



Investing in our future

The Global Fund

To Fight AIDS, Tuberculosis and Malaria

**Seventeenth Board Meeting
Geneva, 28 – 29 April 2008**

DECISION POINTS FOR THE SEVENTEENTH BOARD MEETING



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Appointment of the Rapporteur

Decision Point GF/B17/ DP1:

Mr. Javier Hourcade Bellocq from the Communities constituency is designated as Rapporteur for the Seventeenth Board Meeting.

This decision does not have material budgetary implications.

Signed: 28 April 2008

Javier Hourcade Bellocq
Rapporteur

Dianne Stewart
Secretariat



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Approval of Agenda

Decision Point GF/B17/DP2:

The agenda for the Seventeenth Board Meeting (GF/B17/1, Revision 1), as amended, is approved.

This decision does not have material budgetary implications.

Signed: 28 April 2008

Javier Hourcade Bellocq
Rapporteur

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Approval of Report of the Sixteenth Board Meeting

Decision Point GF/B17/DP3:

The report of the Sixteenth Board Meeting (GF/B17/2) is approved.

This decision does not have material budgetary implications.

Signed: 28 April 2008

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Technical Review Panel Members and Alternate Members

Decision Point GF/B17/DP4:

The Board approves:

- (a) Dr Fernando Del Castillo (HIV), Dr Ahmed Awad Adeel Abdel-Hameed (Malaria), Dr Omou Younoussa Bah-Sow (Tuberculosis), and Drs Beatriz Ayala-Ostrom, Grace Murindwa, Alison Heywood and Maggie Huff-Rouselle (Cross-Cutting) as Permanent Members of the TRP to serve up to four Rounds commencing from Round 8;
- (b) On an exceptional basis, and to strengthen the TRP's expertise in health systems strengthening (HSS) pending a full replenishment of the TRP Support Group in 2009, two persons currently serving as members of the GAVI Alliance HSS Independent Review Committee, Dr Elsie Le Franc and Dr Bola Oyeledun; and
- (c) In respect of calls for proposals made in 2008, the eighteen (18) persons identified as Alternate Members in the Report of the Portfolio Committee (GF/B17/5, Revision 1),

each of whom have been recommended by the Portfolio Committee and the Executive Director upon consideration of required technical expertise, as well as geographical distribution and gender balance.

There are no material budgetary implications for this decision.

Signed: 28 April 2008

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Amendments to the TRP Terms of Reference

Decision Point GF/B17/DP5:

The Board amends Article 32 of the TRP Terms of Reference [GF/B15/7 Annex 2] as follows:

32. The TRP shall review each Rounds based proposal as a whole and not separately evaluate elements within a proposal, and recommend some to the Board for funding and not others. However, in reviewing a disease component which contains a cross-cutting HSS section, the TRP may recommend for funding either:

- a. The entire disease component, including the cross-cutting HSS section;
- b. The disease component excluding the cross-cutting HSS section; or
- c. Only the cross-cutting HSS section if the interventions in that section materially contribute to overcoming health systems constraints to improved HIV, tuberculosis and malaria outcomes.

In addition, tThe TRP can ~~however~~ recommend modification or even elimination of weak elements in an otherwise strong proposal where those weak elements are not a key or major aspect of the proposal.

This decision does not have material budgetary implications.

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Delegation of Authority to the Secretariat for Grant Closure Activities

Decision Point GF/B17/DP6:

The Board notes the Secretariat's principles for grant closure set out in Annex 1 of the Portfolio Committee Report (GF/B17/5, **Revision 1**).

The Board recognizes that, in the exceptional circumstances of unanticipated terminations, there may be a need for continued funding for programmatic activities in order to ensure the orderly and ethically responsible closure of the grant. The Board endorses the Secretariat's authority, as part of its grant management responsibilities, to approve continued funding for programmatic activities in cases of unanticipated termination from remaining grant funds, based on the Secretariat's grant closure principles, emphasizing that any such funding be time-limited. The Board also acknowledges that, in exceptional cases, funds disbursed prior to the grant end date may not be sufficient to cover grant closure expenses. The Board delegates to the Secretariat the authority to allow disbursements of remaining grant funds for grant closure activities after the grant end date in exceptional circumstances provided the expenses are reasonable and permitted in accordance with the Secretariat's grant closure principles.

The authorities of the Secretariat referred to above relate to funds remaining under the grant. Board approval continues to be required for any incremental funding that is necessary to finance grant closure expenses that exceed the remaining grant funds.

The Portfolio Committee will continue to oversee the application of the Secretariat's grant closure policy as part of its on-going responsibility to review regular portfolio updates from the Secretariat. The Secretariat will report to the Portfolio Committee on a regular basis on all unanticipated terminations and suspensions of grants during the preceding reporting period and the arrangements for such grants. These reports will include the specific amounts of funding to be allocated for grant closure, their use and other key issues.

This decision does not have material budgetary implications.

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Amendments to the Continuity of Services Policy

Decision Point GF/B17/DP7:

The Board amends the Continuity of Services Policy (GF/B14/DP11) by amending paragraph v as follows:

v. The Secretariat will review the Extraordinary Request, and provide a funding recommendation to the Board for its approval if incremental funding is needed. If incremental funding is not required because there are sufficient funds remaining under the ending grant to cover the Extraordinary Request, the Board authorizes the Secretariat to approve the Request, on the same conditions and subject to the same limitations as set out in this policy. The Secretariat will take into account performance issues, as appropriate, and shall make any adjustments to existing implementation arrangements necessary to ensure the effective use of Global Fund financing.

This decision does not have material budgetary implications.

Signed: 28 April 2008

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Approval of 2007 Audited Financial Statements

Decision Point GF/B17/DP8:

The Board approves the 2007 Financial Statements of the Global Fund which have been audited by Ernst & Young as set out in Attachment 1 to the Report of the Finance and Audit Committee (GF/B17/6).

This decision does not have material budgetary implications.

Signed: 28 April 2008

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Priorities for the Office of the Inspector General

Decision Point GF/B17/DP9:

The Board approves the Priorities for the Office of the Inspector General as set out in Attachment 2 and summarized in Annex 2 to the Report of the Finance and Audit Committee (FAC) (GF/B17/6).

The Board requests the Inspector General to report to the FAC on the action taken in response to any case where mismanagement of Global Fund grant programs has taken place. The Board requests the FAC to review at its meetings any reports received from the Inspector General and action taken in response to such cases, and to propose any further action that the FAC considers necessary, in consultation with other relevant actors in-country.

This decision does not have material budgetary implications.

Signed: 28 April 2008

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Budget Framework for Future Years

Decision Point GF/B17/DP10:

The Board approves the Budget Framework as set out in Annex 3 to the Report of the Finance and Audit Committee (FAC) (GF/B17/6), which shall guide the formulation and consideration for approval of annual budgets for Operating Expenses of the Global Fund. The Board requests that FAC annually review the Framework, including the parameters, for three years, bearing in mind the desire to achieve economies of scale, and thereafter as needed, and report back to the Board, with recommendations for modifications as necessary. In conjunction with the PSC process that will recommend Secretariat KPIs for 2009, FAC shall explore how best to link the KPIs to the budget. The FAC shall also examine how to enhance its review of expenditure each year.

This decision does not have material budgetary implications.

Signed: 28 April 2008

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Strategic Framework for Collaboration (“Roadmap”) with UNITAID

Decision Point GF/B17/DP11:

The Board refers to its decision (GF/B14/DP23) to request the Policy and Strategy Committee (PSC) to work with the Secretariat and the Finance and Audit Committee to develop a roadmap for future collaboration with UNITAID. The Board approves the proposed framework set out in Attachment 1 of the Report of the PSC (GF/B17/4), and requests the Secretariat under the oversight of the PSC to proceed with collaboration in the five areas described in the proposed framework and provide an update to the PSC at its first meeting in 2009.

This decision does not have material budgetary implications.

Signed: 28 April 2008

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Reattribution of the Five-Year Evaluation Budget

Decision Point GF/B17/DP12:

The Board approves the reattribution of US\$6 million of the Five-Year Evaluation budget from 2007 to 2008.

This decision does not have material budgetary implications.

Signed: 28 April 2008

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Debt2Health – Exploration of Additional Opportunities

Decision Point GF/B17/DP13:

The Board recognizes some early success in securing resources through Debt2Health and awaits the first contribution in mid-2008. Although the Board awaits specific data on aspects of the program, the Board supports exploration of additional opportunities. Based on additional data, the Board may consider expansion of the pilot program in the future.

This decision does not have material budgetary implications.

Signed: 28 April 2008

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Guidance for Board Seat Allocation for Public Donors

Decision Point GF/B17/DP14:

The Board recognizes the importance of establishing a transparent framework for seat allocation among public donors that attributes rights based principally on levels of contributions, and that helps achieve higher levels and timely payment of contributions.

In accordance with Article 7.2 of the By-laws, the Board requests the Board Members representing donor constituencies, in consultation with other donors, to determine a framework for donor seat allocation, within the existing eight public donor seats and guided by a threshold, and to report to the Board on their conclusions at the Eighteenth Board Meeting.

This decision does not have material budgetary implications.

Signed: 28 April 2008

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Memorandum of Understanding with UNAIDS

Decision Point GF/B17/DP15:

The Board welcomes and supports the Executive Director's initiative to strengthen the Global Fund's relationship with its key partners in the fight against the three diseases. In this context, the Board expresses its satisfaction with and endorsement for the principles of the new memorandum of understanding with UNAIDS (the "UNAIDS MoU"), and requests the Executive Director to finalize and sign the UNAIDS MoU.

This decision does not have material budgetary implications.

Signed: 28 April 2008

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Affordable Medicines Facility for Malaria

Decision Point GF/B17/DP16:

The Board refers to its decision (GF/B16/DP14) and the decision of the Board of the Roll Back Malaria (“RBM”) Partnership at its meeting on 28-29 November 2007 inviting the Global Fund to take on full responsibility to host and manage the Affordable Medicine Facility – malaria (“AMFm”).

The Board agrees to have the Secretariat prepare to host and manage the AMFm as a business line within the Global Fund:

- based on the AMFm design and business plan set out in the Secretariat Report to the Policy and Strategy Committee (GF/PSC9/03); and
- subject to final approval at the Eighteenth Board Meeting of a policy framework and implementation plan that incorporates the principles set out in Annex 1 to this Decision Point and offers practical solutions, in consultation with technical partners, to remaining technical issues (including identification of strategies to maximize access to ACTs by the most vulnerable and poorest and ensuring patient safety).

The Board acknowledges the work and recommendations of the RBM Task Force on the AMFm design, as endorsed by the RBM Executive Committee, and joins the RBM Executive Committee in asking the RBM partnership and the AMFm Task Force to continue to contribute to the development of the AMFm and to pursue all options to maximize access (including targeting the poorest through free distribution of ACTs through public and NGO channels).

The Board requests that the Secretariat continue to work with the RBM Partnership, UNITAID, endemic countries, and other relevant stakeholders and develop and present to the Board at its Eighteenth Meeting for decision:

- i. The policy framework and implementation plan for managing the AMFm, including the calendar for phasing in the AMFm and monitoring and evaluation (M&E) arrangements;
- ii. Recommended arrangements for the ongoing governance of the AMFm;
- iii. A statement of the resources available for launching the initial phase of the AMFm;
- iv. The organizational and budgetary requirements for managing the AMFm in its initial phase of operation; and
- v. Any required technical changes to the AMFm design and business plan.

To oversee and guide the work by the Secretariat, the Board decides to establish an ad-hoc committee of the Board: the “AMFm Ad-hoc Committee”. The ad-hoc committee should include relevant partners, and potential donors, including UNITAID. The Board invites nominations for the members of the AMFm Ad-hoc Committee and requests the submission of nominations to the Board Chair and Vice Chair by no later than May 15, 2008. Membership of the AMFm Ad-hoc Committee shall not apply towards the two-committee limit set out in Section 23 of the Board Operating Procedures.

The Board requests the Finance and Audit Committee to work with the AMFm Ad-hoc Committee to review the AMFm design and business plan with regard to 1) the plan's policy and strategy issues relating to finance, 2) implications for the Fund's budget for Operating Expenses, and 3) the Fund fiscal management policies and processes. This review should particularly consider elements of the plan that would involve the Secretariat entering into contractual arrangements with implementers of the AMFm, any additional risk this may pose to the Fund, and how this plan will fit within the forthcoming risk management framework of the Fund and its model as a financing institution, not an implementing agency.

The Board calls upon the FAC and the PSC, as part of its ongoing work, to provide analysis on elements of the AMFm policy framework, implementation and business plan that may potentially change the Global Fund framework document and bylaws. In particular, the FAC and the PSC should further review how the various tasks induced by the management of the AMFm should be shared between the Global Fund and its partners. The Board notes the need for extensive consultation with Board members on any proposed substantive change to the Fund's Framework Document of Bylaws.

There are no budgetary implications to this decision point.

Signed: 29 April 2008

Javier Hourcade Bellocq
Rapporteur

Dianne Stewart
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Annex 1 to Decision Point GF/B17/DP8:

Principles for AMFm Policy Framework, Implementation and Business Plan

- The timing of the AMFm-launch and implementation in endemic countries should be developed on the basis of the phase-in paper set out as Attachment 3 to the PSC Report (GF/B17/4), to include the following factors:
 - A phased launch starting with a first group of countries to be selected according to criteria developed by the Secretariat and agreed at the 18th Board Meeting;
 - Roll-out of the AMFm in these selected countries for an initial phase until a Board decision on full roll-out is reached;
 - Operational research and extensive M&E efforts carried out in these first countries accessing the AMFm to assess the extent to which the AMFm can meet its objectives and provide lessons learned about the design and implementation of the AMFm that would inform a subsequent Board decision on full roll-out;
 - An independent technical evaluation of the roll-out of the AMFm in the selected countries will be commissioned by the Global Fund Secretariat, under the guidance of the appropriate committee, using a set of pre-defined key indicators to be further elaborated and agreed at the Eighteenth Board Meeting to assess potential failures and shortcomings (“red flags”) in the AMFm;
 - At its first meeting in 2010, the Board will consider findings from this evaluation for a decision on whether to expand, accelerate, terminate or suspend the AMFm business line;
 - Expansion from the initial phase to a full roll-out in all eligible countries will occur within a year of launch unless clear failures (“red flags”) in the AMFm design are observed.

- The AMFm should be designed to increase access to ACTs by requiring national roll out plans/strategies that:
 - Emphasize reaching women, children and the poor,
 - Are fully financed, including sources of funding for supporting interventions to enable safe and broad access (notably among those who are currently unable to purchase ACTs because of their low income);
 - Include plans for training, supervision and monitoring of providers, especially to ensure patient safety;
 - Explain how the plan and its interventions link with national malaria control strategies and programs and how AMFm will be coordinated with supporting interventions.
 - Are reviewed and approved by an independent standing technical body that determines that the AMFm roll-out plan is technically sound, with a particular focus on assuring sufficient investment in necessary supporting interventions, prior to provision of co-payment funding

- The AMFm should pursue responsible negotiations and contracting with manufacturers:
 - Manufacturer sales prices for private sector buyers must not exceed the price available to public sector buyers (currently US\$1/dose);
 - Quality standards applied to drugs that qualify for the co-payment must, as a minimum, meet the quality standards outlined in the Global Fund’s Quality Assurance policies; and
 - The duration of copayment contracts should not extend beyond the duration of the first phase of roll-out so as to ensure continuation of market competition to reduce prices and encourage market entry of new participants.

- The AMFm should pursue a responsible funding policy and resource mobilization strategy:
 - The AMFm will not become operational until sufficient funds have been contributed to cover co-payment costs for the full first phase of roll-out;
 - Resources mobilized by the Global Fund Secretariat for the AMFm copayment should be additional to and separate from resources raised for ongoing Global Fund grant making and, must be held in a separate account with the Trustee;
 - Resource mobilization for supporting interventions will be part of ongoing resource mobilization for Global Fund grant making and should be integrated into the Global Fund resource mobilization strategy;
 - No funds can be transferred from the Global Fund’s “general” account with the Trustee to support AMFm co-payments;
 - The Global Fund will not make contractual commitments with manufacturers unless the necessary funds are available in the copayment account with the Trustee.

- The AMFm should work with partners to ensure that:
 - The process for country access, including the development and assessment of roll-out plans, is simple and well-supported;
 - Provider training and supervision emphasizes appropriate use of ACTs; and
 - AMFm implementation builds on consultation with the Private Sector in participating countries to ensure the co-payment is passed on through the supply chain.



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Non-Voting Seats for Malaria and Tuberculosis

Decision Point GF/B17/DP17:

Recognizing the need for equitable representation of HIV/AIDS, tuberculosis and malaria within the Global Fund, the Board decides that the follow up work and decisions on the Five Year Evaluation should include action to ensure the effective participation on the Global Fund Board of malaria and tuberculosis constituencies. The Board requests the PSC to discuss the issues and present outcomes at the Board Retreat in October 2008 so that a recommendation can be presented at the Eighteenth Board Meeting in November 2008.

This decision does not have material budgetary implications.

Signed: 29 April 2008

Javier Hourcade Bellocq
Rapporteur

Dianne Stewart
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Building the Demand for a Scaled up Malaria Response

Decision Point GF/B17/DP18:

1. The Board acknowledges and commends the call by the UN Secretary General and the Roll Back Malaria (RBM) Partnership to help countries achieve the G8, the World Health Assembly and RBM targets to achieve universal coverage of an essential malaria control intervention package by December 31, 2010. In particular, the Board recognizes the epidemiological rationale set forth by the WHO for a massive scale-up of effective preventive measures to reach these targets. As the largest external financier of malaria programs worldwide, the Board is committed to ensuring that the Global Fund is acting as a key partner, along with others, in this extraordinary public health effort to meet the demand from countries to scale-up their malaria programs.
2. Given the urgency of the need to devote additional resources and to increase implementation capacities at country level to achieve universal coverage, the Board urges countries to submit ambitious Round 8, Round 9, and Rolling Continuation Channel proposals aimed at scaling up comprehensive malaria control programs (particularly the distribution of long-lasting insecticide treated nets (LLINs) and ACTs) and are linked to broader health systems strengthening.
3. The Board also urges countries to take advantage of the flexibility offered in Global Fund financing and, if appropriate, to consider revising budgets for existing and new grants and for Phase 2 requests to frontload resources and accelerate implementation and scale-up of LLIN distribution, ACTs and other malaria control interventions.
4. The Board, recognizing the increased demand from applicants for high quality technical assistance, urges the RBM Partnership to finance and operationalize the Malaria Implementation Support Team to ensure maximum effectiveness of Global Fund resources to achieve universal coverage.

This decision does not have material budgetary implications

Signed: 29 April 2008

Javier Hourcade Bellocq
Rapporteur

Dianne Stewart
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Approval of the Annual Report

Decision Point GF/B17/DP19:

The Board approves the Annual Report as presented in GF/B17/7.

This decision does not have material budgetary implications.

Signed: 29 April 2008

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Transition from Administrative Services - WHO Arrangements

Decision Point GF/B17/DP20:

The Board accepts with gratitude the World Health Organization's offer to provide human resources services, based on WHO's pay scale and rules and regulations, following the discontinuation of the Administrative Services Agreement on December 31, 2008. Global Fund staff shall at that time be directly employed by the Global Fund. The Board requests the Executive Director to negotiate and enter into a legal agreement putting in place this arrangement, not to extend past 30 September 2009, by which time the Global Fund's own arrangements for Human Resources services shall be in place.

This decision does not have material budgetary implications.

Signed: 29 April 2008

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Transition from Administrative Services - Human Resources and Financial Rules

Decision Point GF/B17/DP21:

The Board refers to its decision (GF/B17/DP20) to accept the World Health Organization's offer to provide human resources services during the period beginning on 1 January 2009 and ending not later than 30 September 2009 (the "Interim Period"). The Board recognizes the importance of full Board ownership of the human resources and related policies and systems ("HR Policy") that shall be in effect at the end of the Interim Period.

As the HR Policy must be established prior to the next meeting of the Global Fund's Board, the Board requests the Finance and Audit Committee to invite all interested Board constituencies to participate in preparation of the HR Policy. Following this consultation, the HR Policy shall be submitted to the Board for approval by email on a no-objection basis under the procedure normally applicable to funding commitments set forth in Section 12 of the Board Operating Procedures. The HR Policy shall be consistent with the principles and strategic priorities set out in Annex 4 to the Report of the Finance and Audit Committee (GF/B17/6).

In addition, the Board delegates authority to the FAC to approve an interim HR policy applicable to the Interim Period, and rules applicable to the purchasing of services and goods and non-grant financial management, which shall come into effect on 1 January 2009.

The Board delegates authority to the Executive Director to take all action, including the execution of legal agreements, required to bring into operation the Global Fund's interim and new administrative frameworks.

This decision does not have material budgetary implications.

Signed: 29 April 2008

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Transition from Administrative Services - Pension Arrangements

Decision Point GF/B17/DP22:

The Board renews its delegation of authority to the Finance and Audit Committee to approve the Global Fund's cash balance pension fund, and requests the Executive Director to take all necessary action, including the execution of legal agreements, to establish the pension fund following such approval.

This decision does not have material budgetary implications

Signed: 29 April 2008

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Launch of Round 9

Decision Point GF/B17/DP23:

1. The Board, determined to scale up the Global Fund's response to HIV, Tuberculosis and Malaria, decides in principle to announce, after the Seventeenth Board Meeting, that there will be an extra Call for Proposals for funding in 2008.
2. The Board requests the Secretariat to prepare to issue a Call for Proposals for Round 9, which shall employ the same proposal form and guidelines as Round 8, on or about 1 October 2008, and to provide for review of those proposals in time for approval at the Nineteenth Board Meeting in April 2009.
3. The Board decides that in Round 8 and 9:
 - a. Applicants whose initial proposal receives a Category 3 recommendation may resubmit a revised version of the same proposal in the next Round for consideration by the TRP in time for the Board to make a decision at its next Board Meeting.
 - b. When the TRP comments on initial Category 3 proposals, it is encouraged to recommend the types of changes that need to be made to strengthen the proposal for resubmission.
 - c. Within a week of the Board being informed of the TRP's recommendations and comments, each applicant should be informed by the Secretariat of the TRP's recommendation and comments regarding its proposal.
4. The Board recognizes that this decision point has implications for the Secretariat, the TRP, and applicants. The Secretariat is requested by no later than 15 May 2008 to submit to the Board, for approval by email, a final decision on announcing Round 9, together with a description of resources available and forecasted and proposed changes to existing policies necessary to implement this decision point.
5. The Board calls on its members and RBM, along with the STOP TB Partnership and UNAIDS Co-sponsors, to provide support to implementers to develop high-quality proposals and to manage efficient programs, to ensure the effectiveness of Global Fund resources.
6. The Board also calls on implementing partnerships, donor countries, and technical partners to prioritize their efforts to develop and agree on a shared approach by which national strategies can be validated, as a basis for the Global Fund to approve funding requests through national strategy applications, and to accelerate the development of robust country-level national strategies. The Board recognizes that national-strategy applications could provide the most sound basis for the scaling-up of programs to prevent, control and treat HIV, tuberculosis and malaria, and could be the most effective way to streamline the ability of country-level partnerships to earn Global Fund resources.

The Secretariat will strive to absorb the budgetary implications of this decision within the already approved budget for 2008.

Signed: 29 April 2008

Javier Hourcade Bellocq
Rapporteur

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Togo Round 2 HIV Continuity of Services

Decision Point GF/B17/DP24:

1. The Board recalls its decision of 17 July 2007 regarding the establishment of continuity of services arrangements for 2,300 patients in Togo following the expiration of the Togo Round 2 HIV grant (TOG-202-G01-H-00). These arrangements will expire in September 2008.
2. The Board understands that no alternative sources of funding have yet been secured to sustain treatment for these patients and that, unless funding can be secured rapidly, treatment availability for such patients is likely to be interrupted.
3. The Board decides to extend the current continuity of services arrangements for the Togo Round 2 HIV grant and approves the use of existing grant funds to procure buffer stocks to cover continued treatment for 2,300 patients for a period of up to six months following the end of the current continuity of services arrangements (i.e. 31 March 2009).
4. The Board notes with appreciation the efforts of technical and bilateral partners, civil society and the government in preparing Togo's Round 8 application and urges the government to redouble its efforts and the Global Fund's partners to help contribute to meeting the country's urgent needs.

This decision does not have material budgetary implications.

Signed: 29 April 2008

Javier Hourcade Bellocq
Rapporteur

Dianne Stewart
Secretariat