note of the fact that the term of existing contracts with LFAs is coming to an end in October/November 2006 and that it will soon be necessary to enter into new ones.

The Board expresses its desire that contracting arrangements with LFAs reflect the outcome of the strategy development process, as well as the outcomes of the ongoing work of the Portfolio Committee in this area.

To that end, the Board requests the Secretariat to explore and make contractual arrangements that advance that goal.

There are no material budgetary implications for this decision.

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## Phase 2 Nigeria Grants (NGA-102-G01-H-00; NGA-102-G03-H-00)

### Decision Point 1:

The Board declines to approve additional funding for the Phase 2 period of the Nigeria Grant number NGA-102-G01-H-00 (Expansion of Prevention of Mother to Child Centers of Excellence).

### Decision Point 2:

The Board declines to approve additional funding for the Phase 2 period of the Nigeria Grant number NGA-102-G03-H-00 (Program for the expansion of anti-retroviral therapy in Nigeria).

Signed: 28 April 2006

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## Assessment of Executive Director

### Decision Point:

The Board reaffirms its commitment to the performance measurement system for the Executive Director adopted at the Ninth Board Meeting in Arusha and requests the Chair and the Vice-Chair to appoint a Performance Assessment Committee, consisting of four Board Members (or Alternates) which is tasked with:

- concluding the 2005 Performance Report of the Executive Director in the context of the adapted procedure agreed for 2005, the Management Response to the IOS Report and the Report of the Oversight Committee;
- implementing the full performance measurement system in respect of the Executive Director's performance objectives and targets for 2006, with particular attention to establishing a revised list of competencies against which performance will be measured;
- compiling an interim report for the Board to be presented at the Fourteenth Board meeting in November 2006; and
- compiling a final report for the Board to be presented at the Board meeting scheduled for April 2007.

Signed: 28 April 2006

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## Executive Director Nomination Committee

### Decision Point 1:

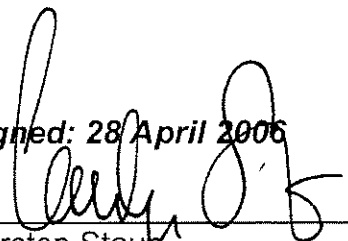
The Board approves the composition of the Executive Director Nomination Committee to be composed of Carol Jacobs, Lieve Fransen, Carsten Staur, Carol Presern, Jimmy Kolker, Peter Van Rooijen, Urbain Olangena Awono and Ren Minghui.

### Decision Point 2:

The Board decides that the Executive Director Nomination Committee shall operate under the following terms of reference:

1. The Nomination Committee shall assist the Board with the selection of the next Executive Director of the Global Fund under an Action Plan approved by the Board. To that end, it shall:
  - select an executive search firm, based on a competitive process;
  - guide recruitment based on the criteria for selection of the Executive Director that were approved by the Board; and
  - oversee the search process.
2. The Nomination Committee shall present a list of 5 candidates to the Board, giving reasons for their assessments which should include the extent to which each candidate fulfils the relevant selection criteria and the candidate's ability to perform the duties of the Executive Director as outlined in the Terms of Reference.
3. The Nomination Committee shall prepare a decision making process for the Board on the selection of candidate at the Fourteenth Board meeting.
4. Membership in the Committee shall not count towards the two-committee limit set forth in Section 23 of the Board Operating Procedures.

Signed: 28 April 2006



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Carsten Staur  
Point Seven



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Dianne Stewart  
Secretariat



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# The Global Fund

To Fight AIDS, Tuberculosis and Malaria

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## Executive Director Selection Criteria

### Decision Point:

The Board approves the selection criteria for the recruitment of the Executive Director in Annex 3 to the Report of the Executive Director Transition (GF/B13/14) as revised at the Thirteenth Board meeting.

Signed: 28 April 2006

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Carsten Staur  
Point Seven

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## Executive Director Recruitment Process

### Decision Point 1:

The Board approves the action plan for the recruitment of the Executive Director set forth in Annex 2 to the Report of the Executive Director Transition (GF/B13/14) as revised at the Thirteenth Board meeting.

### Decision Point 2:

The timeline set by the Board for the selection of the new Executive Director is based on the expectation that he or she would be able to take office by January 2007. However, given that this is not certain to happen, the Board requests WHO to extend the contract of Professor Feachem to March 31, 2007. The Board acknowledges Professor Feachem's statement that, notwithstanding the end date of his contract, he is able to leave office at the time his successor is ready to assume it, as determined by the Chair and Vice Chair of the Board.

Signed: 28 April 2006

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Carsten Staur  
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## Whistle-blowing Policy

### Decision Point:

The Board approves the Whistle-blowing policies set forth in Annex 1A and 1B in the Report of the Ethics Committee (GF/B13/6), as amended below, and encourages the Office of Inspector General to implement these policies as soon as practical.

Footnote 3 in the Whistle-blowing policy for the Secretariat and Governance Bodies of The Global Fund to Fight AIDS, Tuberculosis and Malaria (Annex 1A) is amended to read as follows:

This section shall not apply to Secretariat staff until such time as the World Health Organization determines that the Policy may be implemented under WHO rules and takes all administrative steps to facilitate its implementation.

The budgetary implications of this decision point have been included and presented with the budget of the Office of the Inspector General.

Signed: 28 April 2006

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Carsten Staur  
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## Lobbying Policy

### Decision Point:

The Board approves the "Code of Conduct for Contacts with Members of the Global Fund Involved in Funding Decisions" set forth as Annex 2 to the Report of the Ethics Committee (GF/B13/6) and decides that this code of conduct shall be put on the Global Fund website and that a copy shall be sent to all Country Coordinating Mechanisms and Principal Recipients with all funding application materials. The Board decides that the Code of conduct shall also apply with regard to the selection of the Executive Director of the Global Fund. The Board further decides that all violations of this Code of Conduct shall be reported promptly to the Ethics Committee for action, which may include, among other things, placing funding in jeopardy by reporting all violations of the code as part of the information used in the funding decision.

There are no material budgetary implications for this decision.

Signed: 28 April 2006

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## Secondment Activity at the Secretariat

### Decision Point:

The Board notes with concern the questions raised by the Ethics Committee on existing Secretariat secondment practice, and requests that the Ethics Committee undertake a review the Secretariat policy on secondments and associated conflict of interest issues and report back to the Board at the Fourteenth Board meeting.

There are no material budgetary implications for this decision.

Signed: 28 April 2006

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Carsten Staur  
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## Chair of the Ethics Committee

### Decision Point:

The Board accepts the resignation of Ms Anandi Yuvaraj from the position of Chair of the Ethics Committee.

The Board accepts the resignation of the Latin American and Caribbean constituency from the Ethics Committee, and approves its replacement by the Eastern and Southern Africa constituency.

The Board appoints Professor Sheila Dinotshe Tlou of the Eastern and Southern Africa constituency as Chair of the Ethics Committee.

There are no material budgetary implications for this decision.

Signed: 28 April 2006

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## Delegation of Authority to Sign Agreements

### Decision Point:

1. The Board authorizes the Chair and Vice Chair of the Board and the Executive Director to execute agreements on the Board's behalf. As necessary and appropriate to maintain continuity of Secretariat operations, in the event the Executive Director is unavailable to exercise such authority, the Board authorizes each of the Deputy Executive Director, the Chief of Operations and the Senior Director, Business Services to execute agreements on the Board's behalf.
2. The Board revokes the decision made at the 6<sup>th</sup> Board meeting regarding the Board's delegation of authority to execute agreements (GF/B7/2 p. 22).

There are no material budgetary implications for this decision.

Signed: 28 April 2006

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## Staff Council

### Decision Point:

The Board acknowledges the formation of the Global Fund Staff Council in November 2005 and notes the intention of the Board Chair, the Vice Chair, and the Staff Council to meet prior to every Board meeting.

There are no material budgetary implications for this decision.

Signed: 28 April 2006

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Carsten Staur  
Point Seven

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Dianne Stewart  
Secretariat